

**Chapter 22**  
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**Article 1.00. TITLE**

This Ordinance, including the zoning maps made a part hereof, shall be known and may be cited and referred to as the "Gridley Zoning Ordinance."

**Article 2.00. INTENT AND PURPOSE**

This comprehensive amendment to the Gridley Zoning Ordinance is adopted for the following purposes:

1. To promote and protect the public health, safety, morals, comfort and general welfare of the people;
2. To divide the Village of Gridley and all contiguous territory not more than one and one-half miles beyond the corporate limits into zones or districts restricting and regulating therein the location, erection, construction, reconstruction, alteration and use of buildings, structures and land for residence, business, manufacturing and other specified uses;
3. To protect the character and the stability of the residential, business and manufacturing areas within the Village of Gridley;
4. To regulate the intensity of use of lot areas, and to determine the area of open spaces surrounding buildings, necessary to provide adequate light and air, and to protect the public health;
5. To establish building lines and the location of buildings designed for residential, business and manufacturing, or other uses within such areas;
6. To fix reasonable standards to which buildings or structures shall conform therein;
7. To prevent additions to or alteration or remodeling of, existing buildings or structures in such a way as to avoid the restrictions and limitations imposed hereunder;
8. To limit congestion in the public streets and protect the public health, safety, convenience and general welfare by providing for the off-street parking of motor vehicles and the loading and unloading of commercial vehicles;
9. To define and limit the powers and duties of the administrative officers and bodies as provided herein;

10. And to prescribe the penalties for the violation of the provisions of this ordinance or any amendments thereto.

### **Article 3.00. RULES AND DEFINITIONS**

#### **Section 3.01. Rules.**

In the construction of this ordinance the rules and definitions contained in this section shall be observed and applied, except when the context clearly requires otherwise:

1. Words used in the present tense shall include the future;
2. Words in the singular number include the plural number, and words in the plural number include the singular number;
3. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for."
4. The word "shall" is mandatory.
5. The word "may" is permissive.

#### **Section 3.02. Definitions.**

*Accessory Building or Use.* An "accessory building or use" is one which:

- a. Is subordinate to and serves a principal building or principal use;
- b. Is subordinate in area, extent or purpose to the principal building or principal use served;
- c. Is located on the same zoning lot as the principal building.

An "accessory" use includes, but is not limited to, the following:

- a. A children's playhouse, garden house and private greenhouse;
- b. A shed, garage or building for domestic storage;
- c. Carports;
- d. Satellite dishes, towers, and other similar structures.

*Acreage.* Any tract or parcel of land having an area of one acre or more which has not

heretofore been subdivided or platted.

*Alley.* A public way, not more than forty (40) feet wide, which affords only a secondary means of access to abutting property.

*Alteration, Structural.* Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

*Animal Hospital.* Any building or portion thereof designed or used for the care, observation or treatment of domestic animals.

*Apartment.* A room or suite of rooms in a multiple-family structure, which is arranged, designed, used or intended to be used as single housekeeping unit.

*Auditorium.* A room, hall or building made a part of a church, theatre, school, recreation building or other building assigned to the gathering of people as an audience.

*Automobile and Trailer Sales Area.* An open area, other than a street, used for the display or sale of new or used automobiles or trailers, and where no repair work is done except for minor incidental repair of automobiles or trailers to be displayed and sold on the premises.

*Automobile Laundry.* A building or portion thereof where automobiles are washed.

*Automobile Repair, Major.* Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair, and painting of vehicles.

*Automobile Repair, Minor.* Incidental repairs, replacement of parts and motor service to automobiles.

*Automobile Service Station.* A place where gasoline, stored only in underground tanks, kerosene, lubricating oil or grease, for operation of automobiles, are offered for sale directly to the public, on the premises, and including minor accessories and the servicing of automobiles.

*Automobile Wrecking Yard.* Any place where two or more motor vehicles, not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles of [or] merchandise.

*Awning.* A roof-like cover, temporary in nature, which projects from the wall of a building or overhangs the public way.

*Banks and Financial Institutions.* Commercial banks, currency exchanges, savings and loan associations, brokerage offices and other similar financial institutions, but not including loan offices, finance companies and pawn shops.

*Basement.* A story partly or wholly underground. Where more than one-half of its height is above the established curb level or above the average level of the adjoining ground where the curb level has not been established, a basement shall be counted as a story for purposes of height measurement.

*Billboard.* Any structure or portion thereof upon which are signs or advertisements used as an outdoor display. This definition does not include bulletin boards used to announce church services or to display court or other public office notices, or signs offering the sale or lease of the premises on which the sign is located.

*Block.* A tract of land bounded by streets or, in lieu of a street or streets, by public parks, cemeteries, railroad rights-of-way.

*Boarding House.* A building other than a hotel or restaurant where meals are provided for compensation to four or more persons, who are not members of the keeper's family.

*Buildable Area.* The space remaining on a zoning lot after the minimum open space requirements have been complied with.

*Building.* Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows or openings; and which is designed or intended for the shelter, enclosure or protection of persons, animals or chattels.

*Building, Detached.* A building surrounded by open space on the same zoning lot.

*Building Height.* The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest elevation of the roof in the case of a slant or flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.

*Building, Non-Conforming.* Any building which does not conform to the regulations herein prescribing the maximum floor area ratio, required yards, coverage, height and setbacks, minimum required spacing between buildings on a single lot, and minimum required usable open space for the district in which such building is located.

*Building, Principal.* A non-accessory building in which the principal use of the zoning lot on which it is located, is conducted.

*Building Setback Line.* A line parallel to the street line at a distance from it, regulated by the front yard requirements set up herein.

*Building, Temporary.* Any building not designed to be permanently located in the place

where it is or where it is intended to be placed or affixed.

*Bulk.* The term used to indicate the size and setbacks of buildings or structures and location of same with respect to one another and includes the following:

- a. Size and height of buildings;
- b. Location of exterior walls at all levels in relation to lot lines, streets, or other buildings;
- c. Gross floor area of buildings in relation to lot area (floor area ratio);
- d. All open spaces allocated to the building;
- e. Amount of lot area per dwelling unit;
- f. Required parking areas.

*Business and Professional Office.* The office of an engineer, doctor, dentist, attorney, real estate broker, insurance broker, architect, or other similar professional person, and any office used primarily for accounting, correspondence, research, editing or administration.

*Carport.* A roofed-over area attached to the principal building for vehicle storage, which may be open on three sides.

*Clinic or Medical Health Center.* A medical center or medical clinic is an establishment where three or more licensed doctors of medicine engage in the practice of medicine, operating on a group or individual basis.

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

It shall be permissible to serve food and meals on such premises provided that adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to the members and their guests shall be allowed in conjunction with the operation of a dining room for the purpose of serving food and meals.

*Commission.* The Zoning Committee of the Village of Gridley, as constituted by ordinance.

*Court, Outer.* An open, unoccupied space opening onto a street, alley or yard.

*Curb Level.* The level of the established curb in front of the building measured at the center of such front. Where a building faces on more than one street, the "curb level" shall be the average of the levels of the curbs at the center of the front of each street. Where no curb

elevation has been established, the main level of the land immediately adjacent to the building shall be considered the "curb level."

*Decibel.* A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in "decibels."

*District.* A section of the Village of Gridley and all contiguous territory not more than one and one-half (1 1/2) miles beyond the corporate limits for which uniform regulations governing the use, size and intensity of use of land and buildings, and open spaces about buildings, are established by this ordinance.

*Dwelling.* A building or portion thereof, but not including a house trailer or mobile home, designed or used exclusively for residential occupancy, including one-family dwelling units, two-family dwelling units, and multiple-family dwelling units, but not including hotels, motels, boarding or lodging houses. (A garage attached to the house is considered part of the dwelling).

*Dwelling, Attached.* A dwelling which is joined to another dwelling at one or more sides by a party wall or walls.

*Dwelling, Detached.* A dwelling which is entirely surrounded by open space on the same lot, and is not connected to any other dwelling unit by roof, walls or porches.

*Dwelling, Group.* Two or more one-family, two-family or multiple-family dwellings, or boarding or lodging houses, located on one zoning lot, but not including motels.

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

*Dwelling, One-Family.* A dwelling unit designed exclusively for use and occupancy by one family.

*Dwelling, Row (Party Wall).* A row of two to eight attached one-family, party-wall dwellings, not more than two and one-half stories in height nor more than two rooms in depth, measured from the building line.

*Dwelling, Two-Family.* A building designed or altered to provide dwelling units for occupancy by two families.

*Educational Institution.* Public, parochial, charitable or non-profit junior college, college or university, other than trade or business schools.

*Efficiency Unit.* A dwelling unit consisting of one principal room for living, sleeping and eating, plus facilities for cooking and a complete bath and toilet facilities.

*Family.* One or more persons related by blood, marriage or adoption, or a group of not more than five persons (excluding servants) who need not be related by blood, marriage or



adoption, living together and maintaining a common household.

*Family Residential-Care Home.* A single housekeeping unit of 4 or fewer persons receiving care in a family-like atmosphere. Oversight and supervisory personnel and their families may reside on the premises in addition to this number.

*Floor Area, Gross (For the Purpose of Determining Floor Area Ratio).* The floor area of a building or buildings shall be the sum of the gross horizontal areas of the several floors of such building or buildings--measured from the exterior faces of exterior walls or from the center line of party walls separating two buildings. In particular, "gross floor area" shall include:

- a. Basement space if at least one-half of the basement story height is above the established curb or ground level;
- b. Elevator shafts and stairwells at each floor;
- c. Floor space used for mechanical equipment where the structural headroom exceeds seven and one-half feet; except equipment, open or enclosed, located on the roof;
- d. Attic floor space where the structural headroom exceeds seven and one-half feet;
- e. Interior balconies and mezzanines;
- f. Enclosed porches, but not terraces and breezeways;
- g. Accessory buildings.

*Floor Area Ratio (F.A.R.).* The total floor area of the building or buildings on the zoning lot divided by the area of such zoning lot.

*Frontage.* All the property fronting on one side of a street between the nearest intersecting streets or between a street and a right-of-way.

*Garage, Bus.* Any building used or intended to be used for the storage of three or more passenger motor buses, or motor coaches used in public transportation, including school buses.

*Garage, Private.* Any accessory building or an accessory portion of the principal building which is intended for and used to store the private passenger vehicles of the family or families resident on the premises.

*Garage, Public.* A building other than a private garage, where motor vehicles are parked or stored.

*Garage, Truck.* A building which is used or intended to be used for the storage of motor trucks, truck trailers, tractors and commercial vehicles exceeding one and one-half tons capacity.

*Golf Course.* Public, semi-public, or private grounds over which the game of golf is played.

*Grade, Street.* The elevation of the established street in front of the building measured at the center of such front.

*Group Residential-Care Home.* A single housekeeping unit of 5 to 15 persons receiving care and shelter in a family-like atmosphere. Oversight and supervisory personnel and their families may reside on the premises in addition to this number.

*Home occupation.* Any occupation, business, profession, vocation, avocation, or other activity engaged in for income or profit, conducted by any occupant of any residential property situated in a residential zoning district, which business use meets all of the following requirements:

- (1) The business use engaged in does not alter the residential character of the residential area.
- (2) The business use is not apparent from the exterior appearance of the residential property.
- (3) The business use does not cause apparent traffic and parking congestion in residential areas.
- (4) There is no exterior signage with respect to the business use, except that one sign, not exceeding two (2) square feet may be allowed.
- (5) All advertising with respect to the business use is of such a nature so as not to invite or attract walk-in clients or customers.
- (6) There will be no more than three (3) customers or clients of the business use at the residence at any time.
- (7) All supplies, vehicles, merchandise, equipment, inventory and other property related to the business use shall be stored entirely within an enclosed building or screened outdoor area and not visible by the public.
- (8) The business use is subordinate to the use of the premises for residential purposes and residential use remains the primary use of the premises.
- (9) The owner of the business, or an immediate family member of the owner of the business, must reside in the affected residence.

Garage sales, retail sale parties and other similar functions held at a residence shall not constitute a home occupation and shall be permitted under this ordinance as incidental to a residential use, provided that said activity is not conducted for more than six (6) calendar days

during any calendar year.

All business uses which do not satisfy the requirements set forth above for home occupations shall not be permitted in any residential district.

*Hotel, Apartment.* A building containing dwelling units or individual guest rooms, the majority of which are for permanent guests.

*Hotel, Motel, or Inn.* An establishment containing lodging accommodations designed for use by transients, or travelers or temporary guests.

*Junk Yard.* An open area where waste, scrap metal, paper, rags or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto and building wrecking yards, but excluding similar uses taking place entirely within a completely enclosed building.

*Kennel, Commercial.* Any lot or premises or portion thereof on which more than four dogs, cats and other household domestic animals over four months of age, are kept or on which more than two such animals are boarded for compensation or kept for sale.

*Loading and Unloading Space or Berth, Off-Street.* An open, hard-surfaced area of land other than a street or a public way, the principal use of which is for the standing, loading and unloading of motor vehicles. Such space shall not be less than ten feet in width, twenty-five feet in length, and fourteen feet in height.

*Lot.* A parcel of land legally described as a distinct portion or piece of land of record.

*Lot Area.* The area of a horizontal plane bounded by vertical planes containing the front, side and rear lot lines.

*Lot of Record.* An area of land designated as a lot on a plat of subdivision recorded or registered, pursuant to statute.

*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 is 135 degrees or less.

*Lot Coverage.* The area of a zoning lot occupied by the principal building or buildings and accessory buildings.

*Lot Depth.* The mean horizontal distance between the front and rear lot lines of a lot measured within the lot boundaries.

*Lot Frontage.* The front of a lot shall be that boundary of a lot along a public street; for a corner lot the owner may elect either street line as the front lot line.

*Lot, Interior.* A lot other than a corner or reversed corner lot.

*Lot Line.* A property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends to the abutting street or alley, the lot line shall be deemed to be the street or alley line.

*Lot Line, Front.* The front property line of a zoning lot.

*Lot Line, Interior.* A side lot line common with another lot.

*Lot Line, Rear.* The lot line or lot lines most nearly parallel to and most remote from the front lot lines.

*Lot Line, Side.* Lot lines other than front or rear lot lines are side lot lines.

*Lot, Reversed Corner.* A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not.

*Lot, Through.* A lot having frontage on two parallel or approximately parallel streets, and which is not a corner lot. On a through lot both street lines shall be deemed front lot lines.

*Lot Width.* The mean horizontal distance between the side lot lines measured within the lot boundaries, or the minimum distance between the side lot lines within the buildable area.

*Manufacture.* The production, making or processing of products or commodities for general consumption by the public or for sale to specialized institutions or organizations. Also included is the sub-assembly, fabrication, or processing of parts or components for use in other products or commodities.

*Mobile Home.* Any trailer, as defined herein, used for residential purposes, but not including sports or camping trailers.

*Mobile Home Camp or Park.* Any premises occupied or designed to accommodate one or more families living in a mobile home.

*Motel.* See "Hotel."

*Motor Freight Terminal.* A building in which freight, brought to said building by motor truck, is assembled and sorted for routing in intrastate and interstate shipment by motor truck.

*Nameplate.* A sign indicating the name and address of a building or the name of an occupant thereof and the practice of a permitted occupation therein.

*Net Site Area.* The area of a zoning lot, parcel or tract, excluding boundary rights-of-way.

*Non-Conforming Use.* Any building, structure or land lawfully occupied by a use or lawfully established at the time of the adoption of this ordinance or amendments thereto, which does not conform after the passage of the ordinance or amendments thereto with the use

regulations of the ordinance.

*Noxious Matter.* Material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the psychological, social or economic well-being of human beings.

*Nursery.* A building or portion thereof used for the care for compensation of four or more children under the age of 6 years old, for periods of more than 4 hours, but not exceeding 24 hours.

*Nursing Home or Rest Home.* A commercial establishment for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, but not including facilities for the treatment of sickness or injuries or for surgical care.

*Occupancy Certificate.* A certificate issued by the Building Inspector stating that the occupancy and use of land or a building or structure referred to therein complies with the provisions of this ordinance.

*Ordinance.* Reference to "ordinance" shall be construed as the Gridley Zoning Ordinance.

*Parking Area, Private.* An open, hard-surfaced area, other than a street or public way, designed, arranged and made available for the storage of private passenger automobiles only, of occupants of the building or buildings for which the parking area is developed and is accessory.

*Parking Area, Public.* An open, hard-surfaced area, other than a street or public way, intended to be used for the storage of passenger automobiles and commercial vehicles under one and one-half tons capacity, and available to the public, whether for compensation, free or as an accommodation to clients or customers.

*Parking Space, Automobile.* Space within a public or private parking area of not less than one hundred and eighty (180) square feet (nine feet by twenty feet), exclusive of access drives, or aisles, for the storage of one passenger automobile or commercial vehicle under one and one-half tons capacity.

*Particulate Matter.* Material which is suspended in or discharged into the atmosphere in finely divided form as a liquid or solid at atmospheric pressure and temperature.

*Performance Standard.* A criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

*Planned Development.* A tract of land which is developed initially as a unit under single ownership or control, which includes two or more principal buildings, and which is at least two (2) acres in area for a residential planned development, two acres for a business planned development, and three (3) acres for a planned development operated by a municipal corporation.

*Porch.* A roofed-over structure, projecting out from the wall or walls of a main structure and commonly open to the weather in part.

*Principal Use.* The main use of land or buildings as distinguished from a subordinate or accessory use.

*Public Open Space.* Any publicly-owned open area, including but not limited to the following: Parks, playgrounds, parkways and streets.

*Public Utility.* Any person, firm, corporation or municipal department, duly authorized to furnish under public regulation to the public, electricity, gas, steam, telephone, transportation or water.

*Railroad Right-of-Way.* A strip of land with tracks and auxiliary facilities for track operation, but not including depot loading platforms, stations, warehouses, etc.

*Residential-Care Home.* Any living quarters wherein unrelated individuals are provided residential care--does not include nursing homes, hospitals, day care centers or licensed foster family homes.

*Restaurant.* Any land, building or part thereof, other than a boarding house, where meals are provided for compensation, including a cafe, cafeteria, coffee shop, lunch room, drive-in stand, tearoom and dining room.

*Reversed Corner Lot.* A corner lot that fronts on the intersecting street rather than the street on which the majority of the adjacent lots front.

*Shipping Container.* Means a unit originally or specifically designed or used to store goods or merchandise during shipping or hauling by container ships, rail, highway or other types of transportation.

*Sign.* A name, identification, description, display or illustration which is affixed to, or painted or represented directly or indirectly upon a building, structure, tree, rock or other object, or piece of land.

*Sign, Advertising (Billboard).* A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises where such sign is located, or to which it is attached.

*Sign, Flashing.* Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use.

*Sound Level Meter.* An instrument standardized by the American Standards Association for measurement of intensity of sound.

*Stacking Requirements.* For the purposes herein, stacking requirements are the number of

cars that must be accommodated in a reservoir space while awaiting ingress or egress to specified business or service establishments.

*Story.* That portion of a building included between the surface of any floor and the surface of the floor above it.

*Street.* A public way other than an alley, which affords a primary means of access to abutting property.

*Street Line.* A line separating a lot, piece or parcel of land from a street.

*Structure.* Anything constructed or erected which requires location on the ground or is attached to something having location on the ground, including a freestanding wall. A sign, billboard or other advertising medium, detached or projecting, shall be construed to be a structure.

*Swimming Pool, Private.* A swimming pool and the apparatus and equipment pertaining to the swimming pool maintained by an individual for the sole use of his household and guests. A swimming pool 24” in depth or greater, shall require a fence. All setbacks for a pool shall be the same as those required for an accessory building in the respective zoning district.

*Swimming Pool, Public.* A swimming pool and the apparatus and equipment pertaining to the swimming pool, maintained and operated by a municipality or other unit of government for the general public, whether or not an admission fee is charged.

*Tavern or Lounge.* A building where liquors are sold to be consumed on the premises, but not including restaurants where the principal business is serving food.

*Toxic Materials.* A substance (liquid, solid or gaseous) which, by reason of an inherent deleterious property, tends to destroy life or impair health.

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

*Use.* The purpose for which land or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

*Use, Principal.* The main use of land or buildings as distinguished from a subordinate or accessory use.

*Used Car Lot.* A zoning lot on which used or new cars, trailers or trucks are displayed in the open for sale or trade.

*Yard, Front.* A yard extending along the full length of the front lot line between the side lot lines.

*Yard, Rear.* A yard extending along the full length of the rear lot line between side lot lines.

*Yard, Side.* A yard extending along a side lot line from the front yard to the rear yard.

*Zoning Lot.* A single tract of land located within a single block which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control. Therefore, a zoning lot may or may not coincide with a lot of record.

*Zoning Maps.* The official zoning map or maps incorporated herein as a part hereof, designating zoning districts.

## **Article 4.00. GENERAL PROVISIONS**

### **Section 4.01. Interpretation.**

1. *Minimum Requirements.* The provisions herein shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.

2. *Relationship with Other Laws.* Where the conditions imposed by any provision herein upon the use of land or buildings or upon the bulk of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provision herein or 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.

3. *Effect of Existing Agreements.* The ordinance is not intended to abrogate any easement, covenant, or any other private agreement provided that where the regulations of the ordinance are more restrictive (or impose higher standards or requirements) than such easements, covenants or other private agreements, the requirements herein shall govern.

### **Section 4.02. Separability.**

It is hereby declared to be the intention of the Village of Gridley that the several provisions of this comprehensive amendment are separable, in accordance with the following:

1. If any court of competent jurisdiction shall adjudge any provision of this comprehensive amendment to be invalid, such judgment shall not affect any other provisions not specifically included in said judgment.

### **Section 4.03. Scope of regulations.**

1. *Change in Structures or Use.* Except as may otherwise be provided, all buildings erected hereafter, all uses of land or buildings established hereafter, all structural alterations or



relocation of existing buildings occurring hereafter, and all enlargements of or additions to existing uses occurring hereafter shall be subject to all regulations herein which are applicable to the zoning districts in which such buildings, uses or land shall be located.

2. *Non-Conforming Buildings, Structures and Uses.* Any lawful building, structure or use existing at the time of the enactment of the zoning ordinance may be continued, even though such building, structure or use does not conform to the provisions herein for the district in which it is located, and whenever a district shall be changed hereafter, the then existing lawful use may be continued, subject to the provisions of Section 5.00.

3. *Building Permits.* Where a building permit for a building or structure has been issued in accordance with law prior to the effective date of the ordinance, and provided that construction is begun within ninety days of such effective date and diligently prosecuted to completion, said building or structure may be completed in accordance with the 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 the use for which originally designated--subject thereafter to the provisions of Section 5.00.

#### **Section 4.04. Use and bulk regulations.**

1. *Use.* No building, structure or land shall hereafter be used or occupied, and no building or part thereof, or other structure, 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.

2. *Bulk.* All new buildings and structures shall conform to the building regulations established herein for the district in which each building shall be located.

#### **Section 4.05. Lot coverage.**

1. *Maintenance of Yards, Courts and Other Open Spaces.* The maintenance of yards, courts and other open spaces and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, as long as the building is in existence. Furthermore, no legally required yards, courts or other open space, or minimum lot area allocated to any building, shall by virtue of change of ownership or for any other reason, be used to satisfy yard, court, other open space or minimum lot area requirements for any other building.

2. *Division of Zoning Lots.* No improved zoning lot shall hereafter be divided into two or more zoning lots unless all improved zoning lots resulting from each such division shall conform with all the applicable bulk regulations of the zoning district in which the property is located.

3. *Location of Required Open Space.* All yards, courts and other open spaces allocated to a building or dwelling group shall be located on the same zoning lot as such building or dwelling group.

4. *Required Yards for Existing Buildings.* No yards now or hereafter provided for a building existing on the effective date of the zoning ordinance shall subsequently be reduced below, or further reduced below if already less than, the minimum yard requirements of the ordinance for equivalent new construction.

5. *Permitted Obstructions in Required Yards.* The following shall not be considered to be obstructions when located in the required yards specified:

a. *In All Yards:*

- (1) Open terraces not over four feet above the average level of the adjoining ground, but not including permanently roofed over terrace or porch;
- (2) Awnings and canopies, but not projecting more than ten (10) feet, and at least seven (7) feet above the average level of the adjoining ground;
- (3) Steps, four feet or less above grade, which are necessary for access to a permitted building or for access to a zoning lot from a street or alley;
- (4) Chimneys projecting eighteen inches or less into the yard;
- (5) Arbors or trellises (not exceeding 5 feet in height), fountains, sculptures, plant boxes, and other similar ornamental objects;
- (6) Fences and walls not exceeding four (4) feet in height above natural grade level in front yards and not exceeding six (6) feet in height in side and rear yards.

b. *In Front Yards.* One-story bay windows projecting three (3) feet or less into the yards; and overhanging eaves and gutters projecting three feet or less into the yard;

c. *In Rear Yards.* Enclosed, attached or detached off-street parking spaces, open off-street parking spaces, accessory shed, tool rooms and similar buildings or structures for domestic or agricultural storage. In any residential district, no accessory building shall be nearer than three feet to the side lot line nor nearer than three feet to the rear lot line.

d. *In Side Yards.* Overhanging eaves and gutters projecting into the yard for a distance not exceeding forty (40) percent of the required yard width, but in no case exceeding three (3) feet.

6. *Vision Clearance--Corner Lots.* No building or structure hereafter erected and no

planting or other obstruction to the vision of drivers of motor vehicles shall be located:

- a. In any residential district, exceeding a height of three feet above the street grade within twenty-five (25) feet of the intersecting street lines bordering corner lots; and
- b. In any manufacturing district, within twelve (12) feet of the intersecting street lines bordering a corner lot, provided that this regulation shall not apply to that part of a building above the first floor.

*7. Exceptions for Existing Developments.*

- a. Where forty percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have observed (within a variation of five feet or less) a front yard greater in depth than required herein, new buildings shall not be erected closer to the street than the average front yard so established by the existing building.
- b. Where forty percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have not observed a front yard as herein required, then:
  - (1) Where a building is to be erected within 100 feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the closest front corners of the two existing buildings.
  - (2) Where a building is to be erected within 100 feet of an existing building on one side only, it may be erected as close to the street as the existing building.

**Section 4.06. Lot area and dimension.**

1. *Contiguous Parcels.* When two or more parcels of land, each of which lacks adequate area and dimension to qualify for a permitted use under the requirements of the use district in which they are located, are contiguous and are held in one ownership, they shall be used as one zoning lot for such use.

**Section 4.07. Access to public streets.**

Except as otherwise provided for herein, every building shall be constructed or erected upon a lot or parcel of land which abuts upon a public street unless a permanent easement of access to a public street was of record prior to the adoption of the ordinance.

**4.08. Number of buildings on a zoning lot.**

Except in the case of a planned development, not more than one principal detached residential building shall be located on a residential lot.

#### **Section 4.09. Rezoning of public and semi-public areas.**

An area indicated on the zoning map as a public park, recreation area, public school site, cemetery, or other similar open space, shall not be used for any other purpose than that designated, and when the use of the area is discontinued, it shall automatically be zoned to the most restricted adjoining district.

#### **Section 4.10. Accessory buildings.**

1. *Location.* When a side yard is required, no part of an accessory building shall be located closer than three feet to the side lot line along such side yard. When a rear yard is required, no part of an accessory building shall be located closer than three (3) feet to the rear lot line.

2. *Time of Construction.* No accessory building or structure shall be constructed on any lot prior to the start of construction of the principal building to which it is accessory.

3. *Percentage of Required Rear Yard Occupied.* No accessory building or buildings shall occupy more than forty (40) percent of the area of a required rear yard.

4. *Height and Composition of Accessory Buildings.* No accessory building or portion thereof located in a required rear yard shall exceed fifteen feet in height. Any residential accessory building larger than 168 square feet shall be sided and roofed with materials similar to the siding and roofing materials of the dwelling on the lot or compatible to the dwellings of the neighborhood.

5. *On Reversed Corner Lots.* On a reversed corner lot in a residential district, no accessory building or portion thereof located in a required rear yard shall be closer to the side lot line abutting the street than the required front yard on the adjacent lot to the rear. Further, in the above instance, no such accessory building shall be located within five feet of any part of a rear lot line which coincides with a side lot line or portion thereof of property in a residential district.

#### **Section 4.11. Temporary buildings.**

1. Temporary buildings for construction purposes may be allowed in any district for a period not to exceed the completion date of such construction.

#### **Section 4.12. Performance standards.**

The performance standards of the M-1 Manufacturing District shall also apply to all residential or business districts.

#### **Section 4.13. Existing special uses.**

Where a use is classified as a Special Use and exists as a permitted use at the date of the adoption of this ordinance, it shall be considered a legal use, without further action of the Village Board or the Zoning Committee.

**Section 4.14. Uses not specifically permitted in districts.**

When a use is not specifically listed in the sections devoted to Permitted Uses, it shall be assumed that such uses are hereby expressly prohibited unless by a written decision of the Zoning Committee and Village Board it is determined that said use is similar to and not more objectionable than uses listed. Such uses may then be permitted.

**Section 4.15. Limited Use of Shipping Containers.**

A. No person shall place, cause to be placed, use or permit the use of a shipping container on any property for any purpose in any zoning district except the following instances:

1. At a construction site project, limited to 1 year on site.
2. At a natural disaster recovery or clean-up project, limited to 1 year on site.
3. On a temporary basis for a period not to exceed 30 days when utilizing the units as PODS, (Portable on Demand Storage) for moving and/or temporary storage.
4. On a temporary basis for a period not to exceed 1 year when used as an accessory building or for accessory use in Manufacturing Districts subject to all requirements of that zoning district.

B. When any of the above exceptions apply, the maximum number of shipping containers permitted on any property is one container for a property one acre in area or less and one additional shipping container for each additional acre.

Any person violating any provision of this ordinance shall be fined not less than \$50.00 nor more than \$750.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

**Article 5.00. NON-CONFORMING BUILDINGS AND USES**

**Section 5.01 Continuance of use.**

1. Any lawfully established use of a building or land, on the effective date of this ordinance or of amendments thereto, that does not conform to the use regulations for the district in which it is located, shall be deemed to be a legal non-conforming use and may be continued, except as otherwise provided herein.

2. Any legal, non-conforming building or structure may be continued in use provided there is no physical change other than necessary maintenance and repair, except as otherwise permitted herein.

3. Any building for which a permit has been lawfully granted prior to the effective date of the ordinance or of amendments thereto, may be completed in accordance with the approved plans; provided construction is started within ninety days and diligently prosecuted to

completion. Such building shall thereafter be deemed a lawfully established building.

### **Section 5.02. Discontinuance of use.**

1. Whenever any part of a building, structure or land occupied by a non-conforming use is changed to or replaced by a use conforming to the provisions of this ordinance, such premises shall not thereafter be used or occupied by a non-conforming use, even though the building may have been originally designed and constructed for the prior non-conforming use.

2. Where no enclosed building is involved, discontinuance of a non-conforming use for a period of twelve months shall constitute abandonment, and shall not thereafter be used in a non-conforming manner.

3. When a non-conforming use is damaged by fire or other acts, and the damage exceeds 50% or more of its value, or when the non-conforming use ceases for a period of 12 months or more, the non-conforming use will no longer be allowed.

### **Section 5.03. Change of non-conforming use.**

The non-conforming use of any building, structure or portion thereof, which is designed or intended for a use not permitted in the district in which it is located, may be changed to another non-conforming use thereof but only if such other use is permitted by a Special Use Permit.

### **Section 5.04. Additions and enlargements.**

1. A non-conforming building may be enlarged or extended only if the entire building is thereafter devoted to a conforming use, and is made to conform to all regulations of the district in which it is located.

### **Section 5.05. Conversion to special use.**

Certain non-conforming uses may be made a special use by the granting of a special use permit

### **Section 5.06. Home occupations.**

With respect to home occupations which were permitted home occupations under the provisions of the Gridley Zoning Ordinance prior to the adoption of this Ordinance, said nonconforming home occupations shall be permitted to continue as nonconforming uses.

## **Article 6.00. ZONING DISTRICTS AND MAPS**

### **Section 6.01. Districts.**

In order to accomplish the purpose of this ordinance as stated in Section 2.00, the Village of Gridley, Illinois, and all contiguous territory not more than one and one-half miles beyond the corporate limits and not included in other municipalities, is hereby divided into the following districts:

A-1	Agricultural District
R-1	One-Family Residence District
R-2	Two-Family Residence District
R-3	Multiple-Family Residence District
R-4	Multiple-Family Residence District
B-1	Limited Retail Business District
B-2	General Retail Business District
B-3	Business and Wholesale District
M-1	Limited Manufacturing District
MH	Mobile Home Park
P	Public Grounds

**Section 6.02. Maps.**

The boundaries of the zoning districts are established as shown on the maps entitled "Official Zoning Map of Gridley, Illinois," which maps are made a part hereof, and shall have the same force and effect as if the Zoning Maps, together with all notations, references and other information shown thereon were fully set forth and described herein.

**Section 6.03. District boundaries.**

When uncertainty exists with respect to the boundaries of the various districts as shown

on the Zoning Maps, the following rules shall apply;

1. District boundary lines are either the center lines of railroads, highways, streets, alleys or easements, or the boundary lines of sections, quarter-sections, divisions of sections, tracts or lots, or such lines extended [unless] otherwise indicated.
2. 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 the dimensions shown on the maps measured at right angles from the center line of the street or highway, and the length of frontage shall be in accordance with dimensions shown on the map from section, quarter section or division lines, or center lines of streets, highways or railroad rights-of-way unless otherwise indicated.
3. Where a lot held in one ownership and of record on the effective date of the ordinance is divided by a district boundary line, the entire lot shall be construed to be within the less restricted district, provided that the construction shall not apply if it increases the less restricted frontage of the lot by more than twenty-five (25) feet.

#### **Section 6.04. Zoning of public ways.**

All streets, alleys, public ways, waterways and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting on such alleys, streets, public ways and railroad rights-of-way or waterways. Where the center line of a street, alley, public way, waterway or railroad right-of-way serves as a district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

#### **Section 6.05. Zoning of annexed land.**

Prior to, following, or at the time of annexation of any territory to the Village of Gridley, an application for rezoning may be filed with the Village Clerk and thereafter processed in the manner prescribed for amendments.

### **Article 7.00. AGRICULTURAL DISTRICT**

#### **Section 7.01. A-1 Agricultural District**

1. *Purpose.* The A-1 District is established to provide areas in which agriculture crops and certain related uses are encouraged as the principal use of land.

2. *Permitted Uses.* See Chart on Appendix "A"



3. *Special Use. See Chart on Appendix "A"*

4. *Off street parking.* Automobile parking facilities shall be provided as required or permitted in Section 14.00.

5. *Minimum Lot size.*

- a. Every one-family detached dwelling hereafter erected shall be located on a zoning lot having an area of not less than one and one-half (1½) acres, and a width at the established building line of not less than two hundred (200) feet. All or part of the zoning lot may be devoted to permitted agricultural uses. There shall be only one (1) dwelling to a zoning lot.
- b. All other permitted uses shall be on a tract of land having an area of not less than two (2) acres and a width at the established building line of not less than two hundred (200) feet.
- c. Minimum lot sizes for special uses shall be prescribed and conditions stipulated at the time a special use permit is authorized, but in no case shall any such lot have an area of less than 1 acre and a width at the building line of one hundred and fifty (150) feet.

6. *Building setback line.* No building or structure, other than a permitted sign, hereafter erected shall be placed closer than fifty (50) feet to the nearest right-of-way line of any public street, road or highway upon which the subject property abuts, or closer than fifty (50) feet to the nearest right-of-way line of any proposed public street, road or highway set forth in officially adopted plans and upon which the subject property would abut.

7. *Maximum floor area ratio.* The maximum floor area ratio for permitted uses, including accessory uses, shall be as follows:

- a. One-family dwellings: 0.05.
- b. Schools: 0.1.
- c. Churches, rectories and parish houses: 0.50.
- d. Seminaries, convents, monasteries and similar religious institutions: 0.1.

The maximum floor area ratio for special uses shall be established at the time the special use permit is granted.

## **Article 8.00. RESIDENTIAL DISTRICTS**

### **Section 8.01. R-1 One-Family Residence District.**

1. *Purpose.* The R-1 District is established to provide low density residential housing.
2. *Permitted Uses:* See Chart on Appendix "A"
3. *Special Uses.* See Chart on Appendix "A"
4. *Off-Street Parking.* Off-street parking and loading facilities shall be provided as required or permitted in Section 14.00.

5. *Minimum Lot Size:*

- a. Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than eight thousand, four hundred (8,400) square feet, and a width at the established building line of not less than seventy (70) feet.
- b. Minimum lot sizes for special uses shall be prescribed and conditions imposed at the time a special use permit is authorized, but in no case shall any such lot have an area of less than seven thousand, eight hundred (7,800) square feet.

6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained:

- a. *Front Yard.* A front yard of not less than twenty-five (25) feet from property line.
- b. *Side Yards.* Each lot shall have two side yards, the combined width of which shall be not less than 20 percent of the width of the lot; provided, however, that neither side yard shall have a width of less than five (5) feet.

On corner lots the side yard adjacent to the street shall have a width of not less than 20 percent of the width of the lot, but need not exceed fifteen (15) feet, and in the case of a reversed corner lot there shall be maintained a setback from the side street of not less than 60 percent of the front yard required on the lots in the rear of such corner lots. No accessory building on said reversed corner lot shall project beyond the front yard required on the adjacent lot to the rear, nor be located nearer than five (5) feet to the side lot line of said adjacent lot.

On lots upon which a non-residential use is erected or enlarged, there shall be a side yard of not less than ten (10) feet on each side of the main structure and a combined total of side yards of not less than twenty-five (25) feet.

- c. *Rear Yard.* A rear yard of not less than thirty (30) feet.
- d. The burden of proof is on the petitioner, when determining the property line.

7. *Maximum Lot Coverage.* Not more than 35 percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Floor Area Ratio.* The maximum floor area ratio for permitted uses, including accessory uses, and special uses shall be as follows:

a. *Permitted Uses:*

(1) One-family detached dwellings and permitted accessory uses: 0.40.

b. *Special Uses:*

(1) Two-family dwellings: 0.5.

### **Section 8.02. R-2 Two-Family Residence District.**

1. *Purpose.* The R-2 District is established as a general residence district to encourage and allow the redevelopment of predominantly older sections of the Village while preserving the residential character, and to permit the construction of duplexes in new residential subdivisions.

2. *Permitted Uses.* See Chart on Appendix "A"

3. *Special Uses.* See Chart on Appendix "A"

4. *Off-Street Parking.* Off-street parking and loading facilities shall be provided as required or permitted in Section 14.00.

5. *Minimum Lot Size:*

a. Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than seven thousand, two hundred (7,200) square feet and a width at the established building line of not less than sixty (60) feet.

b. Every two-family dwelling hereafter erected shall be on a zoning lot having a minimum area of not less than six thousand (6,000) square feet and a minimum width of not less than sixty (60) feet at the building line, provided that where a lot has less width than herein required and was recorded under separate ownership from adjoining lots prior to the date of adoption of this zoning ordinance, such lot may be occupied by a two-family dwelling, but in no case shall the lot area per dwelling unit be less than two thousand, five hundred (2,500) square feet.

c. All non-residential principal uses as permitted in this district shall be located on a tract of land having an area of not less than six thousand (6,000) square feet and a width of not less than sixty (60) feet at the established building line.

d. Minimum lot sizes for special uses shall be prescribed at the time a special use permit is authorized, but in no case shall any such lot be less than six thousand (6,000) square feet.

6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained:

- a. *Front Yard.* A front yard of not less than twenty-five (25) feet.
- b. *Side Yards.* Side yards shall be provided as follows:
  - (1) For one-family detached dwellings, the same regulations shall apply as in the R-1 One-Family Residence District.
  - (2) For two-family dwellings, the same regulations shall apply as in the R-1 One-Family Residence District.
  - (3) For non-residential buildings, on a lot improved with a non-residential building, there shall be a side yard of not less than twelve (12) feet on each side of the main structure and a combined total of side yards of not less than thirty (30) feet.
- c. *Rear Yard.* Rear yards shall be provided as follows:
  - (1) For all residential dwellings, a rear yard of not less than thirty (30) feet.
  - (2) For non-residential buildings, a rear yard of not less than thirty (30) feet.
- d. The burden of proof is on the petitioner, when determining the property line.

7. *Maximum Lot Coverage.* Not more than 35 percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Floor Area Ratio.* The maximum floor area ratios shall be as follows:

- a. *Permitted Uses:*
  - (1) One-family detached dwellings: 0.4.
  - (2) Two-family dwellings: 0.5.

9. *Zero Lot Line Duplexes -*

When a duplex (two-family living unit) is constructed in the R-2 District, or any other district in which it is allowed, each side of the unit may be sold off to allow for separate ownership of each unit. In this case, additional restrictions and requirements shall be placed upon the owners of the units as follows:

- a. A boundary survey shall be conducted by and Illinois Professional Land Surveyor, licensed to practice in the State of Illinois, that shall show the

separation line of the units along the centerline of the wall that divides the units. A plat of the survey shall be provided to the Village showing the entire lot with said separation and shall contain a legal description of the parcel that will go with each unit.

- b. A document containing a listing of “Protective Covenants” shall be adopted for the living units to provide assurance that each unit will be properly maintained in a manner representative of the units original condition. At a minimum, the covenants shall contain the following language:
  - (1) All exterior wall and roof repairs shall be done with materials consistent in material and color with the original building. If the materials, or color, are changed by mutual agreement of the owners of the units, both units must be changed in the same manner.
  - (2) The portion of the driveways and lawns that belong to each unit, shall be kept in neat appearance, and the grass or vegetation on the lawns shall be mowed so as to not reach over 5” in height.
  - (3) Each lawn shall be landscaped with a scheme consistent with both units and said landscaping shall be kept neatly trimmed throughout the year.
  - (4) Each unit owner shall be required to keep their respective roof in a state of repair that will not allow wind or water damage to the adjoining unit.
  - (5) No abandoned vehicles shall be kept on the premises for a period of longer than 5 days.
  - (6) Any garbage or refuse shall be kept in proper containers and shall not be allowed to accumulate on the premises.
  - (7) Routine general maintenance of the units shall include, but not be limited to, painting and staining and repair, replacements and care for roofs, gutters, downspouts, exterior building surfaces, surface water drainage, driveways, walks, and other exterior improvements and glass surfaces.
  - (8) No business shall be conducted in the units.
  - (9) Damage caused by fire, flood, storm, earthquake, vandalism, or other causes shall be the responsibility of each unit owner, and shall be repaired within a reasonable period of time.
- c. These covenants shall also be recorded in the McLean County Records office and shall run with the land.

### **Section 8.03. R-3 Multiple-Family Residence District.**

1. *Purpose.* The R-3 District is established as a general residence district to provide for a wider variety of dwelling accommodations with a higher density of dwelling units than would be permitted in the R-2 District.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Off-Street Parking.* Off-street parking and loading facilities shall be provided as required or permitted in Section 14.00.

5. *Minimum Lot Sizes:*

- a. Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- b. All two-family dwellings hereafter erected or structurally altered shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- c. All structures or buildings containing three or more dwelling units shall be located on a lot which provides a minimum lot area per dwelling unit as follows:
  - (1) Apartments with three or more bedrooms: 3,500 sq. ft.
  - (2) Apartments with two bedrooms: 2,500 sq. ft.
  - (3) Apartments with one bedroom and efficiency apartments: 1,500 sq. ft.

provided, however, that in no case shall the minimum lot area be less than seven thousand, five hundred (7,500) square feet with a width at the building line of not less than sixty (60) feet.

Existing residential buildings in the R-3 District may be altered to provide for not more than four (4) dwelling units, provided that no existing residential building is altered in such a way as to conflict with or further conflict with the foregoing requirements.

- d. All non-residential principal uses permitted in this district shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- e. Minimum lot sizes for special uses shall be prescribed at the time a special use

permit is authorized, but in no case shall any such lot be less than six thousand (6,000) square feet.

6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained:

- a. *Front Yard.* The same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.
- b. *Side Yards.* In the R-3 District, the minimum interior side yard requirements for permitted uses shall be not less than those itemized below:
  - (1) For one and two-family buildings, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.
  - (2) For buildings containing three or more dwelling units, interior side yards shall not be less than five (5) feet unless the building height exceeds twenty-five (25) feet, in which case the interior side yard on each side of the building shall equal one-fifth (1/5) the building height; however, buildings fifty (50) feet or more in overall width or projected upon the front lot line shall have side yards not less than 10 percent of the building width or 20 percent of the building height, whichever is greater.
  - (3) For one-family row dwellings, the same regulations as paragraph (2) above, except there may be not less than twenty (20) feet between adjacent row buildings.
  - (4) For permitted non-residential buildings, interior side yards on each side of the building shall not be less than fifteen (15) feet, plus one (1) foot for each two (2) feet by which the building height exceeds fifteen (15) feet.
  - (5) For special uses, the interior side yards shall be as specified in the special use permit, but in no case shall the interior side yards be less than those specified for non-residential buildings in paragraph (4) above.
  - (6) *Minimum Corner Side Yard.* In an R-3 District, the minimum corner side yard requirements for permitted uses shall be not less than those itemized below:
    - (a) For one and two-family dwellings, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.
    - (b) For buildings containing three or more dwelling units--ten (10) feet, except that buildings fifty (50) feet or more in overall width--as projected upon the front lot line--shall have corner side yards not less than 15 percent of the building width or 30 percent

of the building height, whichever is greater.

- (c) For permitted non-residential uses, twenty-five (25) feet, plus one (1) foot for each two (2) feet by which the building height exceeds fifteen (15) feet.
  - (d) For special uses, corner side yards shall be as specified in the special use permit, but in no case shall such side yard be less than that specified for non-residential buildings in paragraph (c) above.
- c. *Rear Yard.* For one-family row dwellings a rear yard of not less than thirty (30) feet.
  - d. The burden of proof is on the petitioner, when determining the property line.

For all other uses, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.

7. *Maximum Lot Coverage.* Not more than 35 percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Floor Area Ratio.* The maximum floor area ratios shall be as follows:

a. *Permitted Uses:*

- (1) One-family dwellings: 0.4.
- (2) Two-family dwellings: 0.5.
- (3) Multiple-family dwellings: 1.00.

b. *Special Uses:*

- (1) Medical and dental clinics: 1.0.
- (2) Fraternity and sorority houses: 1.0.
- (3) Hospitals, sanitariums, rest homes and nursing homes: 2.0.
- (4) Private clubs and lodges: 1.0.
- (5) Undertaking establishments, funeral parlors: 0.7.

**Section 8.04. R-4 Multiple-Family Residence District.**



1. *Purpose.* The R-4 General Residence District is established to provide areas of higher density when located in proximity to the service areas of the Village; [and] to encourage the demolition of substandard residential and non-residential structures through greater dwelling unit density, thus increasing the economic use of the land.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Off-Street Parking.* Off-street parking and loading facilities shall be provided as required or permitted in Section 14.00.

5. *Minimum Lot Size:*

- a. Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- b. All two-family dwellings hereafter erected or structurally altered shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- c. All structures or building containing three or more dwelling units shall be located on a lot which provides a minimum lot area per dwelling unit as follows:
  - (1) Apartments with three or more bedrooms: 2,500 sq. ft.
  - (2) Apartments with two bedrooms: 1,500 sq. ft.
  - (3) Apartments with one bedroom and efficiency apartments: 1,000 sq. ft.

provided, however, that in no case shall the minimum lot area be less than seven thousand, five hundred (7,500) square feet with a width at the building line of not less than sixty (60) feet.

Existing residential buildings in the R-4 District may be altered to provide for not more than four (4) dwelling units, provided that no existing residential building is altered in such a way as to conflict with or further conflict with, the foregoing requirements.

- d. All non-residential principal uses permitted in this district shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- e. Minimum lot sizes for special uses shall be prescribed at the time a special use permit is authorized, but in no case shall any such lot be less than six thousand

(6,000) square feet.

6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained.

a. *Front Yard.* A front yard of not less than twenty (20) feet.

For buildings exceeding twenty-five (25) feet in height, the minimum front yard determined in paragraph a above, shall be increased by one (1) foot for each two (2) feet or fraction thereof by which the building exceeds twenty-five (25) feet, but in no case shall a front yard of more than forty (40) feet be required.

b. *Side Yards.* In the R-4 District, the minimum interior side yard requirements for permitted uses shall not be less than those itemized below:

(1) For one and two-family buildings, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.

(2) For buildings containing three (3) or more dwelling units, interior side yards shall be not less than five (5) feet. If the building height exceeds twenty-five (25) feet, the interior side yard on each side of the building shall equal one-fifth (1/5) the building height; however, buildings fifty (50) feet or more in overall width as projected upon the front lot line shall have side yards not less than 10 percent of the building width or 20 percent of the building height, whichever is greater.

(3) For one-family row dwellings, the same regulations as paragraph (2) above, except that there may be not less than fifteen (15) feet between adjacent row buildings.

(4) For permitted non-residential buildings, interior side yards on each side of the building shall not be less than fifteen (15) feet, plus one (1) foot for each two (2) feet by which the building height exceeds fifteen (15) feet.

(5) For special uses, the interior side yards shall be as specified in the special use permit, but in no case shall the interior side yards be less than those specified for non-residential buildings in paragraph (4) above.

(6) *Minimum Corner Side Yard.* In an R-4 District, the minimum corner side yard requirements for permitted uses shall not be less than those itemized below:

(a) For one and two-family dwellings, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.

(b) For buildings containing three (3) or more dwelling units, ten (10) feet, except that buildings fifty (50) feet or more in overall width,

as projected upon the front lot line, shall have corner side yards not less than 15 percent of the building width or 30 percent of the building height, whichever is greater.

- (c) For permitted non-residential uses, twenty-five (25) feet plus one (1) foot for each two (2) feet by which the building height exceeds fifteen (15) feet.
  - (d) For special uses, corner side yards shall be as specified in the special use permit, but in no case shall such side yard be less than that specified for non-residential buildings in paragraph (c) above.
- c. *Rear Yard.* The same regulations shall apply as permitted or required in the R-3 Multiple-Family Residence District.
  - d. The burden of proof is on the petitioner, when determining the property line.

7. *Maximum Lot Coverage.* Not more than thirty-five (35) percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Floor Area Ratio.* The maximum floor area ratios shall be as follows:

a. *Permitted Uses:*

- (1) One-family dwellings: 0.4.
- (2) Two-family dwellings: 0.5.
- (3) Multiple-family dwellings: 2.0.
- (4) Boarding house, lodging house, rooming house: 2.0.
- (5) Apartment hotels: 2.0.
- (6) Non-residential uses: 1.5.

b. *Special Uses:*

- (1) Medical and dental clinics and professional offices for related uses: 1.0.
- (2) Fraternity and sorority houses: 1.25.
- (3) Hospitals, sanitariums, rest homes and nursing homes: 2.0.
- (4) Professional offices: 1.0.

- (5) Nursery schools: 0.8.
- (6) Undertaking establishments, funeral parlors: 1.0.
- (7) Institutions for the aged and for children: 1.0.

## **Article 9.00. BUSINESS DISTRICTS**

### **Section 9.01. B-1 Downtown Business District.**

1. *Purpose.* The B-1 District is established to provide areas for a wide range of retail stores and personal service establishments which are desirable to provide for both day-to-day and occasional shopping needs.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Conditions of Use.* All uses permitted in this district, except residence district uses, shall be retail and service establishments dealing directly with consumers and shall be subject to the following conditions:

- a. The sale of foodstuff or articles intended for human consumption shall be conducted wholly within an enclosed building.
- b. Establishments of the "drive-in" type, offering goods or services directly to customers waiting in parked motor vehicles, are not permitted.
- c. There shall be no manufacture, processing or treatment of products other than that which is clearly incidental and essential to the retail business conducted on the same premises.
- d. Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise, vibration or other similar causes.
- e. Any exterior sign displayed shall pertain only to a use conducted within the building.

5. *Transitional Yards.* Where a B-1 District adjoins a residence district, transitional yards shall be provided in accordance with the following regulations:

- a. Where lots in a B-1 District front on the street and at least 80 percent of the frontage directly across the street between two consecutive intersecting streets is in a residence district, the front yard regulations for the residence districts shall

apply to the said lots in the business district.

- b. In a B-1 District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residence district.
- c. In a B-1 District, where a rear lot line coincides with a side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residence district.
- d. In a B-1 District, where a rear lot line coincides with a rear lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be twenty (20) feet in depth, but may begin at a height of fifteen (15) feet or one story above grade, whichever is lower.
- e. In a B-1 District, where the extension of a front or side lot line coincides with the front lot line of an adjacent lot located in a residence district, a yard of not less than ten (10) feet shall be provided.
- f. Transitional yards shall be unobstructed from lowest level to sky except as allowed in Section 4.00.

6. *Signs.* Signs shall be as permitted in Section 13.00.

7. *Off-Street Parking and Loading.* Parking and loading facilities shall be provided as required or permitted in Section 14.00.

8. *Maximum Floor Area Ratio and Lot Coverage:*

- a. For other areas in the B-1 Downtown Business District, the maximum floor area ratio and maximum lot coverage, including accessory buildings, shall be permitted in accordance with the following table:

Floor Area Ratio	Maximum Lot Coverage
0.9	90%
1.6	80%
2.1	70%

2.4	60%

**Section 9.02. B-2 General Retail Business District.**

1. *Purpose.* The B-2 District is established to provide additional business, commercial and limited service uses which are not permitted in the B-1 District.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Conditions of Use.* All permitted uses in this district, except residence district uses, shall be retail and service establishments and shall be subject to the following conditions:

- a. There shall be no manufacture, processing or treatment of products other than those which are clearly incidental and essential to the retail business conducted on the same premises.
- b. Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise or vibrations or other similar causes.

5. *Yard Areas.* All yard regulations shall be the same as required in the B-1 Limited Retail Business District.

6. *Signs.* Signs shall be as permitted in Section 13.00.

7. *Off-Street Parking and Loading.* Parking and loading facilities shall be provided as required or permitted in Section 14.00.

8. *Maximum Floor Area Ratio and Lot Coverage.* The same regulations shall apply as required or permitted in the B-1 Limited Retail Business District.

**Section 9.03. B-3 Highway Business District.**

1. *Purpose.* The B-3 District is established to provide areas for a wide variety of necessary services, wholesale establishments, and other business uses which would be incompatible with the uses permitted in the B-1 and B-2 Districts.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Yard Areas.* The yard regulations shall be the same as required in the B-1 Limited Retail Business District.

5. *Signs.* Signs shall be as permitted in Section 13.00.

6. *Off-Street Parking and Loading.* Parking and loading facilities shall be provided as required or permitted in Section 14.00.

7. *Maximum Floor Area Ratio and Lot Coverage.*

Floor Area Ratio	Maximum Lot Coverage
1.6	80%
2.1	70%
2.4	60%
2.5	50%

## Article 10.00. MANUFACTURING DISTRICTS

### Section 10.01. M-1 Limited Manufacturing District.

1. *Purpose.* The M-1 District is established to provide areas for manufacturing concerns whose operations are of a high performance standard, and to establish standards of performance so that manufacturing districts may be established in proximity to residential and business districts without adversely affecting such areas; to provide regulations to assure adequate open space between manufacturing uses and the M-1 District boundaries and adjacent residential areas.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Off-Street Parking and Loading* shall be as permitted or required in Section 14.00.

5. *Conditions of Use.* All permitted uses are subject to the following conditions:

- a. Any production, processing, cleaning, servicing, testing and repair or storage of goods, materials or products shall conform with the performance standards set forth below.
- b. All business, production, servicing, [and] processing shall take place within completely enclosed buildings unless otherwise specified. Within one hundred and fifty (150) feet of a residence district, all storage shall be in completely enclosed buildings or structures, and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least six (6) feet high, but in no case lower in height than the enclosed storage and suitably landscaped.
- c. Uses established on the effective date of this ordinance and by its provisions rendered non-conforming shall be permitted to continue, subject to the regulations of Section 5.00.
- d. Uses established after the effective date of this ordinance shall conform fully to the performance standards hereinafter set forth for the district.

6. *Yard Areas.* No building or structure shall hereafter be erected or structurally altered unless the following yards are provided and maintained in connection with such building:

- a. *Front Yard.* On every zoning lot a front yard of not less than thirty (30) feet in depth shall be provided. However, where lots within the same block and comprising forty (40) percent of the frontage on the same street are already developed on the effective date of the ordinance with front yards with an average depth of less than thirty (30) feet, then such average depth shall be the required front yard depth for such frontage in said block.
- b. *Side Yards.* On every zoning lot a side yard shall be provided along each side lot line. Each side yard shall not be less in width than ten (10) percent of the lot width, but need not exceed twenty (20) feet in width, except that a side yard along a street shall conform to the requirements for front yards as set forth above. No side yard shall be less than five (5) feet.
- c. *Rear Yard.* On every zoning lot there shall be a rear yard of not less than thirty (30) feet, except where a use in the M-1 District is adjacent to a residence district a rear yard shall be provided and maintained of not less than fifty (50) feet.

7. *Maximum Lot Coverage.* Not more than sixty (60) percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Maximum Floor Area Ratio.* The maximum floor area ratio shall not exceed 1.5.



9. *Performance Standards.* Any use established in the M-1 Manufacturing District after the effective date of this comprehensive amendment shall be so operated as to comply with the performance standards set forth hereinafter. No use lawfully established on the effective date of this comprehensive amendment shall be so altered or modified as to conflict with, or further conflict with, the performance standards established hereinafter for the M-1 District:

- a. *Noise.* Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to the standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises 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 purpose 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 either on the boundary of a residence district or a business district or at one hundred and twenty-five (125) feet from the nearest property line of a plant or operation, whichever distance is greater, shall the sound pressure level of an individual operation or plant (other than the operation of motor vehicles and other transportation facilities) exceed the decibel levels at the designated octave bands shown hereafter for the districts indicated.

Octave Band Cycles Per Second	Maximum Permitted Sound Level in Decibels Boundaries or 125 Feet From Plant or Operation Property Line	
	Residence Districts	Business Districts
0 to 75	74	81
75 to 150	61	70
150 to 300	54	63

300 to 600	48	59
600 to 1200	45	55
1200 to 2400	41	52
2400 to 4800	38	50
4800 and over	36	48

b. *Smoke and Particulate Matter.*

- (1) No stack shall emit more than ten (10) smoke units during any one hour, nor shall smoke of a density in excess of Ringelmann No. 2 be emitted, provided that during a single one-hour period in each twenty-four hour day each stack may emit up to twenty (20) smoke units when blowing soot or cleaning fires, and during such cleaning of fires, smoke of a density of Ringelmann No. 3 may be emitted, but not for longer than four minutes each period.
- (2) No emission of smoke or particulate matter shall exceed a density of Ringelmann No. 3, except for a plume consisting entirely of condensed steam. For the purposes of grading the density of emission, the Ringelmann Chart published and used by the United States Bureau of Mines shall be employed.
- (3) The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed a net figure of one (1) pound per acre of lot area during any one hour.
- (4) Dust and other forms of air pollution borne by the wind from such sources as storage areas, yards, roads and so forth, within lot boundaries shall be kept to a minimum by appropriate landscaping, paving, oiling, or other acceptable means. The emission of particulate matter from such sources shall conform with the requirements of paragraph (3) above.
- (5) In addition to the performance standards specified herein, the emission of smoke or particulate matter in such manner or quantity as to be detrimental to or endanger the public health, safety, comfort or welfare is hereby declared to be a public nuisance.

- c. *Odorous Matter.* The emission of odorous matter from any property in such concentrations as to be readily detectable at any point along the boundaries of said property or in such concentrations as to create a public nuisance or hazard beyond such boundaries is prohibited.
- d. *Vibration.* Any process or equipment which produces intense earthshaking vibrations--such as are created by heavy drop forges or heavy hydraulic surges--shall be set back at least five hundred (500) feet from the property boundaries on all sides. However, in no case shall such vibrations be allowed to create a public nuisance or hazard beyond the property boundaries.
- e. *Toxic or Noxious Matter.* No use on any property shall discharge across the boundaries of said property 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 other property or business.
- f. *Glare or Heat.* Any operation producing intense glare or heat shall be performed within a completely enclosed building and effectively screened in such a manner as not to create a public nuisance or hazard along property boundaries. Exposed sources of light shall be shielded so as not to create a nuisance across lot lines.
- g. *Fire and Explosive Hazards.* Fire and explosive hazards shall be controlled as follows:
  - (1) Activities involving the storage or manufacture of materials or products which decompose by detonation are not permitted in the M-1 Districts.
  - (2) The storage, utilization or manufacture of materials ranging from incombustible to moderate burning—as determined by the Zoning Administrator--is permitted.
  - (3) Storage, utilization or manufacture of materials or products ranging from free or active burning to intense burning--as determined by the Zoning Administrator--is permitted under the following conditions:
    - (a) All storage, utilization or manufacture of such materials, or products shall be within completely enclosed buildings or structures having incombustible exterior walls; and
    - (b) All such buildings or structures shall be set back at least forty (40) feet from property boundaries or, in lieu thereof, shall be protected throughout by an automatic sprinkler system complying with standards for installation prescribed by the National Fire Protection Association.
  - (4) Materials or products which produce flammable or explosive vapors or gases under ordinary weather temperatures shall not be permitted in this

district, with the exception of the following, which are permitted:

- (a) Materials required for emergency or standby equipment.
- (b) Materials used in secondary processes which are auxiliary to a principal operation--such as paint spraying of finished products; and
- (c) Flammable liquids and oils stored, sold and used in conjunction with the operation of any automobile service station and customarily required or used in such operation.

## **Article 11.00. MOBILE HOME PARKS**

### **Section 11.01. MH-Mobile Home Park**

1. *Purpose:* The Mobile Home Park District is established to provide an area where mobile homes and manufactured homes may be located.

2. *Permitted Uses:* See chart on Appendix "A".

a. Manufactured homes, factory-built homes or any other similar homes including movable or portable dwellings constructed for towing on its own chassis and connection to utilities without use of a permanent foundation for purposes of single family permanent habitation. No mobile homes older than 20 years will be allowed to be brought in to the Mobile Home Park District.

b. Club houses/Management office.

c. Recreation facilities, for use exclusively by the residents of the development.

3. *Permitted Accessory Uses:* The following are permitted accessory uses provided they are constructed on a concrete pad and separated from the home by a minimum distance of ten (10) feet.

a. One private garage or carport per site not to exceed six hundred (600) square feet. A carport or garage may be attached to the home units.

b. Storage shed not to exceed one hundred twenty (120) square feet. No side dimension shall be greater than twelve (12) feet.

4. *Lot Size Requirements:*

a. Minimum Lot Area: 7,200 square feet.

b. Minimum Lot Width: 60 feet.

c. Minimum Lot Area for Corner Lots: 9,000 square feet.

d. Minimum Corner Lot Width: 75 feet.

e. Minimum Manufactured Home Size: 924 square feet.

5. *Yard Setback Requirements:*

a. Front Setback: 25 feet.

b. Side Yard Setbacks: 10 feet.

c. Rear Yard Setback: 20 feet.

d. Corner Lot Setback: 25 feet.

e. Maximum Structure Height: 12 feet.

f. Maximum Lot Coverage: 30%.

6. *Development Standards:*

a. All utilities, including but not limited to: water, sewer, electric, gas, telephone, and cable television must be located in underground unobstructable locations including individual connections to each dwelling unit pad. Each dwelling unit shall be individually metered for utility service.

b. Development of the site shall be based on the site analysis to determine: geology and soil, existing vegetation, structures, and road networks, visual features and present and proposed use of a site.

c. The development shall be laid out to avoid adversely affecting ground water and aquifer recharge, to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and to mitigate adverse effects of shadow, noise, odor, traffic, drainage, and utilities on neighboring properties. An underground storm sewer system shall be provided, in accordance with Village standards, to serve any manufactured home subdivision.

d. All developments shall be required to provide at least 25% of the buildable land area as open space. Developed open space shall be designed to provide active recreational facilities to serve the residents of the area. Undeveloped open space shall be designed to preserve important site amenities or environmentally sensitive areas.

e. Landscaping shall be provided as part of the site plan and subdivision design. It shall be provided comprehensively throughout the site; integrating the various elements of

site design, preserving and enhancing the particular identity of the site, and creating a pleasing site character. Landscaping shall include plant materials such as trees, shrubs, ground covers, perennials, and annuals, and other materials such as rocks, water, sculpture, art, walls, fences and paving materials.

- f. A landscape plan prepared by a qualified expert shall be submitted with each subdivision development request. The plan shall identify existing and proposed trees, shrubs, and ground covers; natural features such as rock outcroppings; and other landscaping elements. The plan shall show where they are or will be located and planting and/or construction details. Special attention shall be paid so as to substantially screen the development from all adjoining districts and land uses.
- g. Lot layout shall provide for clustering or various angle arrangements of the lots, as opposed to a grid pattern.

7. *Manufactured Home Stand:*

- a. **Placements:** The manufactured home stand shall be so placed as to provide for the practical placement on the site of both the manufactured home and its appurtenant structures and the retention of the manufactured home on the site in a stable condition and in satisfactory relationship to its surroundings.
- b. **Location:** The location of each manufactured home stand shall be at such elevation, distance and angle in relation to the access street and the manufactured home lot driveway that placement and removal of the manufactured home is practical.
- c. **Construction:** Concrete slab or concrete runways.
- d. **Gradient:** There shall be a minimum of two percent (2%) longitudinal and adequate crown or cross-gradient and surface drainage.
- e. **Undercarriage:** Each manufactured home unit shall be skirted via a structural treatment similar to that of the home unit or a landscaping treatment conforming to the subdivision landscaping plan in such a manner so as not to permit the undercarriage of the unit to be visible. Each unit shall have its wheels removed and appropriate means of anchoring the units shall be provided so as to reduce the potential for damage during periods of high winds.
- f. **Additions to manufactured homes:** No permanent or semi-permanent structure shall be affixed to a manufactured home. This does not apply to awnings or any expansion unit specifically manufactured for manufactured homes. The maximum lot coverage of the manufactured home shall not exceed thirty percent (30%) of the total lot area.

8. *Electric Lighting and Outlets:* All street entrances, exits, and driveways shall be lightened at night. All required lighting shall follow Village lighting standards.

9. *Patios:*

- a. **Size:** The minimum size of each manufacture home patio shall be two hundred twenty-five (225) square feet.
- b. **Location:** Every patio shall be conveniently located near the entrance of the manufactured home, open space areas of the site and other facilities, fitted to terrain and natural features, and related to anticipated manufacture home models.
- c. **Elevation:** Where practical, the elevation of the patio shall equal the elevation of the manufactured home stand. Where conditions permit, the patio and adjoining yard area may be as much a two (2) feet higher than the other manufactured home stand in order that the level of the patio and outdoor living area will be close to the floor of an in-place manufactured home.

10. *Storage:*

- a. Storage facilities shall be provided for the active storage of outdoor equipment, furniture or tools and for the inactive storage for such materials which are used only seasonally or infrequently, and can not be stored in the manufactured home.
- b. Storage facilities shall be designed to enhance the appearance of the park, constructed out of materials similar to the manufactured home, coordinated with appropriate landscaping plan, provide for hazardous weather protection, and must be maintained in accordance with other features of the manufactured home.

11. *Fencing:* All fencing shall comply with the regulations set forth by the Village.

12. *Garbage and Waste:*

- a. A sufficient number of adequate fly-proof and water tight containers shall be supplied for the storage of garbage.
- b. Garbage and waste areas shall be fenced in and completely screened from public rights-of-way.

13. *Park Attendant:*

- a. Each development shall be in charge of a responsible attendant or manager at all times. Duties of the attendant or manager will include the maintenance of the park, its facilities and equipment, in a clean, orderly and sanitary condition, and be answerable for any violation of the provisions of this Ordinance.

14. *Streets and Sidewalks:*

- a. The road system shall be designed to permit the safe, efficient, and orderly movement

of traffic; to meet, but not exceed the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; to meet the needs of snow plows, fire trucks, school buses (if necessary), ambulances, and other emergency vehicles; and to present an attractive streetscape. The road system shall be designed to serve the needs of the development and to discourage use by through traffic.

- b. All lots shall front on residential access or sub-collector streets; not on collector streets. The right-of-way of residential street shall be in accordance with the subdivision regulations and recommended by the Village Engineer. All streets shall have curbs, gutters, street lights, street trees, storm sewers, and sidewalks accompanying same in accordance with Village's design standards.
- c. Streets may be either public or private. The responsibility of said roads and their maintenance shall be agreed upon by the developer and the Village Board.
- d. All residential parking will be off-street. No on-street parking is allowed.
- e. Off-street parking shall be provided in front and side yards only. Two (2) off-street parking spaces shall be provided per dwelling unit. The off-street parking surface shall be covered with a concrete surface. Each space shall not be less than ten (10) feet wide and twenty feet (20) feet deep. Enclosed garage space shall not count toward the required off-street parking requirements.
- f. All sidewalks and driveways shall be concrete and meet Village standards.

15. *Manufactured Home Sales:*

- a. Manufactured home sales are permitted on a limited basis. One home may be used for a model, and one model is allowed for each park. This model must follow all structural and aesthetic guidelines as outlined for a manufactured residence.

16. In addition to the above requirements, all construction and park development shall conform to the State of Illinois Administrative Code, Title 77: Public Health, Chapter I: Department of Public Health, Subchapter q: Mobile Homes, Part 860 Manufactured Home Community Code, Section 860.200 Layout of the Manufactured Home Community.

## **Article 12.00. PUBLIC GROUNDS**

### **Section 12.01. P-Public Grounds**

1. *Purpose:* The Public Grounds District is established to provide parks and open space for leisure and recreational areas for residents and guests of the Village. These districts can be located on public or private land.

- 2. *Permitted Uses:* See chart on Appendix "A"



3. *Special Uses:* See chart on Appendix “A”
4. *Off-Street Parking:*
  - a. One (1) off-street parking space for each three (3) employees, plus spaces adequate in number to service the intended use, will be required as determined by the Zoning Administrator. This number will be subject to change as the use of the open space changes.
  - b. A five foot (5’) wide landscape island shall be required at each entrance to the site and one landscape island shall be required for every 15 parking spaces.
5. *Minimum Lot Size:*
  - a. Every park or open space shall contain an area of not less than ten thousand, (10,000) square feet, and have a minimum width of one-hundred (100) feet.
  - b. For trail purposes, the minimum open space shall be twenty (20’) feet in width. For a continuous trail connecting other trails in the Village, a ten (10) foot wide width is acceptable.
6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained:
  - a. *Front Yard.* A front yard of not less than twenty-five (25) feet.
  - b. *Side Yards.* Each lot shall have two side yards which shall be not less than fifteen (15) feet each.
  - c. *Rear Yard.* A rear yard of not less than thirty (30) feet.
7. *Maximum Lot Coverage.* Not more than 35 percent of the lot area may be occupied by buildings and structures, including accessory buildings.
8. *Site and Structure Requirements:* Open spaces and paths intended for pedestrian use should be designed to incorporate natural features and building and landscape elements to create safe, comfortable, and attractive environments.
9. *General Requirements:*
  - a. All areas intended for pedestrian use shall be well lit in accordance with area standard lighting practices for recreational areas. The lighting shall be so arranged so as not to be offensive to any adjoining residential districts.
  - b. Pedestrian paths or sidewalks should be clearly distinguished from vehicular paths

by landscaping, paving materials or architectural elements. Wherever possible, pedestrian walkways shall be connected to adjacent developments.

- c. All pedestrian paths and walks shall be handicap accessible, using ramps and curb cuts conforming to State and Federal ADA standards.

10. *Water Coverage:* Not more than 70% of the land designated as usable open space may be covered by water on a permanent basis. Open space which is used for storm water drainage purposes for a development shall not be considered for active use.

11. *Building Construction Requirements.*

- a. All buildings will be limited to one-story in height. The eave height shall not exceed 15'.
- b. The exterior of all public buildings (including accessory buildings) constructed in a public park or open space, shall be of a decorative material such as brick, stucco, dryvit, wood, glass or a decorative vinyl siding. Metal sheet siding will not be allowed.
- c. The minimum separation between principal buildings shall be fifteen feet (15').

12. *Fences.* Fences around the perimeter of the site shall not exceed six feet (6') in height and shall be constructed of decorative wood or chain link. No fence shall be constructed closer than three feet (3') to a property line when adjacent to a residential zoned neighborhood.

13. *Open Space Ownership and Maintenance.*

- a. Public ownership of a park or open space shall be by the Village or a Park District.
- b. If a park or open space is allowed by the Village to be under Private Ownership, there shall be a Property Owner's Association duly established by Sections of incorporation and bylaws, in accordance with the Illinois Condominium Property Act. The instrument of conveyance shall include restrictive covenants running with the land to guarantee the common open space will be properly cared for and used only for the purposes originally designated. The covenants, restrictions and conditions shall include a provision whereby the Village shall have the right, but not the obligation, to enforce the covenants or obligations of the instrument. The Village shall also have the right to charge or place a lien on upon the property of the association for the repayment of such costs and expenses, including reasonable attorneys' fees in enforcing such obligations.

14. *Discontinuance of Use.*

- a. When any park or open space shall be discontinued to be used by the public, the

zoning of the land will revert back to the Village's most restricted residential use.

## **Article 13.00. SIGNS**

### **Section 13.01. General standards.**

1. No sign shall block any required accessway or window.
2. No sign shall be located on vacant property except a sign advertising the premises for sale or lease.
3. No sign shall be attached to a tree or utility pole.
4. The following signs are exempt from the permit required and from the regulations of this Section:
  - a. Memorial signs and tablets displayed on private property.
  - b. Address numerals.

### **Section 13.02. Permitted signs--All districts.**

1. Highway Directional Signs and Markers, which shall be made and installed in accordance with the specifications of the Village of Gridley, announcing the location of, or directing traffic to, given locations which include, but are not limited to, the following:
  - a. Service areas--automobile, food, lodging.
  - b. Public and quasi-public information signs.
  - c. Business or business districts.

### **Section 13.03. Permitted signs--Residential districts.**

In all residential districts, the following classes of signs are permitted in accordance with the regulations set forth herein:

1. *Non-Flashing, Non-Illuminated Accessory Signs:*
  - a. Nameplates and Identification Signs, subject to the following:
    - (1) For one and two-family dwellings, there shall be not more than one nameplate, not exceeding one (1) square foot in area, for each dwelling unit indicating the name or address of the occupant or a permitted occupation.

- (2) For multiple-family dwellings, for apartment hotels and for buildings other than dwellings, a single identification sign not exceeding nine (9) square feet in area and indicating only the name and address of the building and the name of the management thereof may be displayed.
- (3) In connection with the construction or remodeling of a building, there shall be permitted one sign not exceeding twenty-five (25) square feet in area; on corner lots two such signs, one facing each street shall be permitted. Said signs shall be removed by the person or persons erecting same within two weeks after completion of the structure indicated.
- (4) Height. No sign shall project higher than one story or fifteen (15) feet above curb level, whichever is lower.
- (5) Projection. No sign shall project beyond the property line into the public way.

b. For Sale and To Rent Signs, subject to the following:

- (1) Area and Number. There shall be not more than one such sign per zoning lot, except that on a corner lot two signs--one facing each street--shall be permitted. No sign shall exceed twelve (12) square feet in area nor be closer than eight (8) feet to any other zoning lot.
- (2) Projection. No sign shall project beyond the property line into the public way.
- (3) Height. No sign shall project higher than one story or fifteen (15) feet above curb level, whichever is lower.

c. Signs Accessory to Parking Areas, subject to the following:

- (1) Area and Number. Signs designating parking area entrances or exits are limited to one sign for each such exit or entrance and to a maximum size of two (2) square feet each. One sign per parking area, designating the conditions of use or identity of such parking area and limited to a maximum size of nine (9) square feet, shall be permitted. On a corner lot two such signs--one facing each street--shall be permitted.
- (2) Projection. No sign shall project beyond the property line into the public way.

- (3) Height. No sign shall project higher than seven (7) feet above curb level.

2. *Non-Flashing Signs:*

a. Church Bulletins, subject to the following:

- (1) Area and Number. There shall be not more than one sign per zoning lot, except that on a corner lot two signs--one facing each street--shall be permitted. No sign shall exceed twenty-four (24) square feet in area nor be closer than eight (8) feet to any other zoning lot.
- (2) Projection. No sign shall project beyond the property line into the public way.
- (3) Height. No sign shall project higher than one story or fifteen (15) feet above curb level.

**Section 13.04. Permitted signs--Business districts.**

In all business districts, the following signs are permitted, subject to the requirements set forth hereinafter:

1. All signs and nameplates permitted in the residential districts.
2. Signs on Marquees, Canopies and Awnings. Restrictions imposed hereinafter on the projection of signs across property lines into the public way shall not apply--except in residence districts--to signs located on marquees or canopies provided that any sign located on a marquee or canopy shall be affixed flat to the surface thereof and, further, that no sign shall extend vertically or horizontally beyond the limits of said marquee or canopy, except that individual, free-standing letters may project to a height not exceeding twelve (12) inches above same.

Restrictions imposed herein on the projection of signs across property lines into the public way shall not apply except in residence districts, to signs located on awnings, provided that any sign located on an awning shall be affixed flat to the surface thereof, and shall indicate only the name and address of the establishment of the premises. Further, no such sign shall extend vertically or horizontally beyond the limits of said awning.

3. Signs relating only to the name and use of buildings or premises upon which they are placed. Advertising signs and outdoor billboards advertising products or matters not related to the occupancy and use of the premises shall not be permitted.

4. Signs, clocks, or other advertising devices erected upon standards or separate supports shall be placed so as to be entirely within the property lines of the premises upon which it is located. The maximum permitted height of signs on pylons, standards and supports on lots with a frontage of less than eighty (80) feet shall be thirty (30) feet. On lots with a frontage exceeding eighty (80) feet the maximum permitted height shall be twenty-five (25) percent of the lot width on the principal street with a maximum height limit of forty-five (45) feet. The surface area per face of any sign on a pylon, standard or support shall not exceed eight (8) times the height in feet of the sign.
5. For an integrated planned business development in single ownership and management, or under unified control, one additional sign may be erected not exceeding one hundred (100) square feet in area advertising only the name and the location of the integrated shopping center. Such sign shall be placed so as to be entirely within the property lines of the premises upon which it is located, and the bottom edge of such sign shall be at least eight (8) feet above the level of the ground, and the overall height shall not exceed twenty (20) feet above curb level or above the adjoining ground level if such ground level is above the street level.
6. No sign may be pasted, or similarly posted directly on the surface of any wall. Nor shall any sign be permitted to be placed on any wall, fence or standard facing the side of any adjoining lot located in a residence district.
7. Signs which may be in conflict with public traffic signals shall not be permitted.
8. Traffic or directional signs designating entrances, exits and conditions of use of parking facilities accessory to the main use of the premises may be maintained, provided they are located within the property lines of the subject lot.
9. In all business districts, the permitted signs are subject to the following:
  - a. Area. The gross area of a sign or signs on the front or rear wall of any principal building shall not exceed one tenth (1/10) of the area of the front face (including doors and windows) of the principal building. The gross area of a sign or signs on a side wall of a principal building shall not exceed one tenth (1/10) of the area of the side wall (including doors and windows) of the principal building.
  - b. Location. The sign or signs may front on the front, side or rear walls or wall of the principal building. No sign shall be placed as to interfere with any opening or exitway required by the Village of Gridley building code or fire ordinance.
  - c. Projection. Signs suspended from any building shall not project more than thirty-six (36) inches beyond the front of the building and the bottom of

such signs shall not be less than ten (10) feet above the finished grade of the sidewalk.

Any sign projecting or suspended from a building shall not exceed ten (10) feet in height and its location and arrangement shall be subject to approval by the Zoning Administrator. No sign except those suspended from buildings shall be erected or placed between the street line and the building line.

- d. Height. No sign shall project higher than twenty (20) feet above curb level, and in no case shall a sign project higher than four (4) feet above the roof line.
  - e. Illumination. Signs shall be shaded whenever necessary to avoid casting bright light upon property located in any residential district.
10. Signs Accessory to Automobile Service Stations. The following signs accessory to automobile service stations are permitted.
- a. Racks for the orderly display of cans of engine oil for convenience in dispensing said oil may be located on or at the ends of pump islands (limit of two to each island).
  - b. Two open portable tire racks (not more than seven (7) feet in height, including signs, and six (6) feet in length) on casters for the purpose of displaying new tire casings, shall be permitted for each gasoline or tire service station.
  - c. Items for sale on the premises may be openly displayed within ten (10) feet of the principal building. Products may be displayed under pump island canopies or between pumps within the area of the pump island base.
  - d. A sign may be painted on the inside and outside front door face of the closed tire rack but shall not be painted on the sides or rear.

### **Section 13.05. Permitted signs--Manufacturing districts.**

The following signs are permitted, and shall be governed as follows:

- 1. All signs and nameplates permitted in the business districts.
- 2. Billboard, advertising signs and poster panels having a sign area not exceeding two hundred and seventy-five (275) square feet.
- 3. All billboards, advertising signs and poster panels shall be set back from the street line a distance of at least the minimum building setback requirement of the

district.

4. The minimum distance between any two billboards, advertising signs or poster panels located on the same side of a street or highway shall be not less than four (4) feet for every one (1) square foot of the total area of the two signs.
5. The gross area in square feet of all signs on a zoning lot shall not exceed six (6) times the lineal feet of frontage of such zoning lot.
6. No sign shall project higher than twenty-five (25) feet above the ground level beneath it.
7. No advertising sign shall be located within five hundred (500) feet of any public park of more than five (5) acres in area, or any freeways, expressways and tollroads designated as such in the records of the governing authorities.
8. No advertising sign shall be located within one hundred (100) feet of any residence district.

#### **Section 13.06. Sign permits.**

No person shall construct, alter, rebuild, relocate, enlarge, erect or place a sign without first filing with the Zoning Administrator a written application and obtaining a permit therefor in the manner specified as follows:

1. Such application shall be in duplicate and shall contain all such information and drawings as may be required by the Administrator, but at least the names of the property owners, the name of the person in charge of the sign and drawings of the sign or structure showing type, size, location, and method of attachment.
2. The Zoning Administrator shall examine all applications and if the application is in compliance with all requirements of this ordinance, issue the permit within thirty (30) days or shall, in writing, disapprove the application, [and] failure to act shall be deemed approval thereof.
3. No sign shall be erected or attached to, suspended from, or supported on any building or structure until a permit for the same has been issued by the Zoning Administrator.
4. No permit shall be issued until the required bond or written proof of adequate sign liability insurance has been filed with the Village of Gridley.
5. The owner or person in control of a display sign, awning, canopy or marquee suspended over a street, alley, sidewalk, or other public property shall execute a bond in a sum to be fixed by the Village President with sureties approved by the



Village, indemnifying the Village against all loss, cost, damage or expense incurred or sustained by or recovered against the Village by reason or [of] construction of such display sign, awning, canopy or marquee or furnish proof of adequate sign liability insurance in the amount of \$20,000/\$40,000 minimum for bodily injury liability and \$1,000 for any one claim and \$10,000 minimum for property damage liability. Bonds or insurance which are allowed to expire by owners of the property on which [the] sign, awning, canopy or marquee is erected shall be required to remove from their property at once, said sign, awning, canopy or marquee or other object covered by the permit.

6. An application for a permit to install a sign, awning, canopy or marquee shall be accompanied with detail drawings showing how [the] sign, awning, canopy or marquee is to be attached to building and in case of sign a drawing showing the lettering on sign.
7. The Zoning Administrator may require plans drawn by an Architect or Structural Engineer, licensed by the State of Illinois and these drawings with the Architects or Structural Engineers State License seal stamp on same, before a permit is issued.

#### **Section 13.07. Structural standards.**

Signs permitted by this ordinance shall meet the following additional standards:

1. Wall signs exceeding forty (40) square feet and attached flat against building wall shall be of noncombustible material. Projecting signs exceeding two and one-half square feet in area shall be made of noncombustible material. Cappings, decorations, lettering and mouldings may be of combustible material on any sign. All awnings, canopies, marquees, etc. shall be of noncombustible material.
2. Signs, awnings, canopies, marquees, etc. shall be securely attached to the building or structure by bolts, anchors, chains, rods or guys. No wood blocks or anchorage with wood used in connection with screws or nails or staples shall be considered proper anchorage. No sign shall be entirely supported by an unbraced parapet wall.
3. Illuminated signs shall be wired in metal conduit by a licensed electrician and an electric permit will be required in addition to sign permit.
4. Notwithstanding the foregoing provisions, removable awnings and canopies shall be allowed in the fire zone and in other business and manufacturing zoning districts, provided the framework of said awnings and canopies is constructed of metal piping or tubing, or of other metal material of substantial strength to support a snow load or live load of thirty pounds per square foot. The covering over the metal framework shall also be of such strength as to support a live load of thirty pounds per square foot and shall be constructed of flame retardant material that

will not propagate flame as proved by the Underwriters Laboratories, Inc. The covering material shall also be stain, dirt and weather resistant. Removable awnings and canopies shall be securely anchored to the building by bolts or other means so as not to interfere with the fire rating of the exterior building structure, and shall be sufficient to carry a total live load of thirty pounds per square foot. The framework of said awnings and canopies shall be at least seven feet six inches above the sidewalk, and the material covering the framework shall provide for a seven foot minimum clearance from the sidewalk. No removable awning or canopy shall project beyond the face of a building more than six feet six inches, nor shall it be closer than three feet from the face of the curb when projecting over public ways.

## **Article 14.00. OFF-STREET PARKING AND LOADING**

### **Section 14.01. Purpose.**

The purpose of this section is to alleviate or prevent the congestion of the public streets, and so promote the safety and welfare of the public by establishing minimum requirements for the off-street parking and loading and unloading of motor vehicles in accordance with the use to which property is put.

### **Section 14.02. General provisions--Parking and loading.**

1. *Scope of Regulations.* The off-street parking and loading provisions of this ordinance shall apply as follows:

- a. For all buildings and structures erected and all uses of land established after the effective date of this ordinance, accessory parking and loading facilities shall be provided as required by the regulations of the district in which such buildings or uses are located. However, where a building permit has been issued prior to the effective date of the ordinance, and provided that construction is begun within one year of such effective date, and diligently prosecuted to completion, parking and loading facilities as required hereinafter need not be provided.
- b. When the intensity of use of any building, structure or premises shall be increased through addition of dwelling units, gross floor area, seating capacity or other unit of measurement specified herein for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.

However, no building or structure lawfully erected or use lawfully established prior to the effective date of this ordinance shall be required to provide such additional parking or loading facilities unless and until the aggregate increase in units of measurement shall equal not less than fifteen percent of the unit of measurement existing upon the effective date of this ordinance, in which event

parking or loading facilities as required herein shall be provided for the total increase.

- c. Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to the effective date of this ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this ordinance.
- d. These regulations shall not apply to any uses of new buildings or structures, or any existing principal building or structure which is enlarged or increased in capacity after the adoption of this section, when located within the area bounded as follows:

"Downtown Business District",

an area where it becomes unreasonable and impractical for individual building uses to provide auxiliary parking facilities, and wherein it has been determined that parking facilities to accommodate the requirements of the uses within the designated area can best be provided by public garages and parking areas developed in compliance with a general plan of parking facilities.

2. *Existing Parking and Loading Facilities.* Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and which were in existence on the effective date of this ordinance or were provided voluntarily after such effective date shall not hereafter be reduced below, or if already less than, shall not further be reduced below, the requirements of this ordinance for a similar new building or use.

3. *Submission of Plot Plan.* Any application for a building permit, or for a certificate of occupancy where no building permit is required, shall include therewith a plot plan--drawn to scale and fully dimensioned--showing any parking or loading facilities to be provided in compliance with this ordinance.

### **Section 14.03. Additional regulations--Parking.**

1. *Use of Parking Facilities.* Off-street parking facilities accessory to residential use and developed in any residential district in accordance with the requirements of this section shall be used solely for the parking of passenger automobiles owned by occupants of the dwelling structures to which such facilities are accessory or by guests of said occupants. Under no circumstances shall required parking facilities accessory to residential structures be used for the parking of automobiles belonging to the employees, owners, tenants, visitors or customers of business or manufacturing establishments.

2. *Joint Parking Facilities.* Off-street parking facilities for different buildings, structures

or uses, or for mixed uses, may be provided collectively in any zoning district in which separate parking facilities for each constituent use would be permitted, provided that the total number of spaces so located together shall not be less than the sum of the separate requirements for each use.

3. *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.

4. *Size.* A required off-street parking space shall be at least nine (9) feet in width and at least twenty (20) feet in length, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space shall have a vertical clearance of at least seven (7) feet.

5. *Access.* Each required off-street parking space shall open directly upon an aisle or 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 designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements. No driveway across public property nor curb cut shall exceed a width of thirty (30) feet.

6. *In Yards.* Off-street parking spaces may be located in any yard except required front yards, but shall not be closer than one (1) foot to the lot line.

7. *In Parkways.* No person, firm or corporation shall park, deposit, leave or store any motor vehicle, vehicle or tangible personal property of any type or description at any time between the sidewalk line and curb line at any place within the Village of Gridley, Illinois.

8. *Design and Maintenance:*

- a. *Surfacing.* All open off-street parking areas and driveways shall be improved with an aggregate base, not less than four (4) inches thick, surfaced with at least 1½" of asphaltic concrete or some comparable all weather dustless material.
- b. *Screening and Landscaping.* All open automobile parking areas containing more than five parking spaces shall be effectively screened on each side adjoining or fronting on any property situated in a residence district or any institutional premises by a wall, fence or densely planted compact hedge not less than four feet nor more than seven feet in height. Such required screening shall conform with the front and side yard setback requirements of the district in which the parking is located.
- c. *Lighting.* Any lighting used to illuminate off-street parking areas shall be directed away from residential properties in such a way as not to create a nuisance.
- d. *Signs.* Accessory signs are permitted on parking areas.
- e. The sale of gasoline and motor oil in conjunction with accessory off-street

parking facilities is not permitted in any residence district.

#### **Section 14.04. Location of accessory off-street parking facilities.**

The location of off-street parking spaces in relation to the use served shall be as prescribed hereinafter. All distances specified shall be walking distances between such parking spaces and a main entrance to the use served.

1. *For Uses in a Residence District.* Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Spaces accessory to uses other than dwellings may be located on a lot adjacent to, or directly across a street or alley from, the lot occupied by the use served, but in no case at a distance in excess of three hundred (300) feet from such use.
2. *For Uses in Business and Manufacturing Districts.* All required parking spaces shall be within one thousand (1,000) feet of the use served, except for spaces accessory to dwelling units, which shall be within three hundred (300) feet of the use served. However, no parking spaces accessory to a use in a business or manufacturing district shall be located in a residence district, except that private, free, off-street parking accessory to such uses and municipal parking lots may be allowed by special use permit in accordance with the administrative section within two hundred (200) feet of and adjacent to any business or industrial district.

#### **Section 14.05. Schedule of parking requirements.**

For the following uses, accessory off-street parking spaces shall be provided as required hereinafter. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.

1. Residential Uses, as follows:
  - a. One-Family Dwellings and Two-Family Dwellings. Two (2) parking spaces shall be provided for each dwelling unit; provided, however, that in the case of one-family dwelling situated upon a platted lot having a width of less than sixty-five (65) feet at any point, only one (1) parking space shall be required and that in the case of two-family dwellings situated upon a platted lot having a width of less than eighty (80) feet at any point, only two (2) parking spaces shall be required.
  - b. Multiple-Family Dwellings (including Apartment-Hotels). Three (3) parking spaces shall be provided for every two (2) dwelling units. For lodging rooms located in an apartment hotel, one parking space shall be provided for each two (2) lodging rooms.
  - c. Motels, Inns and Auto Courts. One (1) parking space shall be provided for

each guest or sleeping room or suite, plus one (1) additional space for the owner or manager.

- d. Hotels. One (1) parking space for each dwelling unit and one (1) parking space for each two (2) lodging rooms shall be provided.
- e. Lodging, Rooming and Boarding Houses. One (1) parking space shall be provided for each two (2) lodging rooms, plus one (1) space for the owner or manager.
- f. Private Clubs and Lodges (with Sleeping Facilities for Guests). One (1) parking space shall be provided for each two (2) lodging rooms plus parking spaces equal in number to ten percent of the capacity in persons (exclusive of lodging room capacity) of such club or lodge.

2. Retail and Service Uses, as follows:

- a. Retail Stores and Banks. One (1) parking space shall be provided for each two hundred (200) square feet of floor area in excess of two thousand (2,000) square feet. Drive-in banks or other similar drive-in establishments shall provide three (3) stacking spaces per teller or customer service window.
- b. Automobile Service Stations. One (1) parking space shall be provided for each two (2) employees.
- c. Automobile Laundry. Twenty (20) stacking spaces shall be provided for each wash rack, plus one (1) parking space for each four (4) employees.
- d. Bowling Alleys. Three (3) parking spaces shall be provided for each alley, plus such additional spaces as may be required herein for affiliated uses--bars, restaurants and the like.
- e. Establishments Dispensing Food or Beverages for Consumption on the Premises. One (1) parking space shall be provided for each three hundred (300) square feet of floor area.
- f. Furniture and Appliance Stores, Household Equipment or Furniture Repair Shops. One (1) parking space shall be provided for each six hundred (600) square feet of floor area in excess of two thousand (2,000) square feet.
- g. Motor Vehicle Sales and Machinery Sales. One (1) parking space shall be provided for each three hundred (300) square feet of floor area.
- h. Theaters (indoor). One (1) parking space shall be provided for each five (5) seats.

- i. Undertaking Establishments, Funeral Parlors. Six (6) parking spaces shall be provided for each chapel or parlor, plus one (1) parking space for each funeral vehicle kept on the premises.
3. Offices--Business, Professional and Governmental. One (1) parking space shall be provided for each two hundred (200) square feet of floor area.
4. Medical or Dental Clinics. Three (3) parking spaces for each doctor or dentist, plus one parking space for each two hundred (200) square feet of floor area of the building, shall be provided. (Ord. No. 66, 12-15-75)
5. Wholesale Establishments (but not including Warehouses and Storage Buildings other than Accessory). One (1) parking space shall be provided for each six hundred (600) square feet of floor area in excess of four thousand (4,000) square feet.
6. Manufacturing Uses or any Establishments Engaged in Production, Processing, Cleaning, Servicing, Testing or Repair of Materials, Goods or Products. One (1) parking space shall be provided for each two (2) employees, plus one (1) parking space for each vehicle used in the conduct of the enterprise.
7. Warehouses and Storage Buildings. One (1) parking space shall be provided for each two (2) employees, plus one (1) space for each vehicle used in the conduct of the enterprise.
8. Community Service Uses, as follows:
  - a. Church, School, College and Other Institutional Auditoriums. One (1) parking space shall be provided for each three (3) auditorium seats. Adequate space shall also be provided for buses used in connection with the activities of the institution, and all loading and unloading of passengers shall take place upon the premises.
  - b. Colleges, Universities and Business, Professional and Trade Schools. One (1) parking space shall be provided for each three (3) employees and one (1) parking space shall be provided for each four (4) students based on the maximum number of students attending classes on the premises at any one time during any twenty-four (24) hour period.
  - c. Health Centers, Government Operated. Three (3) parking spaces shall be provided for each staff and visiting doctor.
  - d. Hospitals. One (1) parking space shall be provided for each two (2) hospital beds, plus one (1) parking space for each two (2) employees (other than staff doctors), plus one (1) parking space for each doctor

assigned to the staff.

- e. Libraries, Art Galleries and Museums--Public. One (1) parking space shall be provided for each one thousand (1,000) square feet of gross floor area.
  - f. Municipal or Privately Owned Recreation Buildings or Community Centers. One (1) parking space shall be provided for each two (2) employees, plus spaces adequate in number, as determined by the Zoning Administrator, to serve the visiting public.
  - g. Public Utility and Public Service Uses. One (1) parking space shall be provided for each three (3) employees, plus spaces adequate in number, as determined by the Zoning Administrator, to serve the public.
  - h. Schools--Nursery, Elementary and High. One (1) parking space shall be provided for each employee.
9. Places of Assembly, as follows:
- a. Stadiums, Arenas, Auditoriums (other than church, college or institutional school), Convention Halls, Dance Halls, Exhibition Halls, Skating Rinks, and Other Similar Places of Assembly. Parking spaces equal in number to twenty-five (25) percent of the capacity in persons shall be provided.
10. Miscellaneous Uses, as follows:
- a. Fraternities, Sororities and Dormitories. One (1) parking space shall be provided for each five (5) active members, plus one (1) parking space for the manager thereof.
  - b. Institutions for the Care of the Insane or Feeble-Minded. One (1) parking space shall be provided for each staff doctor, plus spaces adequate in number--as determined by the Zoning Administrator--to serve the visiting public.
  - c. Private Clubs and Lodges (Without Sleeping Facilities for Guests). Parking spaces equal in number to ten (10) percent of the capacity in persons shall be provided.
  - d. Rest Homes and Nursing Homes. One (1) parking space shall be provided for each four (4) beds, plus one (1) parking space for each two (2) employees (other than staff doctors), plus one (1) parking space for each doctor assigned to the staff.
  - e. Sanitariums, Convalescent Homes or Institutions for the Aged or for Children. One (1) parking space shall be provided for each four (4) beds,



plus one (1) parking space for each two (2) employees (other than staff doctors), plus one (1) parking space for each doctor assigned to the staff.

- f. Theaters--Automobile Drive-In. Reservoir parking space equal to ten (10) percent of the vehicle capacity of such theaters shall be provided.
- 11. Mixed Uses. When two (2) or more uses are located on the same zoning lot within the same building, parking spaces equal in number to the sum of the separate requirements for each such use shall be provided. No parking space or portion thereof shall serve as a required space for more than one use unless otherwise authorized by the Zoning Administrator.
- 12. Other Uses. For uses not listed heretofore in this schedule of parking requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Zoning Administrator.

#### **Section 14.06. Additional regulations--Off-street loading.**

1. Location. All required loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons capacity shall be closer than fifty (50) feet to any property in a residence district unless completely enclosed by building walls, or a uniformly painted solid fence or wall, or any combination thereof, not less than six (6) feet in height. No permitted or required loading berth shall be located in any required front or side yard. 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.

2. Size. Unless otherwise specified, a required loading berth shall be at least ten (10) feet in width by at least twenty-five (25) feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.

3. 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.

4. Surfacing. All open off-street loading berths shall be improved with an aggregate base, not less than seven (7) inches thick, surfaced with not less than two (2) inches of asphaltic concrete or some comparable all-weather dustless material.

5. Space allocated 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.

### **Article 15.00. LANDSCAPING**

#### **Section 15.01. Required minimum landscaping.**

1. Owners and occupants of properties used for any purpose other than residential uses having not more than four residential units in any building or upon any zoning lot, or agricultural uses, shall be required to install and maintain minimum landscaping on such properties as follows:

- a. When the parking lot for such use abuts any residential district or use, decorative fencing of at least five (5) feet in height or, alternatively, a compact dense screen planting which reasonably is expected to attain the height of five (5) feet within five (5) years from the date of planting, shall be installed and maintained as a buffer between the affected use and the residential use.
- b. Off-street parking areas that contain ten thousand (10,000) square feet or more of surfaced area shall have a landscaped area, or areas, adjacent to, or part of, the parking area, said landscaped area or areas to total at least of ten per cent (10%) of the total parking area; provided that any landscaped area installed to satisfy the foregoing requirement shall contain at least one hundred and twenty (120) square feet of landscaped area and shall contain no dimension of less than six (6) feet.
- c. In addition to the other requirements hereunder, convenience stores, fast food restaurants, service stations, and other similar uses shall install and maintain a landscaped barrier separating parking lots, driveways, or other paved areas, from the public rights-of-way, which landscaped barrier shall be of sufficient height and density to intercept debris generated by the business and its patrons.
- d. For the purposes hereof, landscaping shall be defined as changing, rearranging or adding to the lawns, trees, plants, evergreens, perennials or annuals, and other decorative features of a parcel of land to produce an aesthetic effect appropriate for the use to which the land is put.
- e. All landscaping required to be installed and maintained hereunder shall be maintained by the property owner, or other responsible party in a reasonable and aesthetically pleasing condition at all times.

2. The provisions of this section shall not apply to any existing property for so long as there is no expansion of any existing parking area, but shall be applicable in the event of the expansion of any existing parking area.

## **Article 16.00. PERMITS**

### **Section 16.01. Where Required.**

A written permit shall be obtained by the property owner (not a tenant) from the Village Clerk before starting: (1) To establish any new use of property, (2) To change the use of any building, structure, or land from one classification to another, (3) To erect, construct, reconstruct, enlarge, or move any building or structure, except the replacement of damage caused by fire, lightning, or

wind, shall not require a permit, provided, said replacement is otherwise in conformity with the provisions of this Ordinance and later amendments, (4) In the case of a non-conforming use, to change from one use to another, (5) Concrete stone, wood, masonry, or other fences, (6) All swimming pools 24” in depth or greater, shall require a permit. Each pool shall be protected by means of a decorative fence at 48” in height, (7) Governmental bodies shall conform to the provisions of this Ordinance and shall be required to obtain permits, except that no permit fee will be required.

No permit shall be required for (1) routine maintenance or repair of buildings, structures, or equipment such as repainting or re-roofing a building, or reballasting a railroad track, (2) construction or alterations costing less than five hundred dollars (\$500.00).

### **Section 16.02 Information required.**

Applications for permits shall be filed in written form with the Village Clerk, shall state the legal description of the property, the name and address of the owner, the applicant, and the contractor, the estimated cost, and shall give such information as may be required by this Ordinance for its property enforcement.

### **Section 16.03 Drawing.**

All applications shall be accompanied by a dimensional drawing (to scale) of the building plot showing the location of buildings, and structures, lot areas to be used, auto parking arenas, and water and sewage disposal facilities.

### **16.04 Accessory Buildings.**

Each permit issued for a main building shall also cover any accessory structures or buildings constructed at the same time on the same premises, and such permit shall be posted in plain sight on the premises for which it is issued. All accessory buildings constructed independently from a primary structure shall require a permit.

### **Section 16.05. Fences.**

All fences shall require a permit. A minimum fee of \$25.00 shall be charged for each permit plus an additional \$1.00 for each \$1,000.00 of improvement or fraction thereof.

No fence shall be located closer than 3' from a street or alley line or property line. Fences and walls not exceeding four (4) feet in height above natural grade level in front yards and not exceeding six (6) feet in height in side and rear yards.

### **Section 16.06. Swimming Pools.**

All swimming pools 24” in depth or greater, shall require a permit. Each pool shall be protected by a locked gate and enclosed by a fence at least 48” in height. A one-time permit fee of \$25.00 shall be charged for each swimming pool which is erected on property. For assistance in filling a

pool, the Village Superintendent must be contacted during the Village weekdays. All property owners will be charged the normal water usage fee on their water bill.

**Section 16.07. Revocation.**

All building permits shall expire in six months after the date thereof unless the building which is permitted to be erected shall be commenced within said six-month period, and building shall be completed within twelve months from the date of issuance of the permit or the permit shall expire. a permit shall be revoked by the Village Clerk when he shall find from personal inspection or from competent evidence that the rules or regulations under which it had been issued are being violated. All work covered under a permit must be completed within 12 months of the date issued unless otherwise agreed upon when permit is issued. A fine of \$25.00 per day will be assessed for each day in excess of the twelve-month period.

**Section 16.08. Records.**

All applications and a copy of all permits issued shall be systematically filed and kept by the Village Clerk in his office for ready reference.

**Section 16.09. Cost.**

To partially defray the expense of administering the Ordinance, a fee where required, shall be charged for each permit and collected by the Village Clerk who shall account for the same to the Village Treasurer. A minimum fee of \$25.00 shall be charged for each permit plus an additional \$1.00 for each \$1,000.00 of improvement or fraction thereof.

**Section 16.10. Denial of permits.**

The Village Clerk shall, where such uses would be detrimental to adjacent property and to the ultimate development, discourage and deny permits for: (1) Unusual locations of buildings and structures such as excessive set back unless justified by topography or other existing structures, (2) Dwellings and structures of a temporary or partially completed nature.

**Article 17.00. ADMINISTRATION**

**Section 17.01. Administrative officer.**

The Building Inspector, acting as Zoning Administrator, shall be in charge of the administration and enforcement of this ordinance.

1. *Duties.* The Building Inspector shall:
  - a. Receive applications required, issue permits and furnish certificates, all in his judgment and discretion.
  - b. Examine premises for which permits have been issued, and make

necessary inspections to determine compliance.

- c. When requested by the Village President or Board of Trustees, or when the interest of the Village so requires, make investigations and render written reports.
- d. Issue such notices or orders as may be necessary.
- e. Adopt rules and procedures consistent with this ordinance.
- f. Keep careful and comprehensive records of applications, permits, certificates, inspections, reports, notices, orders and all localized actions of the Board of Trustees, and shall file the same permanently by street address.
- g. Keep all such records open to public inspection, at reasonable hours, but not for removal from his office.
- h. Report to the Village President at least once each month as to permits and certificates issued, and orders promulgated.
- i. Request and receive the assistance and cooperation of the Police Department, the legal department, and of other Village officials.
- j. Inform the legal department of all violations and all other matters requiring prosecution or legal action.
- k. Be entitled to rely upon any opinion of the legal department as to the interpretation of this ordinance, or the legal application of this ordinance to any factual situation.
- l. Discharge such other duties as may be placed upon him by this ordinance.

#### **Section 17.02. Zoning certificates.**

1. No permit as required by the Building Ordinances of the Village of Gridley shall be issued by the Building Inspector for the construction of a building, structure or land improvement or an alteration or enlargement of an existing building, structure or land improvement and the uses thereof, until the Building Inspector certifies in such permit that the application for a permit with accompanying plans and specifications conforms with the regulations of this comprehensive amendment.

2. When a permit is not required by the Building Ordinance of the Village of Gridley for an improvement and the use thereof requiring [requires] conformance with the regulations of this comprehensive amendment, an application for a zoning certificate shall be filed with the Building Inspector. A zoning certificate shall be issued only when the application shows

conformance with the regulations of this comprehensive amendment.

3. All applications for building permits or zoning certificates shall be accompanied by a plan drawing in duplicate drawn to scale showing the actual dimensions of the lot or lots to be built upon, the size of the building or structure to be erected or structurally altered, its location on the lot or lots and such other information as may be necessary to provide for the enforcement of these regulations. A careful record of such applications and plats shall be kept in the office of the Building Inspector. The Building Inspector shall in writing approve or disapprove all building permits or zoning certificates within thirty (30) days after submission thereof; failure to act shall be deemed approval thereof.

### **Section 17.03. Occupancy certificate.**

1. No building or addition thereto, constructed after the effective date of this ordinance and no addition to a previous existing building shall be occupied, and no land vacant on the effective date of this ordinance shall be used for any purpose, until an occupancy certificate has been issued by the Building Inspector. No change in a use in any district shall be made until an occupancy certificate has been issued by the Building Inspector. Every occupancy certificate shall state that the use or occupancy complies with all the provisions of this ordinance.

2. Every application for a building permit shall also be deemed to be an application for an occupancy certificate. Every application for an occupancy certificate for a new or changed use of land or building where no building permit is required shall be made to the Building Inspector.

3. No occupancy certificate for a building or addition thereto, constructed after the effective date of this ordinance, shall be issued until construction has been completed and the premises have been inspected and certified by the Building Inspector to be in full and complete compliance with the plans and specifications upon which the zoning certificate was based. Pending the issuance of a regular certificate, a temporary certificate may be issued to be valid for a period not to exceed six (6) months from its date during the completion of any addition or during partial occupancy of the premises. An occupancy certificate shall be issued, or written notice shall be given to the applicant stating the reasons why a certificate cannot be issued, not later than fourteen (14) days after the Building Inspector is notified in writing that the building or premises is ready for occupancy.

### **Section 17.04. Appeals.**

1. *Authority.* The Village Board shall hear all appeals as brought to them by Building Inspector.

2. *Initiation and Processing.* An appeal may be taken to the Village Board by any person, firm or corporation, or by any office, department, board, bureau or commission, aggrieved by an administrative order, requirement, decision, or determination under this comprehensive amendment.

The Village Board shall fix a reasonable time for the hearing of the appeal and give due

notice thereof to the parties and decide the appeal within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney. The Village Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end has all the powers of the officer from whom the appeal is taken.

3. *Decisions.* All decisions, after hearing, of the Village Board on appeals from an administrative order, requirement, decision or determination of the Building Inspector shall, in all instances, be final administrative determinations and shall be subject to judicial review only in accordance with applicable Illinois statutes.

### **Section 17.05. Variations.**

1. *Authority.* The Village Board shall decide variations of the provisions of this ordinance in harmony with its general purpose and intent, and shall vary them only in the specific instances hereinafter set forth where the Village Board shall have made a finding of fact based upon the standards hereinafter prescribed that there are practical difficulties or particular hardship in the way of carrying out the strict letter of the regulations of this ordinance.

2. *Initiation.* An application for a variation may be made by any person, firm, or corporation, or by any office, department, board, bureau or commission requesting or intending to request application for a building permit, zoning certificate or occupancy certificate.

3. *Processing.* An application for a variation shall be filed with the Village Clerk. The Village Clerk shall forward such application to the Village Board, along with a fee of \$100.00 for processing in accordance with applicable statutes of the State of Illinois, and the provisions of this ordinance.

No variation shall be made by the Village Board except after a public hearing before the Village Board, of which there shall be a notice of time and place of the hearing published at least once--not more than 30 nor less than 15 days before the hearing--in one or more newspapers with a general circulation within Gridley.

#### *4. Standards:*

a. For the purpose of determining there are practical difficulties or particular hardship, the Village Board shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

- (1) 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 regulations were to be carried out;
- (2) That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoned

classification;

- (3) That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
  - (4) That the alleged difficulty or hardship has not been created by any person presently having an interest in the property;
  - (5) That the granting of the variation will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located; or
  - (6) That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- b. The Village Board may require such conditions and restrictions 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 effect of such variation upon other property in the neighborhood, and to implement the general purpose and intent of this ordinance.

6. *Authorized Variation.* Variations from the regulations of this zoning ordinance shall be granted by the Board only in accordance with the standards set out in this section, and may be granted only in the following instances, and in no others:

- a. To permit up to a 25 percent reduction in the front, side or rear yard required by this ordinance.
- b. To permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot, but in no event shall the area of the lot be less than 90 percent of the required lot area; and provided that the Village Board in considering any request for permission to build upon an undersized tract including an undersized platted lot or combination of undersized platted lots shall whenever such combination is possible require that two or more undersized lots be combined or redivided into building sites of at least or substantially the size required by this ordinance.
- c. To permit the use of a lot less in width by not more than 17 percent of the lot width as required by this ordinance.
- d. To permit off-street parking facilities to qualify as required facilities for two or more uses, provided the substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week.



- e. To reduce the applicable number of off-street parking or loading spaces required by not more than one parking space or loading berth or 20 percent of the applicable regulations, whichever number is greater.
- f. To permit in a residence district for a period of not longer than six months from the date of issuance of variation, a temporary use for commerce or industry incidental to residential development.
- g. To permit, for a limited period of time, in any district, temporary uses that are of a seasonal or periodic nature.
- h. To extend the period of time a non-conforming use may continue or remain.
- i. To exceed any of the authorized variations allowed under this section, when a lot of record or zoning lot, vacant or legally used on the effective date of this ordinance, is by reason of the exercise of the right of eminent domain by any authorized governmental body or by reason of a conveyance under threat of an eminent domain proceeding reduced in size so that the remainder of said lot of record or zoning lot or structure on said lot does not conform with one or more of the regulations of the district in which said lot of record or zoning lot or structure is located.
- j. To permit signs of a greater height or surface area than permitted herein but by no more than 25 percent of the applicable regulations.

### **Section 17.06. Zoning Committee**

1. *Jurisdiction.* The Gridley Village Board is the Zoning Committee referred to in this ordinance, and shall have the following duties under this ordinance:

- a. To hear all applications for amendments and special uses.
- b. To initiate, direct and review, from time to time, studies of the provisions of this comprehensive amendment.
- c. To hear and decide all matters upon which it is required to pass under this comprehensive amendment.

2. *Meetings and Rules.* All meetings of the Zoning Committee shall be held at the call of the Chairman, and at such times as the committee may determine. All hearings conducted by the Zoning Committee under this comprehensive amendment shall be in accordance with Illinois statutes. All testimony by witnesses at any hearing provided for in this comprehensive amendment shall be given under oath. The Zoning Committee shall keep minutes of its proceedings, and shall also keep records of its hearings and other official actions. A copy of every rule or regulation, every amendment and special use, and every recommendation, order,

requirement, decision or determination of the Zoning Committee under this comprehensive amendment shall be filed in the office of the Village Clerk and shall be a public record.

### **Section 17.07. Amendments.**

1. *Authority.* The regulations imposed and the districts created under the authority of this ordinance may be amended from time to time, by ordinance in accordance with applicable statutes of the State of Illinois. An amendment shall be granted or denied by the Board of Trustees.

2. *Initiation of Amendment.* Amendments may be proposed by the Board of Trustees, other governmental bodies, or by any resident of or owner of property within the jurisdictional limits of this ordinance.

3. *Processing.* An application for an amendment shall be filed with the Village Clerk who shall introduce it to the Board of Trustees and set the application for a public hearing. Notice shall be given of the time and place of the hearing, not more than 30 nor less than 15 days before the hearing, by publishing a notice thereof at least once in one or more newspapers with a general circulation within Gridley.

4. *Decisions.* The Board of Trustees, shall grant or deny any proposed amendment in accordance with applicable statutes of the State of Illinois.

In cases of a written protest against any proposed amendment of the regulations or districts, signed and acknowledged by the owners of 20 percent of the frontage proposed to be altered, or by the owners of 20 percent of the frontage immediately adjoining or across an alley therefrom, or by the owners of 20 percent of the frontage directly opposite the frontage proposed to be altered, is filed with the Clerk of the municipality, the amendment shall not be passed except by a favorable vote of two-thirds of all of the Trustees of the Village of Gridley.

### **Section 17.08. Special uses.**

1. *Purpose.* The development and execution of the zoning ordinance is based upon the division of the Village 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 district or 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 fall into two categories:

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

2. *Authority.* Special uses shall be authorized or denied by the Board of Trustees in accordance with the provisions of this ordinance applicable to amendments of this ordinance and the regulations and conditions set forth in this ordinance for special uses.

No application for a special use shall be acted upon by the Board of Trustees until after:

- a. A written report is prepared and forwarded to the Board of Trustees by the Zoning Committee in a manner prescribed herein for amendments to this ordinance; and
- b. A public hearing has been held by the Zoning Committee, after due notice by publication as prescribed herein, for amendments, and the findings and recommendations of the Zoning Committee have been reported to the Board of Trustees.

3. *Initiation.* An application for a special use may be made by any person, firm or corporation, or by any office, department, board, bureau or commission requesting or intending to request a building permit or occupancy certificate.

4. *Processing.* An application for a special use, in such form and accompanied by such information as shall be established from time to time by the Zoning Committee, shall be filed with the Village Clerk along with a processing fee of \$100.00 and thereafter processed in the manner prescribed heretofore for applications for amendments.

5. *Decisions.* The Board of Trustees shall authorize by a special use ordinance, or deny an application for a special use in accordance with the provisions of this ordinance applicable to amendments.

No special use shall be authorized by the Board of Trustees unless the special use:

- a. Is deemed necessary for the public convenience at that location;
- b. Is so designed, located, and proposed to be operated that the public health, safety and welfare will be reasonably protected; and
- c. Would not cause substantial injury to the value of other property in the neighborhood in which it is located.

6. *Conditions.* The Board of Trustees 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 ordinance and to minimize the injury to the value of the property in the neighborhood.

## **Section 17.09. Planned developments.**

Planned developments are of such substantially different character from other special uses that specified and additional standards and exceptions are hereby established to govern the action of the Board of Trustees.

1. *Use Exceptions.* The Board of Trustees may authorize that there be in part of a planned development, and for the duration of the planned development, specified uses not listed as permitted uses in the district regulations herein applicable to the district in which said development is located, provided that the Board of Trustees shall find:
  - a. That the uses permitted by such exception are necessary or desirable and are appropriate with respect to the primary purpose of the development;
  - b. That the uses permitted by such exception are not of such a nature or so located as to exercise an undue detrimental influence on the planned development or the surrounding neighborhoods; and
  - c. That the ground area of such development devoted to the uses permitted by such exception shall not exceed 10 percent of the total ground area of such development.
  
2. *Bulk Regulations.* In any planned development, the Board of Trustees may authorize, exceptions to the bulk regulations set forth herein in the district regulations applicable to the district in which the planned development is located, provided it shall find:
  - a. That such exception shall be solely for the purpose of promoting a unified site plan no less beneficial to the residents or occupants of such development as well as the neighboring property than would be obtained by the bulk regulations of this comprehensive amendment for buildings developed on separate lots.
  - b. That the overall floor area ratio, when applicable, would not exceed by more than 15 percent, the floor area ratio regulations of this comprehensive amendment for the district in which it is located.
  - c. That in the part of the planned development containing only multiple-family residential uses, the minimum lot area per dwelling unit may be not more than 15% less than required for permitted uses in the district regulations applicable to the district in which the planned development is located.

Reduction of such lot area shall be recommended by the Board of Trustees only when there is contained within the planned development permanent open areas, the area and location of which shall meet with the approval of the Board of Trustees, and that such open space shall not be less than that

which would pertain if developed on individual lots.

Such open areas shall be preserved over the life of the planned development, for use only by the residents of the planned development or dedicated to the Village of Gridley for school, park, playground or other public uses; and

- d. That in a planned development devoted to Multiple-Family residential uses, the Board of Trustees may approve, access to a dwelling by a driveway or pedestrian walk easement, however, off-street parking facilities for such dwellings shall be located not more than 200 feet from the dwelling served; [and] yards of lesser widths or depths than required for permitted uses in the district regulations applicable to the district in which the planned development is located [may be permitted]; provided
  - (1) That protective covenants are recorded which perpetuate access easements and off-street parking spaces for use by the residents of the dwellings served;
  - (2) That spacing between buildings shall be consistent with the application of recognized site planning principles for securing a unified development and due consideration is given to the openness normally afforded by intervening streets and alleys.
  - (3) Spacing between principal buildings within a part of a planned development where subsequent transfer of ownership is contemplated, shall be equivalent to such spacing as would be required between buildings by district regulations for the district in which it is located; and
- e. That in a planned business development, the following additional requirements are hereby specified:
  - (1) All buildings shall be set back not less than thirty feet from all streets bounding the site;
  - (2) Required off-street parking space shall be provided in the ratio of not less than ten parking spaces for every one thousand square feet of gross floor area;
  - (3) All walks, streets and driveways within the planned development shall be paved with a hard surfaced material meeting the specifications of the Village Engineer;
  - (4) Any part of the planned development not used for buildings, loading and access ways, shall be attractively landscaped with

grass, trees, shrubs or pedestrian walkways, according to a landscape plan as approved by the Board of Trustees.

- (5) The buildings in the planned development shall be planned and designed as a unified and single project.

3. *Procedures for Application for Planned Development.*

- a. The application along with a filing fee of \$1,000, shall be filed with the Village Clerk who shall introduce it to the Board of Trustees and set a public hearing. The Village Clerk shall give notice of a public hearing as required herein for a special use.
- b. The Board of Trustees may disapprove, or grant the special use permit for a planned development by ordinance.
- c. The ordinance granting a special use for planned developments shall set forth all the requirements, special conditions and agreements made a part of the planned development. The plans and other documents required as part of the special use application shall be attached to and made a part of the ordinance granting the permit for planned development.

**Section 17.10. Fees.**

The Board of Trustees hereby establishes the following schedule of fees, charges and expenses for zoning certificates, occupancy certificates, sign permits, appeals, application for amendments or special use and other matters pertaining to this Ordinance. This schedule of fees shall be posted in the office of the Village Clerk and may be altered or amended only by the Board of Trustees.

1. [Filing fees.]

- (a) Filing fees for the following petitions: annexation, rezoning, text amendment, special use, preliminary and final subdivision or resubdivision of an existing subdivision, and appeals shall be \$100.00 for each petition.
- (b) Filing fees for filing variance petitions shall be \$100.00 for each petition.
- (c) When two or more petitions are filed concurrently, and which refer to the same real estate tract, a filing fee of \$75.00 for each petition shall be charged; provided, however, that no filing fee in excess of \$150.00 shall be charged for a variance petition.
- (d) Filing fees for sign permits for signs larger than 75 square feet shall be

\$20.00 and filing fees for sign permits for signs smaller than 75 square feet shall be \$10.00.

- (e) Petitioner shall pay all publication costs incurred to comply with the Village Ordinances and State Law.
2. All petitions which are filed under this Section shall be filed with the Village Clerk in the manner prescribed in the administrative section of the Gridley Zoning Ordinance and shall be filed on or before the twelfth day preceding a regularly scheduled Board of Trustees meeting, together with the required fee, at which time the Village Clerk will forward them to the Gridley Board of Trustees for consideration for referral to the appropriate commission or board, provided, however, that as to any petitions seeking only a rezoning or a special use or a combination thereof, the foregoing filing deadlines shall not apply, but rather, such petitions must be filed on or before the Wednesday preceding the said regularly scheduled Board of Trustees Meeting at which referral to the appropriate commission or board is made. All such petitions filed under this section, including petitions which are filed concurrently with another petition and which refer to the same real estate tract shall be accompanied by five copies of the text of the petition and five copies of the plat maps.

**Section 17.11. Violation, penalty, enforcement.**

Any person, firm or corporation, who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance, shall upon conviction, be fined not less than \$25.00 nor more than \$200.00 for each offense. Each day that a violation is permitted to exist after notification thereof shall constitute a separate offense.

**Section 17.12. When effective.**

This ordinance shall be in full force and effect immediately after passage, approval and publication in book form according to law.

Approved by me as Village President of the Village of Gridley, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

Adopted by the Board of Trustees of the Village of Gridley, Illinois on the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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Village Clerk



APPENDIX

Appendix "A" District Uses Allowed

Appendix "B" Zoning Map

**APPENDIX "A"**  
**Village of Gridley**  
**Zoning Ordinance**

**Table of Permitted and Special Uses**

P=Permitted Use  
S=Special Use  
A=Accessory Permitted Use  
Blank=Use not allowed

	A-1	R-1	R-2	R-3	R-4	MH	B-1	B-2	B-3	M-1	P
<b>Primary Uses</b>											
<b>Residential Uses</b>											
Single-Family Detached Residential	P	P	P	P	P						
Two-Family Residential	S	P	P	P	P						
Zero Lot Line Duplex		S	P	P	P						
Multiple-Family Residential			S	P	P			S			
Residential Above Commercial Use							P	P			
Multiple-Family Residential (Exclusively for the Elderly)			P	P	P		S	S	S		
Attached Single Family Residential (Townhouse)		P	P	P	P						
Manufactured Home						P					
Mobile Home						P					
Home Day Care (1-3 Client Children)	P	P	P	P	P						
Nursing Homes and Assisted Living Facilities	S		S	S	P						
Agency Licensed Family Residential Care Home Permanent with five (5) or fewer residents with six (6) residents		P S	P P	P P	P P						
Agency Licensed Family Residential Care Home Transitional		S	S	S	S						
Agency Licensed Group Residential Care Home Permanent				S	P						
Agency Licensed Group Residential Care Home Transitional				S	S						
Boarding House/Rooming House				S	S						
Bed and Breakfast	S	S	S	P	P		P	P	P		

**Ledger Key**

- A1 Agriculture District
- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multi-Family Residential
- R4 Multi-Family Residential
- B1 Downtown Business District
- B2 General Business District
- B3 Highway Business District
- M1 Manufacturing
- MH Mobile Home Park
- P Public Grounds

	A-1	R-1	R-2	R-3	R-4	MH	B-1	B-2	B-3	M-1	P
<b>Business Uses</b>											
Automobile Service Stations							S	S	P	P	
Automobile Washing, including the use of mechanical conveyors, blowers, and steam-cleaning								S	P	P	
Group Day Care Center (4 or More Client Children)		S	S	P	P		S	S	S	S	
Commercial Indoor Lodging							S	P	P	P	
Office and Professional Service	S				S		P	P	P	P	
Personal Service					S		P	P	P		
Indoor Business Sales/Services							P	P	P	P	
Indoor Retail Sales of Goods (Other than Groceries or Food), under 10,000 sq. ft.							P	P	P	S	
Indoor Retail Sales of Goods (Other than Groceries or Food), over 10,000 Sq. Ft.								P	P		
Indoor Grocery/Food Sales							S	P	P		
Restaurants							P	P	P	S	
Drive-Through Sales/Service, including fast food restaurants							S	S	P	S	
Radio and Television Broadcasting Stations								P	P		
Bar, Tavern, Lounge							S	S	S		
Vehicle sales and service									P		
Funeral Home					S		S	P	P		
<b>Public, Cultural and Recreation Uses</b>											
Indoor Civic, Cultural, Religious, and Institutional (including schools, hospitals, and government buildings)	P	S	S	P	P		S	S	S		P
Indoor Recreation and Entertainment (Other than in Schools)	P				S		S	P	P	P	P
Outdoor Recreational and Open Space (Public and Private), under 1 acre	P	P	P	P	P		S	P	P	P	P
Outdoor Recreational and Open Space (Public and Private), over 1 acre		S	S	S	P		P	S	S	S	P
Outdoor Entertainment	S							S	S		P

**Ledger Key**

- A1 Agriculture District
- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multi-Family Residential
- R4 Multi-Family Residential
- B1 Downtown Business District
- B2 General Business District
- B3 Highway Business District
- M1 Manufacturing
- MH Mobile Home Park
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	A-1	R-1	R-2	R-3	R-4	MH	B-1	B-2	B-3	M-1	P
<b>Industrial and Higher Intensity Uses</b>											
Outdoor Display								S	S	P	P
Utility Facilities	S			S	S		S	S	S	P	
Warehouse and Wholesale Uses										P	
Light Manufacturing Uses, under 6,000 sq. ft. (NAICS codes 311, 312, 314-321, 3222, 323, 332, 337)1								S	S	P	
Light Manufacturing Uses over 6,000 sq. ft. (NAICS codes 311, 312, 314-321, 3222, 323, 332, 337)1										P	
Heavy Manufacturing Uses (NAICS codes 313, 3221, 324-331, 333-336, 339)1										S	
Indoor Maintenance Service							S	S	P	P	
Outdoor Maintenance Service								S	S	S	
Motor Freight Terminals										P	
Mining and Excavation										S	
Commercial Animal Boarding	S										
Salvage Yards and Recycling Centers										S	
Self-service Storage Facilities								S	S	P	
Adult Uses											
Sanitary Landfill											
<b>Low Mass and Low Intensity Uses</b>											
Agricultural Uses	P <sup>1</sup>										
Agricultural Related Office/Research/Laboratory	P								P	P	
Cemeteries, crematories or mausoleums	P		S	S	S						
Telecommunication Equipment, Including Towers for Radio, Television, and Cellular	S						S	S	S	S	
<b>Mixed Uses and Multi-Function Uses</b>											
Planned Unit Development	S	S	S	S	S		S	S	S	S	

1. Shall be only crop related production.  
No livestock operations or livestock boarding shall be permitted.

Note: A maximum of 2 domestic animals shall be allowed per household in any district.

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	A-1	R-1	R-2	R-3	R-4	MH	B-1	B-2	B-3	M-1	P
<b>OTHER USES ACCESSORY TO PRIMARY USES</b>											
<b>Residential Accessory Uses</b>											
Residential (including caretaker dwelling)	A						S	S	S	A	
Home Occupation	A	A	A	A	A		S	S			
Detached Private Residential Garage/Carport/Utility Shed	A	A	A	A	A		A	A	A		
Swimming Pools	A	A	A	A	A	A					A
Individual Septic System	A	S									
Individual Water Well	A										
<b>Business Accessory Uses</b>											
On-site Parking Lot	A	A					A	A	A	A	
Outdoor Restaurant Seating							S	S	S	S	
Incidental Outdoor Display	S						S	S	S	A	
Incidental In-Vehicle Service							S	S	S	A	
Temporary Produce Stands	A										
<b>Commercial and Industrial Accessory Uses</b>											
Outside Storage								S	S	P	
Indoor/Outdoor Recreational							A	A	A	A	
Incidental Light Assembly Activities							S	S	S	A	
Crematorium and Cemeteries	S										

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### Notes:

- (1) All swimming pools 24" in depth or greater, shall require a permit. Each pool shall be protected by means of a decorative fence at least 48" in height.
- (2) All fences in any district shall require a permit. No fence shall be located closer than 3' from a street or alley line. (property line)
- (3) Camping trailers and recreational vehicles are not considered as an accessory use, but may be allowed to be kept outdoors in a residential district for a period of not more than 14 total days in any calendar year. Boats/trailers cannot be stored in an area visible from the street. Boats 14' or less may be stored in the rear yard.