

**Granite City**

**Zoning**

**Ordinance**

**#3818**

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## ARTICLE 1 - GENERAL PROVISIONS

### Section

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- 1-200 Jurisdiction
- 1-300 Interpretation, conflict with other ordinances
- 1-400 Disclaimer of Liability
- 1-500 Separability
- 1-600 Effective date

### **Section 1-100 PURPOSE**

In accordance with State law (65 ILCS 5/11-13) this ordinance regulates structures and land uses in order to preserve, protect, and promote the public health, safety, and welfare through implementation of this municipality's comprehensive plan. More specifically, this ordinance is intended to assist in achieving the following objectives:

- A. to encourage the development of buildings and uses on appropriate sites in order to maximize community-wide social and economic benefits while accommodating the particular needs of all residents, and to discourage development on inappropriate site;
- B. to protect and enhance the character and stability of sound existing residential, commercial, and industrial areas, and to gradually eliminate nonconforming uses and structures;
- C. to conserve and increase the value of taxable property throughout this municipality;
- D. to ensure the provision of adequate light, air, and privacy for the occupants of all buildings;
- E. to protect from property damage caused by fire, flooding, poorly controlled storm water runoff, and adverse soil and topographical conditions;
- F. to provide adequate and well designed parking and loading space for all buildings and uses, and to reduce vehicular congestion on the public streets and highways;
- G. to guide the provision of water mains, sanitary sewers, storm water sewers, and other utilities and services, and to reduce the initial costs and future maintenance expenses thereof;
- H. to provide for the efficient administration and fair enforcement of all the regulations set forth herein; and
- I. to clearly and concisely explain the procedure for obtaining variances, special use permits, amendments, special exemption permits, and the like.

**Section 1-200 JURISDICTION**

This ordinance shall be applicable within the corporate limits of the City of Granite City.

**Section 1-300 INTERPRETATION, CONFLICT WITH OTHER ORDINANCES**

Every provision of this ordinance shall be construed liberally in favor to this municipality, and every requirement imposed herein shall be deemed to be the minimum requirement. Whenever the requirements of this ordinance differ from the requirements of any other lawfully adopted ordinance, regulation, deed restriction, or covenant, the more stringent requirement shall prevail.

**Section 1-400 DISCLAIMER OF LIABILITY**

- A. Except as may be provided otherwise by statute or ordinance, no officer, board member, agent, or employee of this municipality shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his/her duties under this ordinance. (745 ILCS 10)
  
- B. Any suit brought against any officer, board member, agent, or employee of this municipality, as a result of any act required or permitted in the discharge of his/her duties under this ordinance, shall be defended by the City Attorney until the final determination of the legal proceedings.

**Section 1-500 SEPARABILITY**

If any provision of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, that decision shall not affect the validity of the remainder of this ordinance.

**Section 1-600 EFFECTIVE DATE**

This ordinance shall take effect ten (10) days after its final passage, approval, and publication as provided by law. (65 ILCS 5/1-2-4)

## ARTICLE 2 – DEFINITIONS

### Section

2-100 Construction of terms

2-200 Selected definitions

### **Section 2-100 CONSTRUCTION OF TERMS**

In construing the intended meaning of terminology used in this ordinance, the following rules shall be observed:

- A. Words and phrases shall have the meaning respectively ascribed to them in Section 2-2 (Selected Definitions) unless the context clearly indicated otherwise; terms not defined in Section 2-2 shall have their standard English dictionary meanings.
- B. Words denoting the masculine gender shall be deemed to include the feminine and neuter genders.
- C. Words used in the present tense shall include the future tense.
- D. Words used in the singular number shall include the plural number, and the plural the singular.
- E. The term “shall” is mandatory; the term “may” is discretionary.
- F. The term “this municipality” of “the community” shall mean the City of Granite City, Illinois.
- G. The words “lot,” “parcel,” “tract,” and “site” shall be synonymous. (See definition of “plot.”)
- H. The words “extend,” “enlarge,” and “expand” shall be synonymous. (See definition of “enlarge.”)
- I. The words “abuts,” “adjacent,” and “contiguous” shall be synonymous. (See definition of “abuts.”)
- J. All distances shall be measured to the nearest integral foot.
- K. References to sections shall be deemed to include all subsections within that section; but a reference to a particular subsection designates only that subsection.
- L. A general term that follows or is followed by enumerations of specific terms shall not be limited to the enumerated class unless expressly limited.

## **Section 2-200 SELECTED DEFINITIONS**

**Abuts:** Having a common lot line or district line. (Without regard to streets, alleys, or public right-of-ways).

**Access Way:** A curb cut, ramp, driveway or other means for providing vehicular access to an off-street parking or loading area.

**Accessory Use:** Any structure of use that is:

1. subordinate in size or purpose to the principal structure or use which it serves;
2. necessary or contributing to the comfort and convenience to the occupants or the principal structure or use served;
3. located on the same lot as the principal structure or use served.

**Administrator:** The official appointed by the Mayor of this municipality with the advice and consent of Council to administer this ordinance, or his representative. (Synonymous with “Zoning Administrator.”)

**Aisle:** A vehicular traffic way within an off-street parking area, used as a means of access/egress from parking spaces.

**Alley:** A public right-of-way which affords a secondary means of vehicular access to abutting premises that front on a nearby street.

**Alter:** To change the size, shape, or use of a structure.

**Amendment:** A change in the provisions of this ordinance (including those portions incorporated by reference), properly effected in accordance with State Law and the procedure set forth herein.

**Attached:** As applied to buildings, “attached” means having a common wall and/or a common roof.

**Basement:** A story having one-half (1/2) or more of its height below the average level of the adjoining ground.

**Block:** An area of land entirely bounded by streets, highways, barriers, or ways (except alleys, pedestrian ways, or exterior boundaries of a subdivision unless exterior boundary is a street, highway, or way), or bounded by a combination of streets, public parks, cemeteries, railroad rights-of-way, waterways, or corporate boundary lines.

**Board Of Appeals:** The Zoning Board of Appeals of this city.

**Boarding House:** A residential building or portion thereof, other than a motel or hotel, containing lodging rooms for accommodation of three (3) to ten (10) persons who are not members of the keeper's family, and where lodging or meals or both are provided by prearrangement and for definite periods, but not on an overnight or per-meal basis to the transient public.

**Buffer Strip:** An area of land--undeveloped except for landscaping, fences, etc.--used to protect a use situated on one lot from the deleterious effects of the use on the adjacent lot.

**Building:** Any covered structure permanently affixed to land and designed or used to shelter persons or chattels.

**Building Foundations:** All buildings and structures 200 sf or larger, or 10 feet in height shall be built on a full perimeter permanent foundation extending below frost depth.

**Building Height:** The vertical distance measured from the average grade at the front wall of a building to the highest point of the coping of a flat roof or to the deck line of mansard roof, or to the mean height level between eaves and ridge for gable, hip or gambrel roofs. Chimneys, towers, cooling towers, and similar projections shall not be included in calculating building height.

**Building Line:** The line nearest the front of and across a lot, delineating the minimum open space required between the front of a structure and the street right-of-way.

**Bulk:** Any one or any combination of the following structural or site design characteristics:

1. size or height of structure;
2. location of exterior walls at all levels in relation to lot line, streets, or other structures;
3. lot area;
4. yards or setbacks.

**Certificate of Zoning Compliance, Initial:** A construction permit issued by the Administrator indicating that proposed construction work is in conformity with the requirements of this ordinance and may, therefore, proceed.

**Certificate of Zoning Compliance For Use and Occupancy:** A permit issued by the Administrator indicating that a newly completed structure complies with all pertinent requirements of this ordinance and may, therefore, be occupied or used.

**Clinic:** An establishment wherein licensed physicians or dentists practice medicine or dentistry, but where overnight lodging for sick or injured persons is not provided.

**City:** City of Granite City, municipality, or community

**Club/Lodge:** A nonprofit association of persons who are bonafide members organized for some purpose(s) and paying regular dues and whose facilities are restricted to members and their guests; not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

**Commercial Use/Establishment:** Any use or establishment wherein goods are purchased or sold, whether to the consuming public (retail) or to other businesses (wholesale).

**Comprehensive Plan:** The plan or any portion thereof adopted by this municipality to guide and coordinate the physical and economic development of the community. The comprehensive plan includes, but is not limited to plans and programs regarding the location, character, and extent of highways; bridges; public buildings or uses; utilities; schools; residential, commercial or industrial land uses; parks; drainage facilities; etc.

**Conforming:** In compliance with the applicable provisions of this ordinance.

**Consumer Installment Loan Business:** Any person, firm, association corporation or partnership, engaged in the business or service of, and providing facilities for, consumers to receive cash or evidence of cash in exchange for a loan agreement to be repaid in installments over a period of weeks, months or years, which agreement is either collateralized or not and for which any service charge is made or interest received, including but not limited to loans collateralized by personal check, payroll check or personal property title, or collateralized with the promise to relinquish possession to any personal property upon default or engaged in any one or more of the foregoing businesses; EXCEPT, that this definition does not include: State or National Banks, or Savings Banks, the United States Postal Service, Postal Telegraph Company, or Western Union Telegraph Company, or any person, firm, association, corporation or partnership engaged in the business of selling tangible personal property at retail who, in the course of such business and only as an incident thereto, receive checks, drafts, money orders or other evidences of money, or receives or issues a contractual agreement to receive money or evidence of money on an installment basis in exchange for tangible goods sold or rented on the premises, with or without using such tangible goods as collateral or as a re-possessable item upon default. (Ord. 7212 dated 9/7/99)

**Convenience Shop:** Any small retail commercial or service establishment offering goods/services primarily to the residents of a particular multiple-family complex, mobile home park, or similar development.

**Corrective Action Order:** A legally binding order issued by the Administrator in accordance with the procedures set forth herein to effect compliance with this ordinance.

**Currency Exchange:** Any person, firm, association, corporation or partnership engaged in the business or service of, and providing facilities for, cashing checks, drafts, money orders or any other evidences of money acceptable to such currency exchange, for a fee or service charge or other consideration, or engaged in the business of selling or issuing money orders under his or their or its name or any other money orders, or engaged in any one or more of the foregoing businesses;

EXCEPT, that this definition does not include: State or National Banks, or Savings Banks, the United States Postal Service, Postal Telegraph Company, or Western Union Telegraph company, or any person, firm, association, corporation or partnership, engaged in the business of selling tangible personal property at retail who, in the course of such business and only as an incident thereto, cashes checks, drafts, money orders or other evidences of money.

**Day Care Center:** See “Nursery School.”

**Detached:** As applied to buildings, “detached” means surrounded by yards on the same lot as the building.

**Develop:** Includes: erecting any structure, installing any improvements on a building or a tract of land, undertaking any activity (such as grading) in preparation therefore, and modifying the exterior of a building. In the case of a Planned Unit Development (PUD), develop does NOT include: interior repair and maintenance which does not change the exterior appearance of the building, repairs to bring a building into compliance with the code, and the repair of the roof of a building.

**Dimensions:** Refers to both lot depth and lot width.

**District, Zoning:** A portion of the territory of this municipality wherein certain uniform requirements or various combinations thereof apply to structures, lots, and uses under the terms of this ordinance.

**Driveway:** A permanently surfaced area on a lot designed to provide direct access for vehicles between a street and a private garage, carport or other permitted paved parking space or parking area.

**Dwelling:** A building or portion thereof designed or used primarily as living quarters for one or more families, but not including hotels, motels, or other accommodations for the transient public.

**Dwelling, Multiple-Family:** A building or portion thereof containing three (3) or more dwelling units.

**Dwelling, Single Family:** A detached dwelling containing one(1) dwelling unit and intended for the occupancy of one family.

**Dwelling, Two-Family:** A dwelling containing two (2) dwelling units.

**Dwelling Unit:** One or more rooms designed or used as living quarters by one family. A “dwelling unit” always includes a bathroom and a kitchen.

**Easement:** A right to use another person’s real property for certain limited purposes.

**Enclosed:** As applied to a building, “enclosed” means covered by a permanent roof and separated on all sides from adjacent open space or other buildings by fixed exterior walls or by common walls, with openings only for windows and doors.

**Enlarge:** To increase the size (floor area, height, etc.) of an existing principal structure or accessory use, or to devote more land to an existing use.

**Erect:** To build, construct.

**Establishments:** Either of the following:

1. an institutional, business, commercial or industrial activity that is the sole occupant of one or more buildings; or
2. an institutional, business, commercial or industrial activity that occupies a portion of a building such that:
  - a. the activity is a logical and separate entity from the other activities within the building and not a department of the whole; and
  - b. the activity has either a separate entrance from the exterior of the building, or a separate entrance from a common and clearly defined entryway that has direct access to the exterior of the building.

**Existing:** Actually constructed or in operation on the effective date of this ordinance.

**Family:** One person, or two or more persons related by blood, marriage, or legal adoption, or not more than three (3) unrelated persons, maintaining a common household in a dwelling unit.

**Fence:** A protective or confining barrier of posts, wire mesh or other permitted materials.

**Flood Elevation, Regulatory:** The elevation of the most severe flood that, on the basis of Corps of Engineer's data, may be expected to occur once every one hundred (100) years.

**Flood Plain Area:** The area adjacent to a water course and its tributaries having an elevation equal to or lower than the regulatory flood elevation.

**Floor Area, Gross:** The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls or from the center of the common walls of attached buildings. Gross floor area includes basement floors; attic floor space; halls, closets, stairwells; space devoted to mechanical equipment; and enclosed porches.

**Frontage:** The lineal extent of the front (street-side) of a lot.

**Greenhouse:** See "Nursery."

**Hereafter:** Any time after the effective date of this ordinance.

**Home Occupations:** Any business, profession, or occupation conducted for gain entirely within any dwelling or on any residential premises in a residential district in conformity with the provisions of this ordinance.

**Hospital:** An institution devoted, on an around-the-clock basis, to the maintenance and operation of facilities for the diagnosis, treatment, or care of members of the general public suffering from disease, injury, or other abnormal physical conditions.

**Intensify:** To increase the level or degree of.

**Intersection:** The point at which two or more public rights-of-way (generally streets) meet.

**Junk Yard:** See “Vehicle Salvage/Junk Yard”

**Kennel:** Any structure or premises or portion thereof on which more than three (3) dogs, cats, or other household domestic animals over four (4) months of age are kept.

**Loading Space:** An off-street space used for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

**Lot:** A tract of land intended as a unit for the purpose (whether immediate or future) of transfer of ownership or development. A “lot” may or may not coincide with a “lot of record.”

**Lot, Corner:** A lot having at least two (2) adjacent sides that abut for their full length upon streets. Both such side lines shall be deemed front lot lines.

**Lot, Through:** A lot having a pair of approximately parallel lot lines that abut two (2) approximately parallel streets. Both such lot lines shall be deemed front lot lines.

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

**Lot Coverage:** The portion of a lot that is occupied by buildings or structures, including accessory buildings or structures.

**Lot Depth:** The average horizontal distance between the front lot line and the rear lot line of a lot.

**Lot Line, Front:** The lot boundary abutting the street.

**Lot Line, Rear:** An interior lot line which is most distant from and most nearly parallel to the front lot line.

**Lot Line, Side:** Any boundary of a lot which is not a front lot line or a rear lot line.

**Lot Size Requirements:** Refers to the lot area, width, and depth requirements of the applicable district.

**Lot Width:** The mean horizontal width of a lot measured at right angles to the side lot lines.

**Maintenance:** The routine upkeep of a structure, premises, or equipment, including the replacement or modification of structural components to the extent necessary to keep said structure in sound condition.

**Manufactured home:** Manufactured Homes are entirely factory built under federal building code administered by HUD. They may be single- or multi-section and are transported to the site and installed. They can be placed on a basement and include multi-wide and expandable manufactured homes. They have a steel undercarriage supporting the floor system and can have wheels or towing devices. Prior to 1976, manufactured homes were known as mobile homes.

**Materially:** As applied to the impact of one thing on another, “materially” means significantly or substantially.

**Mobile home:** Mobile homes are entirely factory built under federal building code administered by HUD. They may be single- or multi-section and are transported to the site and installed. They can be placed on a basement and include multi-wide and expandable manufactured homes. They have a steel undercarriage supporting the floor system and can have wheels or towing devices. After 1976, mobile homes have been known as manufactured homes.

**Modular home:** A Modular Home is a residence built in two or more sections in a factory, then transported and assembled at the building site. They are built to state, local, or regional codes where the home will be located. They can be custom built. They do not have a steel undercarriage supporting the floor system and are incompatible with wheels or towing devices.

**Nonconforming:** As applied to a lot, structure, or use, “nonconforming” means (1) lawfully existing on the effective date of this ordinance, but (2) not in compliance with the applicable provisions thereof.

**Nuisance:** Any things, condition, or conduct that endangers health, or unreasonably offends the senses, or obstructs the free use and comfortable enjoyment of property, or essentially interferes with the comfortable enjoyment of life.

**Nursery:** A tract of land on which trees, shrubs, and other plants are raised for transplanting and sale, and including any structure in which said activities are conducted.

**Nursery School:** An establishment for the part-time care and/or construction at any time of the day of four (4) or more unrelated children of pre-elementary school age.

**Nursing Home:** A building used as a medical care facility for persons who need long-term nursing care and medical service, but do not require intensive hospital care.

**Office:** Any building or portion thereof in which the business (usually clerical and administrative

affairs) of a commercial— service enterprise or professional person is transacted.

**Parking Area/Lot, Off Street:** Land that is improved in accordance with this ordinance and used primarily for the storage of passenger motor vehicles, free of charge or for compensation. An “off-street parking area,” depending on the circumstances of its use, may be either a principal use or an accessory use.

**Panelized Homes:** Panelized Homes are factory built homes in which panels (a whole wall with windows, doors, wiring, and outside siding) are transported to the building site and assembled. They are built to state, local, or regional codes where the home will be located.

**Parties In Interest:** The term “parties in interest” shall include persons and corporations holding legal title, beneficial interest in real estate held in trust, contract purchasers, lessees, and option holders to purchase or lease the subject real estate.

**Permitted Use:** Any use which is or may be lawfully established in a particular district(s), provided it conforms with all the requirements applicable to said district(s).

**Person:** Any individual, firm, association, organization, or corporate body.

**Planned Unit Development:** A tract of land which is planned as a whole for development under single ownership or control in accordance with this Ordinance, and which, by virtue of such unified planning and development, provides greater amenities, convenience or other benefits (especially open space) than would normally be had through the development of diverse smaller tracts under multiple ownership. A “planned unit development” may contain one type of use or variety of uses.

**Plan Commission:** The Plan Commission of this municipality.

**Plot:** A parcel of land consisting of one or more lots or portions thereof which is described by reference to a recorded plat or by metes and bounds.

**Pole Type Structure:** A design using poles placed in holes in the ground, which are filled with concrete. These poles are generally spaced 10+ feet apart to form square or rectangle buildings. The poles provide support for engineered trusses. Trusses are connected to the poles and are designed to support the roof system, which usually consist of purlins. Pole Type Structures can have enclosed sides or open side, as in lean-to design.

**Pre-Cut Homes:** Pre-Cut Homes are factory built homes in which building materials are factory cut to design specifications, transported to the building site, and assembled.

**Pre-Engineered Building Structure:** A completely assembled and erected building designed and constructed for permanent occupancy, of which (50%) or greater of the structural units (such as beam, girder, plank, strut, column, or truss) and prefabricated building sub-assemblies (such as assembled section of wall, ceiling, or roof, which may be of closed or open construction) that are transported from the place of manufacture to the building site to be incorporated into the building

sub-assemblies, having need of a perimeter formation permanent foundation. The term shall include buildings designed and intended to be used for business, educational or industrial use occupancy.

**Premises:** A lot and all the structures and uses thereon.

**Principal Building/Structure/Use:** The main structure erected on or the main use occupying a lot, as distinguished from an accessory (subordinate) structure or use.

**Property Line:** See “Lot Line.”

**Reconstruct:** As applied to nonconforming structures, reconstruct means to rebuild after partial or total destruction.

**Residence:** A site-constructed building designed for use as a residence. The average width and/or length of the living area (excluding garages, carports, porches, or attachments) of a residence shall not exceed a ratio of 3 to 1. All residences must be placed on a full perimeter permanent foundation extending below the frost depth and must have a minimum 3/12 pitch roof. All residences must have a minimum of one thousand (1000) square feet of living area and must be built to the adopted City of Granite City BOCA Building Code.

**Refuse:** Garbage (food wastes) and trash, but not sewage or industrial wastes.

**Relocate:** To move to another portion of a lot or to a different lot.

**Repair:** To restore to sound condition, but not to reconstruct.

**Restrictive:** Tending to keep within prescribed limits.

**Retail:** Refers to the sale of goods or services directly to the consumer rather than to another business.

**Right-of-Way, Public:** A strip of land which the owner/sub-divider has dedicated to this municipality or to another unit of government for streets and alleys.

**Rooming House:** See “Boarding House.”

**Sanitary Landfill:** A tract of open land used for the permanent disposal of refuse in accordance with the requirements of the Illinois Environmental Protection Agency. At a “sanitary landfill” the refuse is periodically covered with topsoil.

**Satellite Dish:** Any parabolic-dish-type apparatus, external to or attached to the exterior of a building or structure, capable of receiving, for the benefit of the principal use, television or radio signals. Satellite dishes are considered an accessory use.

**Scrap Metal Dealers:** Any entity (person, firm company, partnership, association, or corporation)

that purchases products containing ferrous or nonferrous metals for recycling or resale.

**Screening:** A wall, solid fence, or closely planted shrubbery of sufficient density to block the view of adjacent property.

**Service Use/Establishment:** Any use or establishment wherein services are provided for remuneration either to individuals or to other firms.

**Setback:** The minimum horizontal distance between a lot line and the nearest portion of a building.

**Setback Line:** See “Building Line.”

**Special Exemption Permit:** A permit issued in accordance with this ordinance to provide relief from a non-conformity.

**Special Use:** A use that has unusual operational, physical, or other characteristics which distinguish it from the permitted uses of a district, but which can be made compatible with the intended overall development within a district. Special uses commonly must meet special standards not necessarily applicable to permitted uses in the district, and are allowed only by permit.

**Special Use Permit:** A permit issued in accordance with provisions of this ordinance to regulate development of a special use.

**Stable:** A structure, situated on the same lot as a dwelling, and designed or used for housing horses for the private use of occupants of the dwelling, but not for hire.

**Stop Order:** A type of corrective action order used by the Administrator to halt work in progress that is in violation of this ordinance.

**Street:** A public or private way for motor vehicle travel. The term “street” includes a highway, thoroughfare, parkway, through way, road, pike, avenue, boulevard, lane, place, drive, court and similar designations, but excludes an alley or a way for pedestrian use only.

**Stringent:** Binding, exacting.

**Structure:** Anything constructed, assembled or erected on the ground, or attached to something having a fixed location on the ground. All buildings are structures, but not all structures are buildings.

**Structure, Temporary:** Any structure that is not attached to a permanent foundation.

**Temporary Use Permit:** A permit issued in accordance with the provisions of this ordinance and valid for not more than (1) year, which allows the occupation of a temporary structure or the operation of a temporary enterprise.

**Topography:** The relief features or surface configuration of an area.

**Use:** The purpose or activity for which land or a structure thereon is designed, arranged, intended, occupied, or maintained.

**Variance:** A relaxation of the strict application of the lot size, setbacks, or other bulk requirements applicable to a particular lot or structure or fence.

**Vehicle Salvage/junk yard:** A tract of land, including any accessory structure thereon, that is used for acquiring, storing or handling salvage vehicles. The activities of a vehicle salvage/junk yard include, but not limited to, sale of a vehicle in its entirety or as spare parts, rebuilding, restoration and crushing.

**Yard:** Open space that is unobstructed except as specifically permitted in this ordinance and that is located on the same lot as the principal building.

**Yard, Front:** A yard which is bounded by the side lot lines, front lot lines, and the building line.

**Yard, Rear:** A yard which is bounded by side lot lines, rear lot lines, and the building line.

**Yard, Side:** A yard which is bounded by the rear yard line, front yard line, side yard line, and the side lot line.

**Yard Line:** A line in a lot that is parallel to the lot line along which the yard in question extends and which is not nearer to such lot line at any point than the required depth or width of said yard.

**Zoning Map:** The map(s) and any amendments thereto designating zoning districts and incorporated into this ordinance by reference.

## ARTICLE 3 - GENERAL ZONING REGULATIONS

### Section

- 3- 100 Establishment of districts
- 3- 200 Zoning map and district boundaries
- 3- 300 General prohibition
- 3- 400 Unlisted uses prohibited
- 3- 500 Emergency and temporary occupancy of structures
- 3- 600 Meeting minimum requirements
- 3- 700 Access required
- 3- 800 Front setbacks - corner/through lots
- 3- 900 Front setbacks in certain built-up areas
- 3-1000 Intrusions into yards
- 3-1100 Exceptions to height limits
- 3-1200 Accessory uses
- 3-1300 Degree of restrictiveness
- 3-1400 Planned unit developments (P.U.D.)
- 3-1500 Municipal exemption

### Section 3-100 ESTABLISHMENT OF DISTRICTS

In order to implement the regulatory scheme of this ordinance so as to achieve the objectives enumerated at Section 1-100 (Purpose), this entire municipality is hereby divided into the following zoning districts:

DISTRICT		MINIMUM AREA
Agricultural Dist.	A	5 acres
Single-family Residence	R-1	5 acres
Single-family Residence	R-2	5 acres
Single-family Residence	R-3	5 acres
Two-family Residence	R-4	5 acres
Multi-family Residence	R-5	3 acres
Mobile Home Residence	R-6	3 acres
Planned Residential	R-7	3 acres
Office Commercial Dist.	C-1	1 acres
Neighborhood Commercial	C-2	1 acres
Community Service	C-3	1 acres
Central Business Commercial	C-4	5 acres
General Commercial	C-5	5 acres
Planned Commercial	C-6	**5 acres
Warehouse Industrial Dist.	M-1	10 acres
Light Industrial Dist. (light manufacture)	M-2	10 acres

Heavy Industrial	M-3	10 acres
Planned Industrial	M-4	10 acres

The “minimum area” requirement (which is intended to prevent spot zoning) refers to the smallest total area of contiguous parcels that can properly be given the particular district classification. This requirement relates only to the creation of new zone districts. Expansion of existing zone districts shall be exempt from this provision provided expansion area is contiguous to the existing zone district.

\*\* Minimum area equal to the minimum area requirement found in this section for the predominant use as outlined in the plan proposal when submitted, or if no plan is available, then 5 acres.

**Section 3-150 MINIMUM AREA EXEMPTION**

The ‘minimum area’ requirement (which is intended to prevent spot zoning) refers to the smallest total area of abutting parcels that can properly be given the particular district classification. This requirement relates only to the creation of new zone districts. Expansion of existing zone districts shall be exempt from this provision, provided the expansion area abuts to the existing zone district.

Within the context of the foregoing exemption from minimum area requirements, when the proposed new zone district is more restrictive than that of an existing zoning district to which it abuts, a party in interest may petition the proposed new zoning district have a less restrictive zoning classification than presently zoned but more restrictive than the abutting zoning district. (For example, 2 lots are presently zoned R-3 and abut an M-1 zoning district, and a party in interest is desirous of a C-1 zoning classification for both lots so as to operate a permitted C-1 use. However, the 2 lots do not contain the C-1 minimum area requirement of 1 acre. Rather than expand the present M-1 zoning district to allow operation of the permitted C-1 use, the party in interest may request creation of a new C-1 zoning district.)

**Section 3-200 ZONING MAP AND DISTRICT BOUNDARIES**

The boundaries of the listed zoning districts are hereby established as shown on the official zoning map of this municipality. This official map, including all notations and other information thereon, is hereby made a part of this ordinance by reference. The official zoning map shall be kept on file in the Administrator’s office.

**Section 3-210 ANNUAL PUBLICATION**

In accordance with State Law (65 ILCS 5/11-13-19), the Administrator shall publish the zoning map of this municipality not later than March 31<sup>st</sup> of each year. However, no map shall be published for any calendar year during which there have been no changes in zoning districts or regulations.

**Section 3-220 DETERMINING TERRITORY OF DISTRICTS WITH PRECISION**

In determining with precision what territory is actually included within any zoning district, the Zoning Administrator shall apply the following rules:

- A. Where a district boundary as indicated on the zoning map approximately follows any of the features listed below on the left, the corresponding feature on the right shall be deemed the district boundary:
1. Center line of any street, alley, or highway.....such center line.
  2. Lot line.....such lot line.
  - 3.. Railroad tracks.....right-of-way line of such tracks.
  4. Stream.....center of such stream.
  5. Section lines, quarter section lines, quarter-quarter section lines, survey lines.....such lines.
- B. Whenever any street, alley, or other public way is legally vacated, the zoning districts adjoining each side of such vacated public way shall automatically extend to the center of such way, and all territory included in the vacated way shall thereafter be subject to all regulations of the extended districts.

**Section 3-230 ANNEXED TERRITORY**

Upon the effective date of this ordinance, whenever any territory is annexed to the City, the Council shall determine its district classification at the time of annexation.

**Section 3-300 GENERAL PROHIBITION**

No structure or part thereof shall be erected, used, occupied, enlarged, altered, relocated, or reconstructed except in conformity with the provisions of this ordinance. Similarly, no lot or part thereof shall be used, occupied, or developed except in conformity with the provisions of this ordinance.

**Section 3-400 UNLISTED USES PROHIBITED**

Whenever any use is not specifically listed as permitted or special within a particular zoning district, such use shall be deemed prohibited in that district. However, if the Council finds that the unlisted use is similar to and compatible with the listed uses, they may allow such use by amending this ordinance in accordance with Section 9-4. The Council’s decision shall become a permanent public record, and any unlisted use that they approve shall thereafter have the same status as listed uses.

**Section 3-500 EMERGENCY AND TEMPORARY OCCUPANCY OF STRUCTURES**

No temporary structure (including travel trailers or mobile homes) shall be used or occupied for any residential, commercial or industrial use except as specifically permitted or required by this ordinance. However, the City Council may, upon application therefore, permit the use of such temporary structure for such reasonable time, for such use, and subject to such conditions as the

Council deems to be compatible with the character of the area in which the structure is located, and in compliance with reasonable consideration of the general health, safety and welfare.

**Section 3-600 MEETING MINIMUM REQUIREMENTS**

Except as specifically provided otherwise elsewhere in this ordinance, every lot must meet the minimum area, minimum dimensions, and minimum setbacks requirements of the district in which it is located independently; that is, without counting any portion of an abutting lot.

**Section 3-700 ACCESS REQUIRED**

No building shall be erected on any lot unless such lot abuts, or has permanent easement of access to, a public street or a private street that conforms to the standards set forth in the Land Subdivision Control Ordinance of this municipality.

**Section 3-800 FRONT SETBACKS - CORNER/THROUGH LOTS**

Every lot with multiple frontages (such as corner or through lots) shall meet the front setback requirements of the district in which it is located on every side having frontage.

**Section 3-900 FRONT SETBACKS IN CERTAIN BUILT-UP AREAS**

Except as specifically provided otherwise, in all residential and commercial zoning districts, where over fifty percent (50%) of the lots on one side of a street between intersections (that is, in one block) are developed with buildings that do not meet the minimum front yard setback area, then a front yard setback that conforms with the established building line in that block may be permitted.

**Section 3-1000 INTRUSIONS INTO YARDS**

To the extent indicated below, the following feature of principal buildings may intrude into required yards without thereby violating the minimum setback requirements:

<u>FEATURE</u>	<u>MAXIMUM INTRUSION</u>
A. Cornices, chimneys, planters or similar architectural features	Two (2) feet.
B. Fire escapes	Four (4) feet.

**Section 3-1100 EXCEPTIONS TO HEIGHT LIMITS**

A. Necessary Appurtenances Chimneys, church spires, parapet walls, cooling towers, elevators bulkheads, fire towers, antennas, or other necessary appurtenances commonly constructed above the roof line shall be permitted to exceed the

maximum height limitations of the district in which they are located if they comply with all other pertinent ordinances of this municipality.

- B. Intersections On corner lots, in the triangular portion of land bounded by the street lines of such corner lots and a line joining the two points of intersection, no obstruction, whether natural or man-made, shall intrude into the air space that is between two (2) and ten(10) feet above the level of the adjacent street.

### **Section 3-1200 ACCESSORY USES**

“Accessory use” means any structure or use which is:

- A. subordinate in size or purpose to the principal structure or use which it serves;
- B. necessary or contributing to the comfort and convenience of the occupants (whether individuals or a commercial enterprise) of the principal structure or use served; and
- C. located on the same lot as the principal structure or use served. If an accessory use is attached to the principal structure, it shall be considered part of such principal structure.

### **Section 3-1210 PERMITTED ACCESSORY USES**

Any accessory use shall be deemed permitted in a particular zoning district if such accessory use is:

- A. accessory to a principal structure or use that is allowed in that zoning district as of right (permitted uses) or by virtue of the fact that a special use permit has been granted; and
- B. in compliance with the restrictions set forth in Subsection 3-1220 (Accessory Use Restrictions).

### **Section 3-1220 ACCESSORY USE RESTRICTIONS**

- A. Height No accessory use shall be higher than:
  - 1. fifteen (15) feet in any residential district; or
  - 2. twenty-five (25) feet in any other zoning district
- B. Setbacks No accessory use in any zoning district shall be located in any front yard nor closer than five feet (5') to any side or rear yard.
- C. Percentage of Lot Coverage In any residential district all buildings including accessory buildings shall not cover more than forty (40%) percent of the lot area.
- D. Use as Dwelling Use of any accessory structure as a dwelling is strictly prohibited throughout zoning jurisdiction of this municipality.

### **Section 3-1300 DEGREE OF RESTRICTIVENESS**

“More Restrictive Uses” as employed in this ordinance means the following:

- A. Those uses first permitted in the “A” District are the most restrictive.
- B. All other uses are less restrictive in the order of restrictiveness, beginning with the most restrictive as follows: R-1, R-2, R-3, R-4, R-5, R-6, R-7, C-1, C-2, C-3, C-4, C-5, C-6, M-1, M-2, M-3, and —4.

### **Section 3-1400 PLANNED UNIT DEVELOPMENTS (P.U.D.)**

#### **Section 3-1410 DEFINITION**

As used in this ordinance, the term “Planned Unit Development” (PUD) means a development wherein, in accordance with an approved development plan, (1) common open space is reserved, (2) various housing types and other structures and uses may be mixed, and/or (3) overall average density does not exceed the usual zoning district limit. This ordinance authorizes development of PUDs and establishes PUD procedures in order to achieve the objectives enumerated at Section 1-1 (the general purpose section of this ordinance) and the following additional objectives:

- A. to provide a regulatory mechanism whereby the City can be assured that upon completion, approved development projects will substantially conform to the plans or models which constituted the basis for the City’s issuance of the necessary zoning, subdivision, and/or building permits;
- B. to permit development of a wide variety of housing types and other structures and uses in a single comprehensively planned project;
- C. to preserve the natural topography, scenic features, mature trees, and historic structures existing on sites proposed for development;
- D. to encourage innovative site layouts and coordinated architectural treatment of different housing types and other structures;
- E. to ensure the provision of usable common open space in planned developments, and to spur installation of various amenities therein;
- F. to facilitate the economical installation of standard streets, sewers, utilities, and other improvements.

**IMPORTANT:** Except as specifically provided otherwise in this section, Planned Unit Developments—including all structures and uses therein—shall, at a minimum, be built in conformity with all applicable codes and ordinances.

### **Section 3-1420 DISTRICTS WHERE ALLOWED**

Planned Unit Developments may be built in any zoning district.

### **Section 3-1430 PERMISSIBLE DEVIATIONS FROM ORDINANCE REQUIREMENTS**

The Planned Unit Development concept is intended to afford both the developer and the City considerable flexibility in formulating development proposals. Consequently, to the extent indicated in this subsection, a PUD may deviate from generally applicable ordinance requirements without a variance. Any proposed deviation not listed below, however, shall require a variance.

- A. Mixed Uses PUD may include all types of residential structures and any other uses approved by the Council; provided, that in approving such mixed uses, the Council may attach any conditions necessary to protect the public welfare.
- B. Lot and Structure Requirements In PUDs the Council may approve any reasonable deviation from the lot and structure requirements of the particular zoning district so long as the different uses within the PUD are appropriately interrelated and properly abutting the PUD is adequately protected from any potential adverse impacts of the development. “Lots and structure requirements” means minimum individual lot area, width, and depth; minimum setbacks; and maximum structure height.
- C. Accessory Uses In PUDs the Council may allow the developer to disregard the usual restrictions on accessory uses other than the prohibition against using an accessory structure as a dwelling.
- D. Location of Parking/Loading Spaces By permission of the Council, off-street parking and loading spaces in PUDs need not be located in accordance with generally applicable requirements. The minimum number of such spaces, however, shall not be less than the number required as per Article 6.

### **Section 3-1440 PLANNED UNIT DEVELOPMENT PROCEDURES**

Every applicant for PUD approval shall comply with the procedural requirements of this subsection. The required procedures are as follows:

- filing development plan with the Administrator;
- revision by the developer of adequate assurance for the completion of required improvements as per the development plan;
- review of the development plan by the Plan Commission;
- public hearing by the Plan Commission as per the requirement of Article 9 AMENDMENTS Sect. 9-5.1, 9-5.2, 9-5.3.

- recommendation by the Plan Commission to the City Council regarding approval/rejection of the development plan; and
- action by City Council on the development plan.

A. Application, Information Required. Every applicant for approval of a PUD development plan shall submit to the Administrator, in narrative and/or graphic form, the items of information listed below:

Written Documents:

1. legal description of the total site proposed for development;
2. names and addresses of all owners of property within or adjacent to the proposed PUD;
3. statement of the planning objectives to be achieved by the PUD through the particular approach proposed by the applicant, including a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant;
4. development schedule indicating the approximate date when construction of, or stages of the PUD can be expected to begin and be completed;
5. statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the PUD, such as land areas, dwelling units, etc.;
6. data indicating:
  - a.. total number and type of proposed units (dwelling or commercial)
  - b. gross and net acreage of parcel
  - c. acreage of gross and usable open space, and
  - d. area of any commercial uses, if applicable;

B. Graphic Materials:

1. existing site conditions including contours at (10) foot intervals and locations of water courses, flood plains, unique natural features, and wooded areas;
2. proposed lot lines and plot designs;

3. proposed location, size in square feet, and general appearance of all existing and proposed buildings (both residential and non-residential) and other structures and facilities;
4. location and size in acres or square feet of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semi-public uses;
5. existing and proposed vehicular circulation system, including off-street parking and loading areas and major points of ingress and egress to the development (notations of proposed ownership, public or private, should be included where appropriate
6. existing and proposed pedestrian circulation system, including its relationship to the vehicular circulation system and proposed treatments of points of conflict;
7. existing and proposed utility systems including sanitary sewers, storm sewers, and water, electric, gas, and telephone lines;
8. general landscape plan indicating the treatment of both private and common open spaces and the location of required buffer strips;
9. enough information on land areas adjacent to the proposed PUD to indicate the relationships between the proposed development and existing and proposed adjacent areas;
10. any additional information required by the City to evaluate the character and impact of the proposed Planned Unit Development.

C. Advisory Report, Criteria Considered The Plan Commission shall submit to the Council a written advisory report concerning acceptance/rejection of the development plan. In deciding what their advice should be the Plan Commission shall consider the following criteria;

1. the extent to which the proposed development is consistent with the City's Comprehensive Plan and with the purposes of this ordinance and of all other applicable codes and ordinances;
2. the extent to which the proposed development deviates from the regulations that are generally applicable to the property (including but not limited to, the use and lot and building regulations of the district), and the apparent merits (if any) of said deviations;
3. whether the proposed design of the development makes adequate provisions for vehicular and pedestrian circulation, off-street parking and loading, separation of residential and commercial uses, open space, recreational facilities, preservation of natural features, and so forth;

4. the compatibility of the proposed development with adjacent properties and surrounding area; and
  5. any other reasonable criteria that the Plan Commission may devise.
- D. Decision by Council After the Commission submits their advisory report, the Council, by resolution, either approves or disapproves the PUD development plan. The Council shall not approve any Planned Unit Development plan unless:
1. the developer has posted a performance bond or deposited funds in escrow in the amount the City Engineer deems sufficient to guarantee the satisfactory completion of all required improvements; and
  2. the City Attorney has stated that all legal instruments (particularly the restrictive covenants) are satisfactory; and
  3. the proposed plan, as evidenced by the development plan, complies with all applicable codes and ordinances. (Deviations to the extent permitted under Subsection 5-10 shall not be deemed non-compliance.)

### **Section 3-1450 CHANGES IN APPROVED PLANS**

No changes shall be made to any approved Planned Unit Development plan except as follows:

1. Minor changes if required by engineering or other circumstances not foreseen at the time the final development plan was approved.
2. All other changes shall require a public hearing before the Plan Commission and a resolution by the Council.
3. No approved change shall have any effect until it is recorded with the Madison County Recorder of Deeds as an amendment to the recorded copy of the Development plan.

### **Section 3-1460 FAILURE TO BEGIN DEVELOPMENT**

If a substantial amount of construction has not begun within the time stated in the approved construction schedule, the development plan shall lapse upon written notice to the applicant from the Council and shall be of no further effect. However, in its discretion and for good cause, the Council may extend for a reasonable time the period for the beginning of construction. If a final development plan lapses as per this subsection:

1. the special use permit shall be automatically revoked;
2. any building permits shall automatically become null and void; and

3. all regulations applicable before the PUD was approved shall automatically be in full effect.

**Section 3-1500 MUNICIPAL EXEMPTION**

The City of Granite City in conjunction with any existing or proposed city development, shall be exempt from all of the provisions of this ordinance.

# ARTICLE 4 - REGULATIONS FOR SPECIFIC DISTRICTS

## **Section**

- 4- 050 Agricultural district
- 4- 100 R-1 Single family residence district
- 4- 200 R-2 Single family residence district
- 4- 300 R-3 Single family residence district
- 4- 400 R-4 Two-family residence district
- 4- 500 R-5 Multiple dwelling district
- 4- 600 R-6 Manufactured home residence district
- 4- 700 R-7 Planned unit development residential district
- 4- 800 C-1 Office commercial district
- 4- 900 C-2 Neighborhood commercial district
- 4-1000 C-3" Community service district
- 4-1100 C-4 Central business commercial district
- 4-1200 C-5 Highway commercial district
- 4-1300 C-6 Planned unit development commercial district
- 4-1400 M-1 Warehouse industrial district
- 4-1500 M-2 Light industrial district
- 4-1600 M-3 Heavy industrial district
- 4-1700 M-4 Planned industrial district
- 4-1800 M-5 River/port industrial district
- 4-1900 All residential districts

## **Section 4-050 AGRICULTURAL DISTRICT**

### **Section 4-051 REQUIREMENTS**

The Agricultural District encompasses areas presently utilized for agricultural pursuits.

#### REQUIREMENTS

- |    |                         |         |
|----|-------------------------|---------|
| A. | Minimum lot area        | 5 acres |
| B. | Minimum lot width       | None    |
| C. | Minimum depth           | None    |
| D. | Minimum setbacks        | None    |
| E. | Maximum building height | 35 feet |

**Section 4-052 PERMITTED USES**

- A. Farming for production of row crops, grain, hay, vegetables, and other farm produce.
- B. Pasturage of animals.
- C. Wood lots, tree farms and nurseries.
- D. The farmhouse and accessory uses and structures customarily incidental to agricultural activities.
- E. Telecommunications towers.

**Section 4-053 PROHIBITED USES**

- A. Cattle feed lots
- B. Hog lots
- C. Poultry ranches
- D. Other high density animal husbandry uses
- E. All uses not specifically listed in Section 4-052

**Section 4-100 “R-1” SINGLE FAMILY RESIDENCE DISTRICT**

**Section 4-110 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in any “R-1” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area	9,000 sq ft
B.	Minimum lot width (at established building line)	70 ft
C.	Minimum lot depth	100 ft
D.	Minimum setbacks	
	1. from front lot line	25 ft
	2. from side lot line	8 ft
	3. from rear lot line: (except detached garages)	30 ft
E.	Maximum building height	35 ft
F.	Maximum percentage of lot building coverage	30 percent

**Section 4-120 PERMITTED USES**

- A. Single family dwellings.
- B. Parks, playgrounds, community buildings, libraries, and museums owned and operated by a public agency.
- C. Churches.
- D. Public schools, elementary and high, or private schools having a curriculum equivalent to a public elementary school or public high school and having no rooms regularly used for housing or sleeping.
- E. Golf courses, except miniature courses or practice driving tees operated for commercial purposes.
- F. Accessory buildings and uses customarily incident to the above uses, including a private

garage, the use of a lot or portion thereof for a vegetable or flower garden and the keeping of small animals, but not on a commercial basis, and providing such small animals shall be kept not less than 200 feet from any property line. Any accessory building that is not a part of the main building shall be located in the rear yard not less than ten feet from any portion of the main building nor less than five feet from any lot line.

- G. Church or public building bulletin board not exceeding ten square feet in area and temporary signs not exceeding six square feet in area pertaining to the lease, hire, or sale of a building or premises.

#### **4-130 PROHIBITED USES**

No existing or future single family dwelling can be converted to a multi-family dwelling in any single family zoned district (R-1, R-2, R-3).

**Section 4-200 “R-2” SINGLE FAMILY RESIDENCE DISTRICT**

**Section 4-210 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in any “R-2” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area	6,500 sq ft
B.	Minimum lot width (at established building line)	60 ft
C.	Minimum lot depth	100 ft
D.	Minimum setbacks	
	1. from front lot line	25 ft
	2. from side lot line	5 ft
	3. from rear lot line (except detached garages)	25 ft
E.	Maximum building height	35 ft
F.	Maximum percentage of lot building coverage	30 percent

**Section 4-220 PERMITTED USES**

Any use permitted in the “R-1” Single Family Dwelling District.

**Section 4-230 PROHIBITED USES**

No existing or future single family dwelling can be converted to a multi-family dwelling in any single family zoned district (R-1, R-2, R-3).

**Section 4-300 “R-3” SINGLE FAMILY RESIDENCE DISTRICT**

**Section 4-310 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in any “R-3” district shall conform to the applicable requirements indicated below:

		<u>REQUIREMENT</u>
A.	Minimum lot area	5,000 sq ft
B.	Minimum lot width (at established building line)	40 ft
C.	Minimum lot depth	100 ft
D.	Minimum setbacks	
	1. from front lot line	20 ft
	2. from side lot line	5 ft
	3. from rear lot line (except detached garages)	20 ft
E.	Maximum building height	35 ft
F.	Maximum percentage of lot building coverage	35 percent

**Section 4-320 PERMITTED USES**

Any Use permitted in the “R-2” Single Family Dwelling District

**Section 4-330 PROHIBITED USES**

No existing or future single family dwelling can be converted to a multi-family dwelling in any single family zoned district (R-1, R-2, R-3).

**Section 4-400 “R-4” TWO-FAMILY RESIDENCE DISTRICT**

**Section 4-410 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in any “R-4” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

a.	Minimum lot area	5,000 sq ft
B.	Minimum lot width (at established building line)	40 ft
C.	Minimum lot depth	100 ft
D	Minimum setbacks	
	1. from front lot line	20 ft
	2. from side lot line	5 ft
	3. from rear lot line (except detached garages)	20 ft
E.	Maximum building height	35 ft
F.	Maximum percentage of lot building coverage	35 percent

**Section 4-420 PERMITTED USES**

- A. Any use permitted in the “R-3” Single Family Dwelling District.
- B. Two-family Dwellings.
- C. Dumpster as permitted by the requirements of Article 5, Section 5-1600.

**Section 4-430 PROHIBITED USES**

No existing or future two-family dwelling can be converted to a multi-family dwelling for more than two families.

**Section 4-500 “R-5” MULTIPLE DWELLING DISTRICT REGULATIONS**

**Section 4-510 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in any “R-5” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area:	4,000 sq. ft. or 2,000 sq. ft. per dwelling unit, whichever is greater
B.	Minimum lot width (at established building line)	40 ft
C.	Minimum lot depth	100 ft
D.	Minimum setbacks	
	1. from front lot line	20 ft
	2. from side lot line	5 ft
	3. from rear lot line (except detached garages)	20 ft
E.	Maximum building height	40 ft
F.	Maximum percentage of lot building coverage	35 percent

**Section 4-520 PERMITTED USES**

- A. Any Use permitted in the “R-4” Two-Family Dwelling District.
- B. Multiple Dwelling, providing same complies with Section 4-1900.
- C. Boarding and lodging houses, providing same complies with Section 4-1900.
- D. Dumpster as permitted by the requirements of Article 5, Section 5-1600.

**Section 4-600 “R-6” MANUFACTURED HOME RESIDENCE DISTRICT**

**Section 4-605 PURPOSE**

The “R-6” Manufactured Home Residence District is intended to provide areas where manufactured homes and manufactured home parks may be placed.

**Section 4-610 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in any “R-6” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area	4,000 sq ft
B.	Minimum lot width (at established building line)	30 ft
C.	Minimum lot depth	100 ft
D.	Minimum setbacks	
	1. from front lot line	20 ft
	2. from side lot line	5 ft
	3. from rear lot line (except garages)	10 ft
E.	Maximum building height	25 ft
F.	Maximum percentage of lot building coverage	30 percent

**Section 4-620 PERMITTED USES**

Manufactured homes and manufactured home parks in compliance with the following regulations:

1. Each manufactured home shall be skirted.
2. Each manufactured home shall be affixed to its foundation so as to meet the requirements of the State of Illinois.

**Section 4-630 CHANGE IN CLASSIFICATION**

In the event any R-6 Manufactured Home Residence District ceases to legally operate for a period of 60 days, the R-6 zone will revert to the least restrictive single family residential district which it borders.

## **Section 4-700 “R-7” PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT**

### **Section 4-710 PLANNED UNIT DEVELOPMENT REQUIREMENTS**

As used in this section, the term “Planned Unit Development” (PUD) means a development wherein, in accordance with an approved development plan, (1) common open space is reserved, (2) various housing types and any use permitted in the R-5 District may be mixed, and/or (3) overall average density shall not be less than 2,000 sq. ft. per unit.

Within the R-7 District this ordinance authorizes development of PUDs in order to achieve the objectives enumerated at Article 1, Section 1-100 (the general purposes section of the ordinance) and establishes PUD procedures in accordance with Article 3, Section 3-1400 (PUD).

**Section 4-750 “R-8”GRANITE CITY COMMONS NEIGHBORHOOD SPECIAL DISTRICT**

**Section 4-750.1 LOT AND BUILDING REQUIREMENTS**

Every Principal building erected in the “Granite City Commons Neighborhood District” shall conform to the applicable requirements in tabular form below:

REQUIREMENTS

A.	Minimum lot area	1,000 sq ft
B.	Minimum lot width	20 ft.
C.	Minimum lot depth	50 ft
D.	Minimum lot area per dwelling	none
E.	Yards (build to) lines	
	1. Front yard	0 ft to 20 ft – this distance may vary by Sub-Zone
	2. Side yard	0 ft to 10 ft – this distance may vary by Sub-Zone
	3. Rear setback	5 ft
	4. Encroachment	Building line is considered the Major Conditioned Face of the building, and does not include: porches, bays, patios, awnings, eaves, steps, rain barrels or MEO equipment.
F.	Minimum lot width	Not required
G.	Maximum lot coverage	90%
H.	Maximum building height	40 ft – Height of all roofs shall be measured to the midpoint of the roof from the eave to the ridge of the main roof area, regardless of the pitch of the roof.

I.	Minimum building width/depth ratio	Not required
J.	Minimum roof pitch	Not required
K.	Minimum building size	450 sq ft
L.	Minimum building separation	
	1. Typical building	2.5 ft (to centerline, 5' total between buildings)
	2. Attached buildings	Attached dwellings/buildings are allowed including at lot lines (party wall construction is permitted)

#### BLOCK DIMENSIONS

A.	Minimum block length	150 ft
B.	Minimum (full) block depth	120 ft (includes alley at midblock)
C.	Minimum block width/depth ratio	Not required

#### **Section 4-750.2 PERMITTED USES**

- A. All the uses permitted in R-5 Multiple Dwelling District
- B. The uses permitted in C-2 Neighborhood Commercial District. Additional uses to this include:
  - 1. Civil or Governmental buildings
- C. The following uses allowed in the above district shall not be permitted in the R-8 District
  - 1. Boarding Houses
- D. No screening shall be required between a Residential and Commercial use
- E. Alleys shall be allowed throughout.
- F. Trash shall be picked up from the alley or access/driveway

### **Section 4-750.3 PARKING REQUIREMENTS**

- A. Off street residential parking shall be one space per dwelling unit. Parking shall be off an alley or drive.
- B. On street parking shall be required at 0.8 spaces per dwelling unit with two (2) or more bedrooms.
- C. Any commercial/public uses at a mixed-use building shall provide two (2) spaces per 1000 sq ft of net area of use, which can be met with a combination of on-and off-street parking.
- D. Size of parking spaces shall be:
  - 1. Typical off-street space                      8'-6" wide by 18' long
  - 2. ADA off-street space                         17' wide by 18' long
  - 3. Two ganged ADA spaces                    26' wide by 18' long (access space is shared)
  - 4. On-street space                                Parking space width by 18' long

### **Section 4-750.4 ALLOWED STREET WIDTHS**

- A. Street widths
  - 1. Typical street width, parking both sides;
    - a. ROW = 56 ft / paved width = 32 ft / traffic width = 18 ft
  - 2. Wide (Palmer entry) street width, parking both sides;
    - a. ROW = 60 ft / paved width = 32 ft / traffic width = 18 ft
  - 3. Typical street width, parking one side;
    - a. ROW = 50 ft / paved width = 25 ft / traffic width 18 ft
  - 4. Divided street width, parking both sides;
    - a. ROW = 86 ft / paved width = 18 ft per direction / traffic width = 11 ft per direction
  - 5. Storm water (Charles) street, parking one side;

- a. ROW = 50 ft / paved width = 26 ft / traffic width = 18 ft
- 6. One way (square) street, parking one side;
  - a. ROW = 40 ft / paved width = 20 ft / traffic width = 12 ft
- 7. Alley;
  - a. ROW = 22 ft / paved width = 16 ft / traffic width = 16 ft

**BOUNDARY DESCRIPTION  
GRANITE CITY COMMONS**

A tract of land in the Southwest Quarter of Section 17, Township 3 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, being more particularly described as follows:

Beginning at the intersection of the centerline of Propes Avenue (50 feet wide), being the former right-of-way of the Terminal Railroad Association, with the West right-of-way line of FAP Route 594, marked Illinois Route 203 (Nameoki Road); thence South 00° 00' 00" East (assumed bearing) along said West right-of-way line, a distance of 1,601.99 feet to the North right-of-way line of Edwards Street (60 feet wide); thence South 89° 43' 26" West along said North right-of-way line, a distance of 615.04 feet to the East of Charles Street (60 feet wide); thence North 00° 32' 48" West along said East right-of-way line, a distance of 228.90 feet to the Northeast corner of Charles Street; thence South 89° 54' 24" West along North right-of-way line of said Charles Street, a distance of 50.00 feet; thence North 00° 07' 41" West along the West line of land conveyed to the Granite City Housing Authority (formerly known as Kirkpatrick Homes, now known as Granite City Commons) and northerly prolongation thereof, a distance of 1,373.65 feet to the said centerline of Propes Avenue; thence 89° 47' 08" East along said centerline, a distance of 670.31 feet to the point of Beginning.

Said tract contains 24.32 acres, or 1,059,379 square feet, more or less.

## **Section 4-800 “C-1” OFFICE COMMERCIAL DISTRICT**

### **Section 4-810 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in a “C-1” district shall conform to the applicable requirements indicated below:

#### REQUIREMENTS

A.	Minimum lot area	6,000 sq ft
B.	Minimum lot width (at established building line)	50 ft
C.	Minimum lot depth	100 ft
D.	Minimum setbacks	
	1. from front lot line	20 ft
	2. from side lot line	5 ft
	3. from rear lot line	20 ft
E.	Maximum building height	35 ft
F.	Maximum percentage of lot building coverage	50 percent

### **Section 4-820 PERMITTED USES**

- A. Any use permitted in the “R-5” Multiple Dwelling District.
- B. Public and private offices and office buildings including but not limited to:
  - 1. Banking and other financial institutions  
(Including mechanical banks/automatic tellers)
  - 2. Real Estate
  - 3. Insurance
  - 4. Travel Agencies
  - 5. Photographic Studio
  - 6. Attorneys

- 7. Engineers
- 8 Architects
- 9. Answering Services
- 10. Medical
- C. Professional and science laboratories and research facilities.
- D. Municipal buildings.
- E. Accessory buildings, land uses, and activities, customarily incident to any of the above uses.

**Section 4-830 PROHIBITED USE**  
RETAIL LIQUOR SALES

**Section 4-900 “C-2” NEIGHBORHOOD COMMERCIAL DISTRICT**

**Section 4-905 PURPOSE**

The C-2 Neighborhood Commercial District, as delineated on the zoning map, encompasses small commercial enclaves located within predominately residential areas. Only selected small-scale sales and service facilities that constitute a convenience to residents of the immediate neighborhood may locate in this district.

**Section 4-910 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in a “C-2” district shall conform to applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area	6,000 sq ft
B.	Minimum lot width (at established building line)	50 ft
C.	Minimum lot depth	100 ft
D.	Minimum setbacks	
	1. from front lot line	20 ft
	2. from side lot line	(None)
	3. From residential use	5 ft
	4. from back lot line	20 ft
E.	Maximum building height	35 ft
F.	Maximum percentage of lot building coverage	50 percent

**Section 4-920 PERMITTED USES**

- A. Any use permitted in the “C-1” Office Commercial District.
- B. Commercial establishments such as the following which comply with the restrictions of Section 4-930:
  - 1. Barber shop
  - 2. Beauty shop
  - 3. Key shop

4. Confectionery
  5. Dry Cleaning receiving store
  6. Photo Pick-up Station
  7. Upholstery shop
  8. Antique shop
  9. Watch repair shops
  10. Video rentals and sales
  11. Day care center
  12. Municipal and Governmental buildings
  13. Florist Shops
- C. Accessory buildings, land uses, and activities, customarily incident to any of the above uses.

**Section 4-930 USE RESTRICTIONS**

- A. Retail Only. Every commercial or service establishment located in this district shall deal directly with consumers.
- B. Enclosed Buildings. All commercial service, and storage activities shall be conducted within completely enclosed structures.
- C. Limited Size. The gross floor area of any commercial or service establishment located in this district shall not exceed two thousand (2,000) square feet.
- D. Refuse Containers. All refuse generated by any establishment located within this district shall be stored in tightly covered containers placed in a visually screened area.
- E. Screening. Along the side and rear lot lines of any newly zoned commercial lot abutting any residential district, (or for an allowed commercial use [C-1/C-2] pursuant to Special Use Permit Article 10), screening (a wall, solid fence, or closely planted shrubbery) at least six (6) feet high and of sufficient density to completely block the view from the adjacent residential property, shall be provided.
- F. Hours of operation. Every commercial or service establishment located in this district shall limit its hours of operation to 7:00 a.m. to 10:00 p.m. (Excluding day-care centers)

**Section 4-940 PROHIBITED USE**  
RETAIL LIQUOR SALES

**Section 4-1000 “C-3” COMMUNITY SERVICE DISTRICT**

**Section 4-1010 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in a “C-3” district shall conform to the applicable requirements indicated below:

	<u>REQUIREMENT</u>	
A.	Minimum lot area	10,000 sq ft
B.	Minimum lot width (at established building line)	80 ft
C.	Minimum lot depth	100 ft
D.	Minimum setbacks	
	1. from front lot line	20 ft
	2. from side lot line	5 ft
	3. from rear lot line	10 ft
E.	Maximum building height:	35 ft
F.	Maximum percentage of lot building coverage	50 percent

**Section 4-1020 PERMITTED USES**

- A. Fraternal Organizations or Lodges
- B. Veterans Organizations
- C. Service Agency Homes
- D. Nursing Homes
- E. Religious, Educational and Philanthropic Institutions, but not penal or mental treatment institutions
- F. Hospitals and Clinics, but not animal hospitals, animal clinics or mental hospitals
- G. Undertaking Establishments
- H. Accessory buildings and uses customarily incident to any above uses.

**Section 4-1030 NON-PROFIT USE ONLY**

Any use described above shall be a not-for-profit use, operated by a duly designated not-for-profit corporation, organization, or entity so chartered or licensed by an appropriate chartering or licensing agency where required by law or ordinance.

**Section 4-1040 SPECIALLY PERMITTED USES**

The following uses are permitted in the C-3 district under Special Use Permit, to be issued pursuant to the process contained in Article 10 of this Ordinance:

- A. Any use allowing overnight habitation.
- B. Any use where alcohol will be served or alcohol is available.
- C. Pre-Engineered Metal Buildings.

**Section 4-1100 “C-4” CENTRAL BUSINESS COMMERCIAL DISTRICT**

**Section 4-1110 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in a “C-4” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area	4,000 sq ft
B.	Minimum lot width (at established building line)	40 ft
C.	Minimum lot depth	100 ft
D.	Minimum lot setbacks	
	1. from front lot line	NONE
	2. from side lot line *with 2 hour fire rated construction	2 ft*
	3. from rear lot line	NONE
E.	Maximum percent coverage	60 percent

**Section 4-1120 PERMITTED USES**

- A. Any use permitted in the “C-2” Commercial District.
- B. Bakery.
- C. Barber shop, beauty parlor, massage or personal service shops.
- D. Bicycle sales and repair shop.
- E. Business or commercial school or dancing or music academy.
- F. Catering establishment.
- G. Custom dressmaking, millinery, tailoring, shoe repairing, household utility articles or similar trade, but not more than five employees shall be engaged upon the premises at any one time.
- H. Filling station (automobile mechanical repair on vehicles not exceeding 9,500 pounds gross vehicle weight rating - no auto body work).
- I. Hospitals and clinics for animals, but not open kennels.

- J. Launderettes.
- K. Messenger or telegraph service station or telephone exchange.
- L. Offices.
- M. Parking lots.
- N. Artist's studio.
- O. Restaurants.
- P. Shops for the repair of electrical and radio equipment and other similar commodities employing not more than five persons on the premises and not involving the conduct of any manufacturing on the premises.
- Q. Theaters.
- R. Accessory buildings and uses customarily incident to the above uses, including parking lots and including signs or bulletin boards not exceeding one square foot in area for each two linear feet of street frontage, relating only to services, articles and products offered within the building to which the sign is attached, and when attached to the building and extending not more than one foot from the front of the building.
- S. Tavern & Package Liquor with no more than 40 percent of the floor area devoted to storage incidental to such primary use.
- T. Hospitals and clinics operated for profit.
- U. Undertaking establishments operated for profit.
- V. Nursing Homes operated for profit.

**Section 4-1030 SPECIALLY PERMITTED USES**

The following uses are permitted in the C-4 district under Special Use Permit, to be issued pursuant to the process contained in Article 10 of this Ordinance:

Pre-Engineered Metal Buildings.

**Section 4-1200 “C-5” HIGHWAY COMMERCIAL DISTRICT**

**Section 4-1210 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in a “C-5” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area	10,000 sq ft
B.	Minimum lot width	80 ft
C.	Minimum lot depth	100 ft
D.	Minimum setbacks	
	1. from front lot line	20 ft
	2. from side lot line	NONE
	3. from rear lot line	20 ft
E.	Maximum building height	35 ft
F.	Maximum percent of lot building coverage	50 percent

**Section 4-1220 PERMITTED USES**

- A. Any use permitted in the “C-4” Commercial District.
- B. Auto sales, includes new and used.
- C. Currency Exchange.

**Section 4-1230 SPECIALLY PERMITTED USES**

The following uses are permitted in the C-5 district under Special Use Permit, to be issued pursuant to the process contained in Article 10 of this Ordinance:

- A. Hotel/Motel.
- B. Pre-Engineered Metal Buildings.

## **Section 4-1300 “C-6” PLANNED UNIT DEVELOPMENT COMMERCIAL DISTRICT**

### **Section 4-1310 PLANNED UNIT DEVELOPMENT REQUIREMENTS**

The “C-6” Planned Commercial District encompasses areas wherein may be located developments and uses permitted in any of the other “C” Commercial Districts. Within the Planned Commercial District it is the purpose of these regulations to facilitate the establishment of combinations of developments and uses.

Within the “C-6” District this ordinance authorizes development of PUDs in order to achieve the objectives enumerated at Article 1, Section 1-100 (the general purposes section of the ordinance) and establishes PUD procedures in accordance with Article 3, Section 3-1400 (Planned Unit Development).

**Section 4-1400 “M-1” WAREHOUSE INDUSTRIAL DISTRICT**

**Section 4-1405 PURPOSE**

The “M-1” Warehouse Industrial District encompasses areas for commercial/industrial establishments usually requiring extensive land areas for open storage and display of merchandise and equipment. Within this district, it is the purpose and intent to encourage and assist the proper location and development of such commercial/industrial establishments, together with other related land use development.

**Section 4-1410 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in any “M-1” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area	10,000 sq ft
B.	Minimum lot width (at established building line)	None
C.	Minimum lot depth	None
D.	Minimum setbacks	
	1. from front lot line	10 ft
	2. from side lot line	10 ft
	3. from rear lot line	10 ft
E.	Maximum building height	35 ft
F.	Maximum percentage of lot building coverage	50 percent

**Section 4-1420 PERMITTED USES**

- A. Any use permitted in the “C-4” Commercial District.
- B. Advertising signs and billboards.
- C. Air conditioning, heating and plumbing equipment warehousing, servicing and wholesaling.
- D. Auto body shops.
- E. Building material warehousing, wholesaling and service.

- F. Bus storage, service and repair, including repair of any vehicle in excess of 9,500 pounds gross vehicle weight rating.
- G. Cold storage.
- H. Furniture warehousing, storage and repair.
- I. Hospitals, clinics, and kennels for animals not exceeding two hundred pounds.
- J. Paper and paper products warehousing and storage.
- K. Public utility facilities.
- L. Rental equipment servicing and repair.
- M. Accessory buildings, land uses and activities customarily incident to any of the above uses.
- N. Telecommunications Towers and related equipment as described in Section 5-1400, where such equipment shall not exceed 180 feet in height. All other restrictions and conditions of use as described in Section 5-1400 are applicable, except that no Special Use Permit is required.

**Section 4-1440 SPECIAL USE**

Rental storage warehouse.

## **Section 4-1500 “M-2” LIGHT INDUSTRIAL DISTRICT**

### **Section 4-1510 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in any “M-1” district shall conform to the applicable requirements indicated below:

#### REQUIREMENTS

A.	Minimum lot area	None
B.	Minimum lot width (at established building line)	None
C.	Minimum lot depth	None
D.	Minimum setbacks	
	1. from front lot line	None
	2. from side lot line	None
	3. from rear lot line	None
E.	Maximum building height	120 ft

### **Section 4-1520 PERMITTED USES**

- A. Any use permitted in the “M-1” Warehouse Industrial District.
- B. Assembly plant
- C. Bakery goods manufacturing or distributing
- D. Bookbinder
- E. Candy manufacturing
- F. Cannery
- G. Ceramic products (previously pulverized clay kilns fired only by electricity or gas)
- H. Clothing manufacturing
- I. Dairy products manufacturing
- J. Distributing plant

- K. Dry cleaning and dyeing works
- L. Electrical parts, assembly and manufacture
- M. Fiber products manufacturing (previously prepared fiber)
- N. Food products manufacturing (except fish and meat products, sauerkraut, vinegar, yeast and rendering or refining of fats and oils)
- O. Foundry casting lightweight nonferrous metal (no brass, manganese, bronze, zinc)
- P. Glass products manufacturing
- Q. Ice cream manufacturing
- R. Iron works, ornamental (no foundry, drop hammer and no punch presses over 20 tons capacity)
- S. Laundry
- T. Machinery, farm sales, repairing and overhauling
- U. Milk bottling
- V. Paint mixing and treatment (not employing a boiling process)
- W. Paper products manufacturing (previously prepared material)
- X. Parcel delivery service
- Y. Pharmaceutical manufacturing
- Z. Plastic products manufacturing (previously prepared material)
- AA. Printing establishment
- BB. Sheet metal products (light)
- CC. Sign painting shop
- DD. Soft drink manufacturing or bottling
- EE. Textile products manufacturing
- FF. Tire retreading, recapping or rebuilding

- GG. Tool manufacturing (no drop hammer or punch presses)
- HH. Toy manufacturing
- II. Wholesale business
- JJ. Wood products manufacturing (assembling work and finishing)
- KK. Accessory buildings and uses customarily incident to the above uses
- LL. Broadcasting transmitter
- MM. Telecommunications Towers and Related Equipment, as defined in Section 5-1400, with no height restrictions. All other restrictions and conditions of use as described in Section 5-1400 are applicable, except that no Special Use Permit is required, and the equipment is not required to be of a monopole type.

**Section 4-1530 PROHIBITED USES**

Any use which is objectionable due to odor, dust, smoke, noise, vibrations or other similar causes.

**Section 4-1600 “M-3” HEAVY INDUSTRIAL DISTRICT**

**Section 4-1610 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in any “M-3” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area	None
B.	Minimum lot width (at established building line)	None
C.	Minimum lot depth	None
D.	Minimum setbacks	
	1. from front lot line	None
	2. from side lot line	None
	3. from rear lot line	None
E.	Maximum building height	None

**Section 4-1615 RESTRICTIONS**

Any building or premises may be used for any purpose not in conflict with any ordinance of the City of Granite City regulating nuisances. Provided that no building shall be erected, reconstructed, converted, enlarged or structurally altered for residential purpose except for resident watchmen and caretakers employed on the premises. Further provided that no building or occupancy permit shall be issued for any of the following uses until and unless the location of such use is approved by the City Council after report by the Chief of the Fire Department, the Health Officer, and the Planning Commission.

**Section 4-1620 PERMITTED USES**

- A. Any use permitted in the “M-2” Light Industrial Manufacturing District
- B. Cement, lime, gypsum or plaster manufacture
- C. Fuel manufacture
- D. Petroleum and its products (refining of)
- E. Smelting of tin, copper, zinc or iron ores
- F. Wholesale storage of gasoline

- G. Basic iron and steel products and manufacturing
- H. Recycling facility
- I. Junk yard, auto salvage

## **Section 4-1700 “M-4” PLANNED INDUSTRIAL DISTRICT**

### **Section 4-1710 PLANNED INDUSTRIAL DEVELOPMENT REQUIREMENTS**

The “M-4” Planned Industrial District encompasses areas where planned industrial developments may be located. Any uses permitted in any of the other “M” Industrial Districts may be permitted within this district. Every applicant for a Planned Industrial Development approval within the “M-4” Planned Industrial District shall comply with the procedural requirements as set forth in Article 3, Section 3-1400 (Planned Unit Development) of this ordinance.

Within the “M-4 “District, this ordinance authorizes Planned Industrial Developments in order to achieve the objectives enumerated at Article 1, Section 1-100 (the general purposes section of this ordinance) and establishes the procedures for such development, in accordance with Article 3, Section 3-1400 (Planned Unit Development).

**Section 4-1800 “M-5” RIVER/PORT INDUSTRIAL DISTRICT**

**Section 4-1810 LOT AND BUILDING REQUIREMENTS**

Every principal building erected in a “M-5” district shall conform to the applicable requirements indicated below:

REQUIREMENTS

A.	Minimum lot area	None
B.	Minimum lot width (at established building line)	None
C.	Minimum lot depth	None
D.	Minimum setbacks	
	1. from front lot line	10 ft.
	2. from side lot line	10 ft.
	3. from rear lot line	10 ft.
E.	Maximum building height	120 ft.

**Section 4-1820 PERMITTED USES**

- A. Any use permitted in the “M-2” Light Industrial District
- B. Manufacture, storage and distribution of food products, textiles and pharmaceuticals
- C. Assembly plants
- D. Coal or coke storage or transfer
- E. Fertilizer manufacturing, storage or transfer
- F. Grain handling, storage and transfer
- G. Iron, steel, aluminum or related product processing, manufacturing, or transfer
- H. Kennels per Article 5, Section 5-800 of this ordinance
- I. River related equipment (cranes, conveyors, lifts etc.) necessary for port/river transfer
- J. Storage, transfer and distribution of petroleum and chemical products

- K. Warehousing and storage buildings
- L. Accessory buildings, structures and facilities and uses customarily incident to above uses.
- M. Telecommunications Towers and Related Equipment, as defined in Section 5-1400, with no height restrictions. All other restrictions and conditions of use as described in Section 5-1400 are applicable, except that no Special Use Permit is required, and the equipment is not required to be of a monopole type.
- N. Medical heliport.

**Section 4-1900 ALL RESIDENCE DISTRICTS**

This section applies to all residence districts.

Structures built to house people, i.e. homes, apartments, duplexes, multiplexes, may not be divided into more units than exist as of the date this ordinance is approved by the City Council. To wit:

- A. Single family dwellings must remain single family.
- B. Duplexes must remain two (2) units, or less.
- C. Apartments/Multiplexes must remain the same number of units, or less, per building.

## **ARTICLE 5 - SUPPLEMENTARY REGULATIONS FOR SPECIFIC USES**

### **Section**

- 5- 100 Applicability of Article
- 5- 200 Drive-In Theaters
- 5- 300 Screening, Fences, Walls
- 5- 400 Greenhouses, Nurseries
- 5- 500 Home Occupations
- 5- 600 Hospitals, Nursing Homes
- 5- 700 Vehicle Salvage/Junk Yards
- 5- 800 Kennels
- 5- 900 Swimming Pools
- 5-1000 Storm Water Runoff
- 5-1100 Warehouse Recycling for Metal, Paper, Glass and Plastic Products
- 5-1200 Pole Type Buildings and Pre-Engineered Metal Buildings
- 5-1300 Cemeteries
- 5-1400 Reserved
- 5-1500 Landscape Frontage
- 5-1600 Screening Dumpsters and Other Refuse and Garbage Containers

### **Section 5-100 APPLICABILITY OF ARTICLE**

This article establishes lot and structure requirements, design standards, and use limitations for specific potentially troublesome structures and uses. These regulations apply in every zoning district where the specific structure or use is permitted, but if more stringent regulations are applicable in any particular district, such regulations shall prevail.

### **Section 5-200 DRIVE-IN THEATERS**

- A. The movie screen of every drive-in theater shall be located at least one hundred (100) feet from all street right-of-way lines and all lot lines, and at least five hundred (500) feet from the boundary of any residential district. The projection surface of the movie screen shall not be visible from any major traffic street.
- B. Speakers shall be limited to the type designed to be heard by the occupants of the car only.
- C. Entrances and exits shall connect only to major traffic streets, and shall not be located closer than one hundred (100) feet to any intersection of public streets.
- D. Stacking (waiting) area for at least twenty-five (25) automobiles shall be provided near the main entrance to prevent traffic tie-ups on adjacent streets.

## **Section 5-300 SCREENING, FENCES, WALLS**

### **A. Non-Residential Areas**

#### **1. Screening**

Screening is required along lot lines of commercial or industrial lots which abut residential property, such as:

- a. newly zoned
- b. previously undeveloped
- c. whenever the existing use of a structure is changed to a different use
- d. whenever the use of any structure is intensified
- e. when an existing structure and/or use is damaged or destroyed and subsequently repaired or rebuilt.

#### **2. Minimum height**

- a. Any screening or fence constructed in a non-residential area shall be a minimum height of 8 feet and a maximum height of 10 feet.

#### **3. Barbed wire fence**

- a. No barbed wire fence below 8 feet in height shall be erected or maintained.

#### **4. Electrically-charged fence**

- a. No electrically-charged fence shall be erected or maintained.

### **B. Properties for Residential Use.**

#### **1. Maximum height**

The height of any fence, or portions thereof, in any residentially zoned district or any lot for residential use within the City shall be as follows:

a maximum height of six and one-half (6 ½) feet above ground level along the side property lines and rear property line. The side property line extends from the front building setback line as established by the provisions of this ordinance to the rear property line.

#### **2. Setback requirements**

Street side setback for fences on corner lots shall not be less than ten (10) feet from

side property lines.

3. Double fences/parallel fences  
Double or parallel fences are not permitted. Except as provided above for street side setbacks, any fence erected after April 1, 2009 must be setback at least 20 inches from an existing fence.
4. Front lot lines; variance  
No fence shall be constructed along the side lot lines from the building setback line to the front lot line or along the front lot line of any lot in any residentially zoned district or any lot for residential use within the city except by filing an application for a variance with the Zoning Administrator, which application shall be processed in accordance with Section 9-400 of this ordinance. The Zoning Board of Appeals shall review the applicant's request for a variance and shall submit its recommendation to the City Council. The Zoning Board of Appeals may recommend and the City Council may attach such conditions to granting of a variance as is deemed necessary to further the intent of this ordinance. All procedures and recommendations relating to variances shall relate only to placement of fences along front lot lines.
5. Gates  
In the event a fence along the rear lot line borders or runs along an alley and there is no means of direct ingress or egress from the property line to the alley, such fence shall have a gate along the rear lot line.
6. Barbed wire and electrically charged devices prohibited  
No barbed wire fences or electrically charged fences shall be erected or maintained in a residential district.

#### C. General Provisions.

1. View obstruction prohibited  
Under no circumstances shall any fence or screening, presently existing or constructed after enactment of this ordinance, unreasonably obstruct the view of a public road, private road or public right-of-way. Any fence shall be constructed such that the finished side is in view of the public.
2. Certificate of zoning compliance; fee  
Any fence or screening constructed, reconstructed or replaced after the effective date of this ordinance shall conform with this chapter. A certificate of compliance shall be filed with the Zoning Administrator before construction of any fence or screening. The fee for obtaining a certificate of compliance and inspection of the newly constructed, reconstructed or replaced fence or screening shall be ten dollars (\$10.00).

3. Plan for construction  
Plans for construction of a fence or screening within any nonresidential area, or along the front lot line and the side lot line from the building setback line to the front lot line with a maximum height of four feet (4') above ground level within any residential area shall be filed for review by the Zoning Administrator. Said plans shall include, but not be limited to description of the material to be used in construction of the fence or screening, location of the supporting posts, and location of fence or screening in relation to setback lines buildings, and easements.
4. Public right-of-way restricted  
No fence, wall or other obstruction shall be erected within any public right-of-way, except by written permission of the Zoning Administrator.
5. Illinois Drainage Code applicable  
No fence, wall, or other obstruction shall be erected in violation of the Illinois Drainage Code - (70 ILCS 605/2-1 et seq.)

#### **Section 5-400 GREENHOUSES, NURSERIES**

- A. No fertilizer, compost, manure, or other odor or dust-producing substance shall be stored closer than one hundred (100) feet to any lot line.
- B. Greenhouse heating plants shall be situated in an enclosed structure, and shall not be closer than fifty (50) feet to any lot line.

#### **Section 5-500 HOME OCCUPATIONS**

##### **Section 5-510 HOME OCCUPATIONS**

A "home occupation" means any business, profession, or occupation conducted for gain or support entirely within any dwelling or on any residential premises in a residential district.

##### **Section 5-515 RESTRICTIONS**

A home occupation shall be considered a permitted accessory use in any residential district, subject to the following limitations and restrictions:

- A. The use shall be conducted entirely within a dwelling or permitted accessory building and carried on only by the inhabitants living there, and not more than one other person who is unrelated to the inhabitants of the premises.
- B. The use shall be clearly incidental and secondary to the use of the dwelling and dwelling purposes, and shall not change the character of use as a dwelling.
- C. No retail sales directly to the general public shall be conducted from the premises.

- D. The total area used for the home occupation shall not exceed twenty-five percent (25%) of the gross floor area of the dwelling, or three hundred (300) square feet, whichever is less.
- E. There shall be no exterior storage on the premises of materials, equipment, or vehicles used as part of the home occupation.
- F. There shall be no offensive noise, vibrations, smoke, dust, odors, heat, glare or electrical interference noticeable at or beyond the property line.
- G. There shall be no storage or use of toxic, explosive or other dangerous or hazardous materials upon the premises.
- H. An off-street parking area adequate to accommodate the needs created by the home occupation shall be provided.
- I. The use must be in conformance with all valid covenants and agreements recorded with the Recorder of Deeds for Madison County, covering the land underlying the dwelling.
- J. A home occupation permit may be issued for some C-1 and C-2 uses allowed by the Zoning Code, providing all other criteria for issuance of a home occupation permit are met. No home occupation permit shall be issued for any other use.
- K. No signs advertising the business use shall be allowed on the premises.

#### **Section 5-520 PERMIT REQUIRED**

A permit for any home occupation is required. To obtain a permit, the applicant must file a petition to be heard by the Plan Commission.

#### **Section 5-525 HEARING**

- A. A hearing on the application shall be held in accordance with the rules and regulations of the Plan Commission. The applicant must be physically present at the hearing.
- B. Notice to the surrounding landowners and tenants shall be provided by the City of Granite City. The applicant shall pay all costs related to providing said notice.
- C. If the Plan Commission determines that the proposed home occupation complies with all applicable laws and ordinances, and will have no adverse effect on the neighborhood, such recommendation shall be made to the City Council. Upon acceptance by the City Council of the recommendation of the Plan Commission, an annual business license or certification of registration for the proposed home occupation shall be issued by the City Clerk or his/her authorized representative upon payment of the application fee.

#### **Section 5-530 CONDITIONS**

Permits may include such conditions or restrictions upon the construction, location and operation of a nonconforming lot, structure, and use of land or structure, including but not limited to:

- A. provisions for the protection of adjacent property;
- B. the expiration of such home occupation use after a specified period of time;
- C. off-street parking and loading;
- D. any other criteria which may be deemed necessary to secure the general objectives of this Zoning Code, and to reduce injury to the value of the property in the neighborhood.

#### **Section 5-540 REVIEW**

The home occupation permit shall be subject to review, at the discretion of the City Zoning Administrator, and may be revoked by the Plan Commission if the intent of the permit is not being followed, or if a nuisance is created by use as a home occupation.

#### **Section 5-600 HOSPITALS, NURSING HOMES**

- A. The lot on which any hospital or sanitarium is situated shall have a minimum width and depth of two hundred (200) feet, and a minimum of five (5) acres.
- B. The lot on which any nursing home is situated shall have a minimum width and depth of two hundred (200) feet, and a minimum area of two (2) acres.
- C. The principal building of any hospital, sanitarium, or nursing home shall be located at least twenty-five (25) feet from all lot lines.

#### **Section 5-700 VEHICLE SALVAGE/JUNK YARDS**

Any vehicle salvage yard or junk yard is a nonconforming use. Beginning August 21, 2012 no vehicle salvage yard or junk yard shall be permitted in the City of Granite City.

#### **Section 5-800 KENNELS**

- A. The lot on which any kennel is situated shall have a minimum area of three (3) acres.
- B. Every kennel shall be located at least two hundred (200) feet from the nearest dwelling, and at least one hundred (100) feet from any lot line.

#### **Section 5-900 SWIMMING POOLS**

- A. No swimming pool, whether public or private, shall be located in any front yard.
- B. Every swimming pool that is more than two (2) feet deep shall be enclosed by a wall or fence at least four (4) feet in height. The passage through such wall or fence shall be equipped with a gate.

### **Section 5-1000 STORM WATER RUNOFF**

Downstream property owners, watercourses, channels or conduits shall not receive storm water runoff from proposed upstream developments at a higher peak flow rate than would have resulted from the same storm event occurring over the site of the proposed development with the land in its natural, undeveloped conditions, nor shall storm water runoff exceed the capacity of the natural drainage system.

- A. Storm water runoff resulting from a proposed development shall be detained on-site:
  - 1. By wet or dry bottom reservoirs;
  - 2. By underground reservoirs;
  - 3. On flat roofs, parking lots, or streets; or
  - 4. By other detention methods approved by the City Engineer.
- B. Storm water detention facilities shall have sufficient capacity to store flows up to the 25-year 24-hour rainstorm.
- C. For purposes of designing adequate on-site detention facilities, the Illinois State Water Survey rainfall data for this region shall be used.
- D. The provisions of this section (Storm Water Runoff) shall be applicable in the following areas:
  - 1. Any residential development having a gross aggregate area of ten (10) acres or more;
  - 2. Any residential development of less than (10) acres with a 50 percent impervious surface including roads, buildings, utility right-of-way, and other improvements;
  - 3. Any commercial, industrial, institutional or utility development having a gross aggregate area of one (1) acre or more.
- E. When applicable, the provisions of this section shall be reviewed by the City Engineer to assure compliance.

### **Section 5-1100 WAREHOUSE RECYCLING FOR METAL, PAPER, GLASS AND PLASTIC PRODUCTS**

- A. Warehouse recycling centers shall be applicable only to the following materials: metal, paper, glass and plastic products.
- B. All warehousing of said materials must be stored in a fully enclosed warehouse building; no open air storage is permitted.

### **Section 5-1200 POLE TYPE AND PRE-ENGINEERED METAL BUILDINGS**

- A. Construction of Pole Type Buildings is prohibited in all districts except “manufacturing” or “agricultural”.
- B. Construction of a Pre-engineered Metal Building is prohibited in all residential districts including C-1 and C-2 Commercial Districts. Construction is allowed in “C-3 Community Service, C-4, and C-5 Commercial Districts”, with Special Use restrictions as described in Article 10 and Section 10-600. Construction in manufacturing and agricultural districts is allowable.

### **SECTION 5-1300 CEMETERIES**

All cemeteries with or without a mausoleum and created within the City limits of Granite City shall contain a minimum of 15 acres.

### **Section 5-1400 RESERVED**

### **Section 5-1500 LANDSCAPE FRONTAGE**

In any lot located in a residential zoned district or any lot for residential use in a non-residential zoned district, the area from the front of the building line to the sidewalk or curb, whichever is applicable, shall be designated “landscape frontage”. The landscape frontage shall be of the following materials only: grass; shrubbery; trees and ground cover; and may be enhanced with no more than 25% decorative rock (excluding driveway), stone, brick or wood; or, a combination of any of the listed materials. Products such as crushed lime stone or slag are not an acceptable decorative rock.

### **SECTION 5-1600 SCREENING DUMPSTERS AND OTHER REFUSE AND GARBAGE CONTAINERS**

In any R-1, R-2, R-3, R-4, R-5, R-6, C-1, C-2, C-3, C-4, C-5 or C-6 zoning district where a receptacle commonly known as a dumpster is to be used, or where any garbage or refuse container larger than 55 gallons is used, such garbage and refuse receptacle or container shall be placed on a concrete pad, designed and installed pursuant to prevailing International Code Council (ICC) codes as adopted by the City of Granite City, and shall be designed to withstand the anticipated weight of such receptacle or container. In addition, the location where the receptacle or container is located shall be screened from the public view in accordance with the general rules and regulations found in this Ordinance or any other ordinance of the City of Granite City, and as much as practicable, shall be hidden or screened from the street view.

## **ARTICLE 6 - OFF-STREET PARKING AND LOADING**

### **Section**

- 6-100 Applicability
- 6-200 Parking area design standards
- 6-300 Design and location of parking
- 6-400 Design and location of off-street loading facilities
- 6-500 Computation of required parking/loading spaces
- 6-600 Number of parking and loading spaces required

### **Section 6-100 APPLICABILITY OF ARTICLE**

Off-street parking and loading shall be provided in accordance with this Article for all structures and uses erected or established after the effective date of this ordinance.

### **Section 6-110 EXISTING PARKING/LOADING FACILITIES**

- A. Existing off-street parking or loading facilities located on the same lot as the use served shall not be reduced--or if already less than, shall not be further reduced--below the requirements and standards for similar new structures or uses.
- B. When an existing structure or use is damaged or destroyed and subsequently repaired or rebuilt, parking/loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored, but additional parking/loading facilities need not be provided.
- C. Whenever the use of any structure or premises is intensified through addition of dwelling units, increased floor area, greater seating capacity, etc., additional parking and loading facilities commensurate with such increases in use-intensity shall be provided.
- D. Whenever the existing use of structure is changed to a different use, parking or loading facilities shall be provided as required herein for such new use.

### **Section 6-200 PARKING AREA DESIGN STANDARDS**

#### **Section 6-210 SPACES**

- A. Each required parking space shall be at least ten (10) feet wide and twenty (20) feet long, and shall have at least seven (7) feet of vertical clearance. Every space shall be situated so that no part of any parked vehicle overhangs the public right-of-way.
- B. Markings shall be laid and restored as often as necessary to clearly delineate each parking space.

#### **Section 6-220 INTERIOR AISLES**

Aisles within parking lots shall be sufficiently wide to permit safe and efficient vehicular movement in the aisles, and into and out of parking spaces. Aisles designed for two-way traffic shall be at least twenty-two (22) feet wide. One-way aisles designed for sixty (60) degree parking shall be at least eighteen (18) feet wide, and for forty-five (45) degree parking shall be at least fourteen (14) feet wide.

### **Section 6-230 ACCESS WAYS**

- A. Parking areas shall be designed so that ingress to or egress from a parking space is from an aisle or driveway, not directly from the public right-of-way.
- B. No access way to any parking area shall be located within twenty-five (25) feet of any corner formed by the intersection of the rights-of-way to two or more streets. At intersections where traffic control devices are installed, the Administrator may increase this requirement as necessary to prevent hazards.
- C. Parking area access ways (including residential driveways) and public streets shall be aligned to form right angles as closely as feasible.
- D. The access way to every parking lot located in any Commercial District or Industrial District shall be at least twenty-four (24) feet wide unless two one-way drives, each twelve (12) feet wide, are provided.
- E. The access way to every parking area located in any residential district shall be at least ten (10) feet wide; but if the parking area contains more than eight (8) parking spaces or if the access way is longer than one hundred (100) feet, access shall be provided either by one two-way drive at least twenty (20) feet wide or by two one-way drives, each ten (10) feet wide.

### **Section 6-240 SURFACING**

Parking lots access ways, and driveways, shall be graded and improved with a compacted stone base at least six (6) inches thick, surfaced with at least three (3) inches asphaltic concrete or four (4) inches PC concrete.

### **Section 6-250 LIGHTING**

Any light(s) used to illuminate any parking area shall be arranged or shielded so as to confine direct light rays within the parking area boundary lines to the greatest extent practical.

### **Section 6-260 LANDSCAPING**

- A. Within every parking lot that contains twenty (20) or more parking spaces, a minimum of 5% of the total lot area shall be set aside for said landscaping.
- B. A landscaping plan (either a separate document or an element of a more inclusive development plan) shall accompany every application for an initial certificate of zoning compliance. The landscaping plan shall include the following information:
  - 1. proposed type, amount, size, and spacing of plants, including trees, shrubbery, and ground cover;
  - 2. proposed size, construction materials, and drainage of landscaped islands or planting beds; and
  - 3. sketch indicating proposed spatial relationships of landscaped areas, parking spaces, automobile circulation, and pedestrian movement.

- C. Every commercial parking lot constructed after April 17, 2012, shall contain a minimum of five (5) feet of green space between said parking lot and any abutting sidewalk or street.

**Section 6-270 PARKING LOTS & DRIVEWAYS ABUTTING RESIDENCE DISTRICT**

- A. Screening - Whenever a parking lot or a driveway to a parking lot is established in other than a residence district which abut the side or rear line of a lot in a residence district, a solid masonry wall, closely planted shrubbery, or a substantial sightly fence not less than five (5) feet high and not more than eight (8) feet high shall be constructed and maintained along said side or rear lot line up to, but not beyond the setback building line.
- B. Lighting – All lighting, including any permitted illumination sign, on any parking lot or driveway shall be arranged so that there will be no annoying glare directed or reflected toward residence buildings or residence districts.

**Section 6-300 LOCATION OF PARKING**

All off street parking shall be designed and located in conformity with the following requirements:

**Section 6-310 RESIDENTIAL DISTRICTS**

- A. Dwelling - Parking spaces accessory to dwellings located in any residential zoning district shall be located on the same lot as the dwelling. Such parking spaces shall not be located in any front yard except in the driveway, but may be located in the side or rear yards. Each parking space accessory to a multi-family dwelling shall be unobstructed so that no vehicle need be moved in order to allow another vehicle to enter/exit the parking area.
- B. Non-Dwelling - All parking spaces accessory to non-dwelling uses located in any residential district shall be located on the same lot as the use served if feasible. However, the Administrator may allow such parking facilities to be located on another parcel within two hundred (200) feet of the use served.

**Section 6-320 COMMERCIAL AND INDUSTRIAL DISTRICTS**

- A. Parking spaces accessory to any dwelling located in any commercial district shall either be located on the same lot as the dwelling or on another parcel within two hundred (200) feet. Parking lots accessory to any commercial or industrial use located in any commercial or Industrial District shall be located within five hundred (500) feet of the use served. No portion of any such parking lot shall extend into any residential district.
- B. In any commercial or Industrial District, off street parking facilities for different buildings or uses may be provided collectively. The total number of spaces so located together must be at least the sum of the separate requirements for each use. All other regulations governing location of parking spaces in relation to the uses served must be observed.

## **Section 6-400 DESIGN AND LOCATION OF OFF-STREET LOADING FACILITIES**

All off-street loading facilities shall conform to the minimum standards indicated below:

### **Section 6-410 SIZE OF SPACE**

Every required off-street loading space shall be at least twelve (12) feet wide and forty-five (45) feet long exclusive of aisle and maneuver space, and shall have vertical clearance of at least fourteen (14) feet. In no case shall a vehicle being loaded or unloaded overhang into the public right-of-way.

### **Section 6-420 ACCESS WAY**

Every off-street loading space shall have a safe means of vehicular access to a street or alley. Such access way shall be at least twelve (12) feet wide.

### **Section 6-430 SURFACING**

Every off-street loading area shall be graded improved with a compacted stone base at least six (6) inches thick, surfaced with at least three (3) inches of asphaltic concrete or four (4) inches of PC concrete.

### **Section 6-440 BUFFER STRIPS**

No loading space or area for vehicles over two ton cargo capacity shall be developed closer than twenty-five (25) feet to the lot line of any lot located in any residential district unless such space/area is completely enclosed by a solid masonry wall, closely planted shrubbery, or a substantial slightly fence at least ten (10) feet in height and of sufficient density to block the view from the residential property.

### **Section 6-450 LOCATION**

Every off-street loading space that is required or provided shall be located on the same parcel of land as the use served, and not closer than fifty (50) feet to the intersection of the rights-of-way of two or more streets, and not on required front yards.

## **Section 6-500 COMPUTATION OF REQUIRED PARKING/LOADING SPACES**

In computing the number of parking spaces required by this ordinance, the Zoning Administrator shall apply the following rules:

- A. In computing parking space requirements based on the number of employees, the maximum number of employees on the premises at any period of the day shall be used. "Employee parking" means "one parking space shall be required per one employee," unless otherwise stated.
- B. In computing parking or loading space requirements on the basis of building floor area, the gross floor area shall be used.
- C. Whenever it is necessary to translate gross parking lot area into number of parking spaces, three hundred and seventy-five (375) square feet of gross area shall be deemed one parking space.
- D. If computation of the number of parking or loading spaces required by this ordinance

results in a fractional space, any fraction of one-half or more shall be counted as one space.

- E. No space or portion thereof needed to satisfy the minimum applicable requirement for number of off-street parking or loading spaces shall be counted as part of the off-street parking or loading spaces required for another structure or use.

**Section 6-600 NUMBER OF PARKING AND LOADING SPACES REQUIRED**

Off-street parking and loading spaces shall be provided as indicated in tabular form below. For any use that is not listed in the table, the same amount of parking and loading space shall be provided as is required for the most similar listed use. The Zoning Administrator shall make the determination of similarity.

Use	Parking Spaces Required	Loading Spaces Required
<b>Dwellings</b>		
Hotels, Lodging	1 space per lodging unit, plus employee parking	1 space for 20,000 sq. ft or more of floor area
Mobile Homes	2 per mobile home	
Multiple-family	1.5 spaces per unit of 1 bedroom 2 spaces per unit of 2 or more bedrooms	
<b>Educational, Institutions</b>		
Educational, Institutional, Recreational, Churches, Auditoriums	1 space per 4 seats in larger seating areas	n/a
Hospitals	1 space per 2 beds; plus employee parking	1 space up to 50,000 sq. ft. of floor area; 2 spaces for 50,001 to 100,000 sq. ft.; 3 spaces for 100,001 to 200,00 sq. ft.
Libraries, Museums	1 space per 500 sq. ft. of floor area	As determined by Administrator
Nursing Homes	1 space per 4 beds	1 space up to 50,000 sq. ft. of floor area; 2 spaces for 50,001 to 100,000 sq. ft.; 3 spaces for 100,001 to 200,00 sq. ft.
Elementary & Jr. High Schools	1 space for every 20 students building designed to accommodate; plus employee parking	As determined by Administrator
Senior High School	1 space for every 4 students age 16 or over the building is designed to accommodate; plus employee parking	As determined by Administrator

Use	Parking Spaces Required	Loading Spaces Required
College, Trade Schools	1 space for every 3 students building designed to accommodate;  plus employee parking	As determined by Administrator
<b>Industrial</b>		
Any manufacturing, warehousing, or other industrial	1.5 spaces per employee, plus 1 space per company vehicle; plus  1 visitor space per 25 employees on a major shift	1 space up to 20,000 sq. ft. of floor area; 2 spaces for 20,001 to 50,000 sq. ft.; 3 spaces for 50,001 to 90,000 sq. ft.; plus 1 space per each additional 50,000 sq. ft.
<b>Restaurants</b>		
Restaurants providing seating	1 space per 3 seats; plus 1 space per employee (plus additional spaces as required for additional use)	
Additional Drive Through Requirements	A stacking line with a minimum of  8 spaces (more if determined by Administrator)	
Food Stands	4 spaces plus 1 space for each employee (plus additional spaces for additional use)	

# ARTICLE 7 - NON-CONFORMITIES

## Section

- 7- 100 Purpose of Article
- 7- 200 Non-Conforming Lots
- 7- 300 Non-Conforming Structures
- 7- 400 Non-Conforming Uses Occupying a Structure
- 7- 500 Existing Non-Conforming Uses
- 7- 600 Existing Non-Conformities Under Permit Authority
- 7- 700 Non-Conforming Use and Structure Permit
- 7- 800 Special Exemption Permit
- 7- 900 Site Plan Approval for Non-Conformity Permit
- 7-1000 Period of Validity
- 7-1100 Recording Special Exemptions and Variances

## **Section 7-100 PURPOSE OF ARTICLE**

The requirements imposed by this ordinance are designed to guide the use of land by encouraging the development of structures and uses that are compatible with the predominant character of each of the various districts. Lots, structures, and uses of land or structures that don't conform to the requirements of the district in which they are located impede appropriate development. For example, non-conformities are frequently responsible for heavy traffic on residential streets, the overtaking of parking facilities, the emission of noxious fumes or excessive noise, and/or the lowering of property values. The regulations of this Article are intended to alleviate such existing or potential problems by encouraging the gradual reduction of non-conformities while recognizing unique exemptions.

## **Section 7-200 NONCONFORMING LOTS**

### **Section 7-210 EXISTING LOTS**

Any vacant lot that does not conform to one or more of the lot size (area, dimensions) requirements of the district in which it is located may be used for any use permitted in the district if such vacant lot:

- A. is of record on the effective date of this ordinance (or pertinent amendment thereto); and
- B. has continuously remained in separate ownership from abutting tracts of land throughout the entire period during which the creation of such lot was prohibited by any applicable zoning or other ordinance; and
- C. is at least twenty five (25) feet wide.

### **Section 7-220 TWO OR MORE LOTS IN COMMON OWNERSHIP**

If two or more lots or combinations of lots and portions of lots with continuous frontage were of record and in common ownership on the effective date of this ordinance, and if one or more of those lots does not meet the minimum lot width, depth, and area requirements of the district in which it is located, the land involved shall be considered an undivided parcel. No portion of any such parcel shall be developed except in compliance with this ordinance, nor shall any such parcel be divided so as to create a lot that does not meet the requirements of this ordinance.

### **Section 7-300 NONCONFORMING STRUCTURES**

#### **Section 7-310 CONDITIONS**

Any lawful structure which exists on the effective date of this ordinance but which could not be erected under the terms of this ordinance because of restrictions on lot size, height, setbacks, or other characteristics of the structure or its location on the lot may lawfully remain, subject to the following provisions:

- A. Enlargement, Alterations. No such structure shall be enlarged or altered in any way which increases its nonconformity.
- B. Relocation. No such structure shall be relocated unless, after relocation, it will conform to all the regulations of the district in which it is located.
- C. Reconstruction. Any structure which is destroyed or damaged may be reconstructed provided such work, as certified by the Building Inspector, starts within six (6) months from the date the damage occurred, diligently pursued to completion, and provided that no intensity of uses or greater nonconformity is permitted.

#### **Section 7-350 MOBILE HOMES**

- A. Replacement of existing mobile home within a Mobile Home Residence District Any existing mobile home located in a mobile home park in the City of Granite City on June 1, 2008, may be replaced with another mobile home, provided such replacement takes place within 21 days of the initiation of removal of the existing mobile home. The replacement mobile home shall be new, unused, and not previously occupied. Any replacement mobile home shall comply with all applicable city ordinance provisions and shall comply with the minimum set back requirements within the district in which the mobile home is located. Failure to comply with this section shall result in the parcel reverting to the highest zoning classification then in effect for any of the surrounding adjacent land.
- B. Intensification of extension of use. Use of the land shall not be intensified or extended by repair, restructure, or replacement of the existing mobile home to occupy an area of land greater than the existing mobile home. That is, the replacement mobile home shall not be of a greater square footage, or occupy a greater percentage of the lot, than occupied by the existing mobile home.

- C. Outside a Mobile Home Residence District Any mobile home not located in a Mobile Home Residence District is a nonconforming use. Beginning August 1, 2008, no mobile home in the City of Granite City which is located outside of a mobile home park may be replaced. Any discontinuance of use of the mobile home shall require its immediate removal. Discontinuance of use shall be defined by one or more of the following:
1. Cessation of occupancy for 21 days or more.
  2. Disconnection of any utility service for 21 days or more.
  3. Commencement of removal, demolition, or condemnation proceedings pursuant to statute or ordinance.
  4. The removal of the existing mobile home.

#### **Section 7-400 NONCONFORMING USES OCCUPYING A STRUCTURE**

If any lawful use occupying a structure exists on the effective date of this ordinance but would not be allowed under the terms of this ordinance, such use may lawfully continue, subject to the following provisions:

- A. Maintenance: Any structure housing a nonconforming use may be maintained through ordinary repairs.
- B. Enlargement, Alteration, Reconstruction, Relocation: No structure housing a nonconforming use shall be enlarged, structurally altered, reconstructed, or relocated unless the use of the structure is changed to a permitted use.
- C. Extension of Use: No nonconforming use may be extended to any part(s) of the structure not intended or designed for such use, nor shall the nonconforming use be extended to occupy any land outside such structure.
- D. Change of Use: Nonconforming use occupying a structure shall not be changed except to a use permitted under the applicable district regulations.
- E. Discontinuance of Use:
1. When a nonconforming use of a structure, or of a structure and premises in combination, is discontinued for twelve consecutive months or for eighteen months during any three-year period, the nonconforming use shall not thereafter be resumed.
  2. Any discontinuance caused by government action and without any contributing fault by the nonconforming user shall not be counted in calculating the length of discontinuance.

3. To resume activity in a non-conforming structure after discontinuance of use, a non-conforming user must apply for a Non-Conforming Use and Structure Permit pursuant to Section 7-700.

F. Dumpster requirements - see Art. 5, Sect. 5-16

## **Section 7-500 EXISTING NON-CONFORMING USES OF LAND**

### **A. OF LAND**

Any lawful use of land existing on the effective date of this ordinance that would not be permitted under the terms of this ordinance may lawfully continue, subject to the following provisions:

1. Intensification of Extension of Use. A nonconforming use of land shall not be intensified, or extended to occupy a greater area of land than was occupied by such use on the effective date of this ordinance.
2. Relocation. No nonconforming use of land shall be moved, in whole or in part, unless such use, upon relocation, will conform to all pertinent regulations of the district in which it is proposed to be located.
3. Discontinuance: When a nonconforming use of land is discontinued for a period of twelve (12) consecutive months, it may not thereafter be resumed, and any subsequent use of such land shall conform to applicable district regulations. Any discontinuance caused by government action and without any contributing fault by the owner or operator shall not be counted in calculating the length of discontinuance.

### **B. OF A BUILDING**

1. Change of Use. Whenever a nonconforming use of a building has been changed to a more restrictive use or to a conforming use, such shall not thereafter be changed to a less restrictive use. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or more restricted classification.

## **Section 7-600 EXISTING NON-CONFORMITIES UNDER PERMIT AUTHORITY**

If a permit for change in an existing structure, or change in the use of a structure or of land, was issued prior to the effective date of this ordinance or any pertinent amendment thereto, the regulations of the Article shall not apply. The work authorized by such permit must be completed within a reasonable time.

## **Section 7-700 NON-CONFORMING USE AND STRUCTURE PERMIT**

### **Section 7-710 FILING APPLICATION**

An application for a Non-Conforming Use and Structure Permit shall be filed with the Zoning Administrator on a prescribed form. The Zoning Administrator shall promptly transmit the application, together with any comments or recommendations, to the Plan Commission for a public hearing.

### **Section 7-720 PUBLIC HEARING, NOTICE**

The Plan Commission shall hold a public hearing on every application for a Non-conforming Use & Structure Permit within a reasonable time. At the hearing any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of the hearing, and the nature of the proposed Non-conforming Use and Structure shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing:

- A. by publication in a newspaper published within this municipality; and,
- B. by mail to all parties within 300 feet of the property for which the Non-conforming Use & Structure Permit is requested.

### **Section 7-730 ADVISORY REPORT, FINDINGS OF FACT**

Within a reasonable time after the public hearing, the Plan Commission shall submit its Advisory Report to the City Council. The Advisory Report shall state the recommendation regarding adoption of the proposed Non-conforming Use & Structure Permit, reasons therefore, and any findings of fact under Section 7-750.

### **Section 7-740 ACTION BY CITY COUNCIL**

The City Council shall act on every proposed Non-conforming Use & Structure Permit at their next regularly scheduled meeting following submission of the Plan Commission Advisory Report.

Without further public hearing, the Council may pass any approved Non-conforming Use & Structure Permit or may refer it back to the Plan Commission for further consideration, by simple majority vote of all the members then holding office.

### **Section 7-750 REQUIREMENTS**

A Non-conforming Use & Structure Permit shall be issued allowing the non-conforming uses to resume in the non-conforming structure subject to the following conditions:

- A. The non-conforming structure has substantial economic life; and
- B. The non-conforming structure cannot be reasonably adapted for a conforming use; and
- C. The proposed non-conforming use will not be unduly harmful to surrounding properties; and
- D. It is not more non-conforming than previous non-conforming use of the structure.

- E. Dumpster requirements - see Art. 5, Sect. 5-16

## **Section 7-800 SPECIAL EXEMPTION PERMIT**

### **Section 7-805 GENERAL**

On occasion there may be such unique features or circumstances with regard to non-conforming lots, structures, and uses of land or structures, that a party in interest and/or operator of a proposed structure or use will require relief from the provisions of this Article through an application to the Plan Commission for a Special Exemption Permit. This section shall not be construed as being contrary to the gradual elimination of non-conformities.

### **Section 7-810 FILING**

Every application for a Special Exemption Permit seeking relief from Section(s) 7-200, 7-300, 7-400, or 7-500 shall be filed with the Zoning Administrator upon a prescribed form. The Administrator shall transmit application, together with any comments or recommendations, to the Plan Commission for a public hearing.

### **Section 7-820 PUBLIC HEARING, NOTICE**

The Plan Commission shall hold a public hearing on every application for a Special Exemption Permit within a reasonable time. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of the hearing, and the nature of the proposed amendment shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing:

- A. by publication in a newspaper published within this municipality; and,
- B. by mail to all parties within 300 feet of the property for which the Special Exemption Permit is requested.

### **Section 7-830 ADVISORY REPORT, FINDINGS OF FACT**

Within a reasonable time after the public hearing, the Plan Commission shall submit its Advisory Report to the City Council. The Advisory Report shall state the recommendation regarding adoption of the proposed Special Exemption Permit, reasons therefore, and any findings of fact under Section 7-850.

### **Section 7-840 ACTION BY CITY COUNCIL**

The Council shall act on every proposed Special Exemption Permit at its next regularly scheduled meeting following submission of the Plan Commission Advisory Report. Without further public hearing, the Council may pass any approved Special Exemption Permit or may refer it back to the Plan Commission for further consideration, by simple majority vote of all the members then holding office.

### **Section 7-850 REQUIREMENT FOR AUTHORIZATION**

- A. A Special Exemption Permit shall only be granted if the proposed use:

1. Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.
2. will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; and
3. will not substantially alter the essential character of the district in which it is to be located; and,
4. should be able or necessary to extract reasonable value from the use of the property.

### **Section 7-860 CONDITIONS**

Special Exemption Permits may include such conditions or restrictions upon the construction, location and operation of a non-conforming lot, structure, and use of land or structure, including, but not limited to:

- A. those required to meet the objective set forth in Section 7-850;
- B. provisions for the protection of adjacent property;
- C. the expiration of such exemption after a specified period of time;
- D. off-street parking and loading;
- E. any other criteria as may be deemed necessary to secure the general objectives of this Zoning Code, and to reduce injury to the value of property in the neighborhood.

### **Section 7-900 SITE PLAN APPROVAL FOR NONCONFORMITY EXEMPTIONS**

#### **Section 7-905 REQUIRED**

All applications for a non-conformity permit will require Site Plan approval:

#### **Section 7-910 PRELIMINARY SITE PLAN**

A. The following data and drawings are required for the preliminary site plan:

1. Site Location Diagram – small diagram map indicating position in the City and in relation to surrounding streets and the City’s major street network (may be different scale from remaining items).
2. Title Block and Reference Information
  - a. name of project
  - b. name of property owner

- c. name of applicant/developer
  - d. name of architect and/or engineer
  - e. date of submission with provision for dating revisions
3. Site Dimensions - show dimensions of site perimeter, applicable zoning setback line, site area in square feet, an access (may be approximate for preliminary submission).
  4. Site Surroundings - indicate the property line, ownership and location of all buildings occupying and property abutting subject property or location within a distance of three hundred (300) feet from the perimeter of the site (may be drawn to a different scale from other plan items).
  5. Easement and Zoning Boundaries - Indicate location and nature of easements and zoning boundaries.
  6. Site Topography - Provide existing and proposed contours at intervals of two (2) feet or less (may be approximate and drawn from enlarged USGS maps for preliminary submission) or as deemed appropriate by the City Engineer.
  7. Landscaping – approximate location of all trees over nine inch (9”) caliper, whether to remain or to be removed.
- B. The preliminary plan may be in sketch form but must be drawn to scale and with reasonable accuracy. The plan may be drawn “hard-lined” or freehand if skillfully executed. It may consist of one (1) or more sheets or drawings at a scale of 1”= 50’ or larger (prefer engineers scale, 1” = 20’, 1” = 40’, etc., rather than architect scale, 1/16” = 1’0”, etc.).

#### **Section 7-920 FINAL SITE PLAN**

- A. The Site Plan shall contain the following information as well as such additional information as the Plan Commission may require:
1. The name(s) and address(s) if all parties in interest, and operator of proposed structure or use, if any.
  2. All necessary data; title evidence, and drawings for the Zoning Administrator to determine whether the proposed use and development complies with the district requirements and for the City departments affected by the project to assess the impact of the proposed development on public facilities and services and in the surrounding area.
  3. Building location, size and site  
Outline in a solid line and locate with dimensions from the property line the

“foot print” of all buildings. All buildings extensions or projections beyond the primary façade should be drawn with dotted lines. Indicate also building perimeter dimensions and heights.

4. Parking layout and driveways.  
Including notation of parking stall size, aisle and driveway widths, and number of cars in each row of parking spaces.
5. Landscaping plan.  
Describe existing and proposed landscape material by size and species along with related site improvements such as retaining walls, walkways, plazas, etc. Locate all trees over six inch (6”) caliper and indicate which are to remain and which are to be removed as well as describing accurately the size, type and location of all planned plant material.
6. Utilities.  
Indicate provisions to be made to direct and detain storm water on-site in accordance with applicable City regulations and to mitigate erosion both during and following completion of construction.
7. Lighting.  
Indicate the location of light standards along with both graphic and catalog reference describing the proposed standards.
8. Development data.  
Indicate in tabular form the following information;
  - a. site area (square feet and acres)
  - b. gross building floor area (sq. feet)
  - c. leasable floor area (GLA, sq. feet)(GLA/gross lease area)
  - d. percentage of leasable to gross floor area (c/b)
  - e. floor area ration (c/a)
  - f. building coverage (building “foot print” /a)
  - g. site coverage (f+ parking & driveways area/a)
  - h. parking area required
  - i. parking spaces provided
  - j. existing and proposed zoning.

**Section 7-1000 PERIOD OF VALIDITY**

Upon approval, a Special Exemption Permit shall be issued allowing the non-conformity exemption.

- A. No Special Exemption Permit shall be valid for a period longer than six (6) months unless within such period:
  - 1. A building permit is obtained and construction is begun; or,
  - 2. if a building permit is not required, a Certificate of Use and Occupancy is obtained and the use of the building commenced.

The City Council may grant extensions not exceeding one hundred eighty (180) days each, upon written application, without notice or hearing.

**Section 7-1100 RECORDING SPECIAL EXEMPTIONS AND VARIANCES**

Special Exemptions and Variances granted by the City of Granite City after October 1, 2011 shall be recorded with the Madison County Recorder of Deeds in order to aid in locating and verifying the terms of said Special Exemption or Variance.

The applicant for the Special Exemption or Variance shall pay for the cost of recording at the time the application is filed. If the Special Exemption or Variance is denied, the recording fee shall be refunded.

The Zoning Administrator has the authority to record Special Exemptions and Variance granted before the enactment of this section, but is not required to do so. This section is not intended to create or support cause of action, right, or claim. There is no intended third party beneficiaries to this section.

# **ARTICLE 8 - ADMINISTRATION AND ENFORCEMENT**

## **Section**

- 8- 100 Zoning Administrator
- 8- 200 Initial Certificate of Zoning Compliance for Use and Occupancy
- 8- 300 Final Certificate of Zoning Compliance for Use and Occupancy
- 8- 400 Corrective Action Orders
- 8- 500 Emergency Measures
- 8- 600 Complaints
- 8- 700 Penalties
- 8- 800 Schedule of Fees

## **Section 8-100 ZONING ADMINISTRATOR**

### **Section 8-105 GENERAL**

Except as otherwise provided in this Zoning Code, the Zoning Administrator has the duty, power and authority to enforce the provisions of this Zoning Code. The Mayor, with the consent of the Council, shall appoint the Zoning Administrator and any other employees as they deem necessary to assist in the enforcement of this Zoning Code.

### **Section 8-110 DUTIES**

The Zoning Administrator is hereby authorized and directed to administer and enforce the provisions of this Zoning Code. This broad responsibility encompasses, but is not limited to, the following specific duties:

- A. to review and pass upon applications for initial and final certificates of zoning compliance;
- B. to inspect land, structures, and uses to determine compliance with the Zoning Code, and where there are violations, to initiate appropriate corrective action;
- C. to review and forward to the Zoning Board of Appeals all applications for variances and appeals.
- D. to review and forward to the Plan Commission all applications for Special Use Permits;
- E. to maintain up-to-date records of this Zoning Code, including, but not limited to, district maps, certificates of zoning compliance, Special Use Permits, temporary use permits, variances, interpretative decisions of the Zoning Board of Appeals, amendments, and all applications related to any of these matters;
- F. to periodically review the provisions of the Zoning Code to determine whether revisions are needed, and to make recommendations on these matters to the Plan Commission.

- G. to provide for the annual publication of the Zoning District Map as required in Section 3-210 (Annual Publication);
- H. to provide for information to the general public on matters related to the Zoning Code.
- I. to perform such other duties as the Council may from time to time direct.

**Section 8-200 INITIAL CERTIFICATES OF ZONING COMPLIANCE FOR USE AND OCCUPANCY**

Upon the effective date of this Zoning Code, no lot shall be created, no land shall be developed, no new use or structure shall be established or erected, and no existing use or structure shall be enlarged, extended, altered, relocated, or reconstructed until an initial certificate of zoning compliance has been issued. The administrator shall not issue an initial certificate of zoning compliance unless, following consultation with technically qualified persons as necessary, it is determined that the proposed work conforms the applicable provisions of this Zoning Code.

**Section 8-210 APPLICATION**

Every applicant for an initial certificate of zoning compliance shall submit to the Zoning Administrator, in graphic and/or narrative form, all the listed below that are applicable to the particular project. The Administrator shall decide which items are applicable.

- A. name and address of the applicant;
- B. name and address of the owner or operator of the proposed structure or use, if different from (a);
- C. nature of the proposed use, including type of activity, manner of operation, number of occupants or employees, and similar matters;
- D. location of the proposed use or structure, and its relationship to existing adjacent uses or structures;
- E. area and dimensions of the site for the proposed structure or use;
- F. existing topography of the site and proposed finished grade;
- G. existing and proposed screening, landscaping, erosion control features on the site, including the parking area;
- H. height and setbacks of the proposed structure;
- I. number and size of proposed dwelling units, if any;
- J. location and number of proposed parking/loading spaces and access ways;

- K. identification and location of all existing or proposed utilities, whether public or private; and/or
- L. any other pertinent information that the Administrator may require.

#### **Section 8-220 DURATION OF CERTIFICATE**

Initial certificates of zoning compliance shall be valid for six months, or until revoked for failure to abide by a corrective action order. The Zoning Administrator may renew initial certificates of zoning compliance for successive six month periods upon written request, provided the applicant is making a good faith effort to complete the authorized work.

#### **Section 8-230 RELATIONSHIP TO BUILDING PERMITS**

The Zoning Administrator shall not issue any building permit for the erection, enlargement, extension, alteration, or reconstruction of any structure unless the applicant for such permit presents to the Administrator a copy of the initial certificate of zoning compliance pertaining to such work.

#### **Section 8-300 FINAL CERTIFICATES OF ZONING COMPLIANCE FOR USE AND OCCUPANCY**

No lot or part thereof recorded or developed after the effective date of this Zoning Code, and no structure or use, or part thereof, that has been erected, enlarged, altered, relocated, or reconstructed after the effective date of this Zoning Code shall be used, occupied, or put into operation until a final certificate of zoning compliance has been issued. The Zoning Administrator shall not issue a final certificate of zoning compliance until he has determined, by inspection, that the work authorized by the initial certificate of zoning compliance has been completed in accordance with approved plans. Failure to obtain a final certificate of zoning compliance shall constitute a separate violation of this Zoning Code.

#### **Section 8-400 CORRECTIVE ACTION ORDERS**

##### **Section 8-405 GENERAL**

Whenever the Zoning Administrator finds, by inspection or otherwise, that any lot, structure, or use, or work thereon, is in violation of the Zoning Code, he/she shall so notify the responsible party, and shall order appropriate corrective action.

##### **Section 8-410 CONTENTS OF ORDER**

The order to take corrective action shall be in writing and shall include:

- A. a description of the premises sufficient for identification;
- B. a statement indicating the nature of the violation;
- C. a statement of the remedial action necessary to effect compliance;

- D. the date by which the violation must be corrected;
- E. a statement that the alleged violator is entitled to a conference with the Administrator;
- F. the date by which an appeal of the corrective action order must be filed, and a statement of the procedure for so filing; and
- G. a statement that failure to obey a corrective action order shall result in revocation of the certificate of zoning compliance and may result in the imposition of fines.

**Section 8-420 SERVICE OF ORDER**

A corrective action order shall be deemed properly served upon the owner, occupant, or operator of the offending lot, structure, or use if it is:

- A. served upon him personally;
- B. sent by registered mail to his last known address; or
- C. posted in a conspicuous place on or about the affected premises.

**Section 8-430 STOP ORDERS**

Whenever any work is being done in violation of an initial certificate of zoning compliance, the Zoning Administrator's corrective action order may state that the violation must cease immediately. (See Subsec. 8-410(d).) In such case, the corrective action order is equivalent to a stop order.

**Section 8-500 EMERGENCY MEASURES**

Notwithstanding any other provisions of this Zoning Code, whenever the Zoning Administrator determines that any violation of this ordinance poses an imminent peril to life or property, he/she may institute, without notice or hearing, any necessary proceedings to alleviate the perilous condition.

**Section 8-600 COMPLAINTS**

Whenever any violation occurs, or is alleged to have occurred, any person may file a written complaint on forms provided by the Administrator. The Zoning Administrator shall record such complaints, immediately investigate, and, if necessary, institute appropriate corrective action.

**Section 8-700 PENALTIES**

- A. Any person who is convicted of a violation of this Zoning Code shall be fined not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00), plus costs. Each day that a violation continues shall be a separate offense.
- B. Nothing contained in this section shall prevent this municipality from taking any other lawful action that may be necessary to secure compliance with this ordinance.

**Section 8-800 SCHEDULE OF FEES**

The City Council, by resolution, shall establish fees relating to the administration of this ordinance. Said fees are to be posted in the City Hall by the City Clerk.

# **ARTICLE 9 - BOARD OF APPEALS AND PLAN COMMISSION**

## **Section**

- 9- 100 Board of Appeals
- 9- 200 Plan Commission
- 9- 300 Appeals
- 9- 400 Variances
- 9- 500 Amendments

## **Section 9-100 BOARD OF APPEALS ESTABLISHED**

The Zoning Board of Appeals of this municipality is hereby established in accordance with Illinois law. (65 ILCS 5/11-13-3)

## **Section 9-110 MEMBERSHIP, APPOINTMENT, COMPENSATION**

The Zoning Board of Appeals shall consist of seven (7) members, all of whom reside within this municipality. Each Board member shall be appointed by the Mayor with the advice and consent of the City Council. One of the members shall be named as chairperson at the time of his/her appointment. The City Council shall determine any compensation of the Board members..

## **Section 9-120 TERM OF OFFICE, VACANCIES**

Each Board member shall hold office for five (5) years from the date of his/her appointment, and until a successor has been selected and qualified. However, the initial appointees to the Board shall serve respectively for the following terms: One for one (1) year, one for two (2) years, one for three (3) years, one for four (4) years, one for five (5) years, one for six (6) years, and one for seven (7) years. With the advice and consent of the City Council, the Mayor may remove any member of the Board of Appeals for cause, after a public hearing. Vacancies on the Board shall be filled for the unexpired term of the member whose place has become vacant in the same manner as provided for the appointment of a new member.

## **Section 9-130 MEETINGS, QUORUM**

All meetings of the Board of Appeals shall be held at the call of the Chairperson and at such times as the Board may determine. All Board meetings shall be open to the public. The Board may adopt their own rules of meeting procedures consistent with the Zoning Code and the applicable Illinois statutes. The Board may select such officers as the deem necessary. The Chairperson, or in his/her absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. Four (4) members of the Board of Appeals shall constitute a quorum, and the affirmative vote of at least four (4) members shall be necessary to authorize any Board action.

## **Section 9-135 ABSENCES**

Three consecutive absences without excuse will be deemed to constitute a resignation. The Mayor will immediately replace the member with a new appointee to fill out the term of such member. (amend Ord. 8238 2/15/11)

### **Section 9-140 RECORDS**

The Board shall keep minutes of its proceedings and examinations. These minutes shall indicate the absence of any member, the vote or abstention of each member on each question, and any official action taken. A copy of every rule, variance, order, or decision of the Board shall be filed immediately in the Board's office, and shall be a public record.

### **Section 9-200 PLAN COMMISSION ESTABLISHED**

#### **Section 9-205 GENERAL**

The Plan Commission of Granite City is hereby established pursuant to the Illinois Municipal Code for the guidance, direction and control of the growth and development or redevelopment of the City, and contiguous territory not more than one and one-half miles beyond the corporate limits and not included in any municipality.

#### **Section 9-220 MEMBERSHIP**

The Plan Commission shall consist of eleven (11) members who are residents of Granite City. The Mayor shall appoint members subject to the approval of the City Council based on particular fitness for duty on the Plan Commission.

#### **Section 9-230 TERM OF OFFICE**

Of the eleven (11) members, five shall serve for a period of five (5) years, four for a period of four (4) years, and two for a period of three (3) years. Vacancies shall be filled by appointments for unexpired terms only. All members of the Commission shall serve without compensation unless the City Council passes an appropriation ordinance.

#### **Section 9-235 ABSENCES**

Three consecutive absences without excuse will be deemed to constitute a resignation. The Mayor will immediately replace the member with a new appointee to fill the term of such member.

#### **Section 9-240 QUORUM**

A quorum for the purpose of holding a Plan Commission Meeting shall be five (5) of the then appointed active members, including the Chairperson. Final action may be taken by a majority of the then present members constituting a Quorum.

#### **Section 9-250 MEETINGS**

The Plan Commission shall meet at such times as it may determine. Special meetings may be called by the mayor, the chairman, or by any two members of the Commission. If a quorum is present at any special meeting written notice thereof shall be deemed waived.

#### **Section 9-260 INITIAL ORGANIZATION**

Immediately following appointment, the members of the Commission shall meet, organize, elect officers as deemed necessary, and adopt, and later change or alter, rules and regulations of organization and procedure consistent with City ordinances and State laws. The Plan Commission shall keep written records of its proceedings, which shall be open at all times to public inspection. The Plan Commission shall also file an annual report with the Mayor and City Council setting forth its transactions and recommendations.

## **Section 9-270 POWERS AND DUTIES**

- A. To prepare and recommend to the City Council a comprehensive plan for the present and future development or redevelopment of the City and contiguous unincorporated territory not more than one and one-half miles beyond the corporate limits of the City and not included in any other municipality. Such plan may be adopted in whole or in separate geographical or functional parts, each of which, when adopted, shall be the official comprehensive plan, or part thereof, of Granite City. Such plan shall be advisory except as to such part thereof as has been implemented by ordinances duly enacted by the City Council. All requirements for public hearing, filing of notice of adoption with the county Recorder of Deeds and filing of the plan and ordinances with the City Clerk shall be complied with as provided for by law.

To provide for the health, safety, comfort and convenience of the inhabitants of Granite City and contiguous territory, such plan or plans shall establish reasonable standards of design for subdivision, for re-subdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements as herein defined, and shall establish reasonable requirements governing the location, width, course and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, storm water drainage, water supply and distribution, sanitary sewers, and sewage collection and treatment. The requirements specified herein shall become regulatory only when adopted by ordinance;

- B. To designate land suitable for annexation to the municipality and the recommended zoning classification for such land upon annexation;
- C. To recommend to the City Council, from time to time, such changes in the comprehensive plan, or any part thereof, as may be deemed necessary;
- D. To prepare and recommend to the City Council, from time to time, plans and/or recommendations for specific improvements in pursuance of the official comprehensive plan;
- E. To give aid to the officials of the City charged with the direction of projects for improvements embraced within the official plan, or parts thereof, to further the making of such improvements and generally to promote the realization of the official comprehensive plan;
- F. To arrange and conduct any form of publicity relative to its activities for the general purpose of public understanding;
- G. To cooperate with municipal or regional planning commissions and other agencies or groups to further the local planning program and to assure harmonious and integrated planning for the area;

- H. To exercise such other powers germane to the powers granted under authority of an act of the Illinois Municipal Code.

### **Section 9-280 OFFICIAL MAP**

- A. At any time or times, before or after the formal adoption of the official comprehensive plan by the corporate authorities, an official map may be designated by ordinance, which map may consist of the whole area included within the official comprehensive plan, or one or more separate geographical or functional parts, and may include all or any part of the contiguous unincorporated area within one and one-half miles from the corporate limits of the City. All requirements for public hearing, filing of notice of adoption with the county Recorder of Deeds, and filing of the plan and ordinances, including the official map with the City Clerk shall be complied with as provided for by law.
- B. No map or plat of any subdivision or re-subdivision presented for record affecting land within the corporate limits of the City or within contiguous territory which is not more than one and one-half miles beyond the corporate limits shall be entitled to record or shall be valid unless the subdivision shown thereon provides for standards of design, and standards governing streets, alleys, public grounds, size of lots to be used for residential purposes, storm water and flood water runoff channels and basins, water supply and distribution, sanitary sewers, and sewage collection and treatment in conformity with the applicable requirements of the ordinances, including the official map.

### **Section 9-290 IMPROVEMENTS**

The City Clerk shall furnish Plan Commission, for its consideration, a copy of all ordinances, plans and data relative to public improvements of any nature. The Plan Commission may report on same to the City Council.

### **Section 9-295 EXPENDITURES**

- A. The Commission may, at the discretion of the City, employ a paid secretary or staff, or both, whose salaries, wages and other necessary expenses shall be provided for by the City from public funds.
- B. If the Plan Commission deems it advisable to secure technical advice or services, it may be done upon authority from the City Council and appropriations by the City Council therefor.

### **Section 9-300 APPEALS**

#### **Section 9-310 FILING, RECORD TRANSMITTAL**

- A. Any person aggrieved by and decision or order of the Zoning Administrator in any matter related to the interpretation or enforcement of any provision of this ordinance may appeal to the Zoning Board of Appeals. Every such appeal shall be made and treated in accordance with Illinois law (65 ILCS 5/11-13-12) and the provisions of this section.

- B. Every appeal shall be made within 45 days of the matter complained of by filing with the Administrator and the Board of Appeals a written notice specifying the grounds of appeal.
- C. Not more than five (5) working days after the notice of appeal has been filed, the Zoning Administrator shall transmit to the Board of Appeals all records pertinent to the case.

#### **Section 9-315 STAY OF FURTHER PROCEEDINGS**

An appeal stays all further action on the matter being appealed unless the Zoning Administrator certifies to the Board of Appeals, after the notice of appeal has been filed, that for reasons stated in the certificate, a stay would cause imminent peril to life or property. In such case, further action shall not be stayed unless the Board of Appeals or the circuit court grants a restraining order for due cause, and so notifies the Zoning Administrator.

#### **Section 9-320 PUBLIC HEARING, NOTICE**

The Board of Appeals shall hold a public hearing on every appeal within a reasonable time after the filing of the notice of appeal. At the hearing any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of the hearing, and briefly describing the issue to be decided shall be given not more than thirty (30) days nor less than fifteen (15) days before the hearing:

- A. by publication in a newspaper published within this municipality; and
- B. by mail to all parties whose property abuts the property affected by the appeal.

#### **Section 9-330 ADVISORY REPORT, FINDINGS OF FACT**

Within a reasonable time after the public hearing, the Zoning Board of Appeals shall submit its Advisory Report to the City Council. The report shall state the Board of Appeals recommendations of the Board of Appeals.

#### **Section 9-340 ACTION BY COUNCIL**

The Council shall act on every appeal at their next regularly scheduled meeting following submission of the Advisory Report by the Board of Appeals. Without further public hearing, the City Council may approve or deny the appeal by simple majority vote of all the members then holding office.

#### **Section 9-400 VARIANCES**

##### **Section 9-405 DEFINITION**

A variance is a relaxation of the strict application of the lot size, setbacks, or other bulk requirements applicable to a particular lot or structure or fence

##### **Section 9-410 APPLICATION**

Every application for a variance shall be filed with the Zoning Administrator on a prescribed form. The Zoning Administrator shall promptly transmit said application, together with any advice to the Zoning Board of Appeals. The application shall contain sufficient information to allow the Board of Appeals to make an informed decision, and shall include, at a minimum, the following:

- A. name and address of the applicant;
- B. brief description of the variance requested;
- C. location of the structure/use for which the variance is sought;
- D. relationship of said structure/use to existing structures/uses on adjacent lots;
- E. specific section(s) of the Zoning Code containing the regulations which, if strictly applied, would cause hardship; and a description of the hardship which would be caused; and
- (f) any other pertinent information that the Zoning Administrator may require.

**Section 9-420 PUBLIC HEARING, NOTICE**

The Zoning Board of Appeals shall hold a public hearing on each variance request within a reasonable time after the variance application is submitted. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of the hearing, and the nature of the proposed variance shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing:

- A. by publication in a newspaper published within this municipality; and
- B. by mail to all parties whose property abuts the property affected by the appeal.

**Section 9-430 ADVISORY REPORT, FINDINGS OF FACT**

Within a reasonable time after the public hearing, the Zoning Board of Appeals shall submit its Advisory Report of the City Council stating its recommendations. The Board of Appeals shall not recommend any variance unless, based upon the evidence presented, it is determined that:

- A. the proposed variance is consistent with the general purposes of the Zoning Code (Article 1, Section 1-100); and
- B. strict application of the district requirements would result in great practical difficulties or hardship to the applicant, and prevent a reasonable return on the property; and
- C. the proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property; and
- D. the plight of the applicant is due to peculiar circumstances not of his own making; and
- E. the peculiar circumstances of the variance request are not applicable to other property within the district, and therefore, a variance would be a more appropriate remedy than an amendment (re-zoning); and

- F. the variance, if granted, will not alter the essential character of the area nor materially frustrate implementation of this municipality's comprehensive plan.

#### **Section 9-440 ACTION BY COUNCIL**

The Council shall act on every proposed variance within 30 days following submission of the Advisory Report by the Zoning Board of Appeals. Without further public hearing, the Council may approve or deny any proposed variance by simple majority vote of all the members then holding office.

#### **Section 9-500 AMENDMENTS**

##### **Section 9-505 INTRODUCTION**

The City Council may amend this ordinance in accordance with State law (65 ILCS 5/11-13-14) and the provisions of this section. Proposed alterations of district boundaries or proposed changes in the status of uses (permitted, special, prohibited) shall be deemed proposed amendments. Amendments may be proposed by the City Council, the Zoning Administrator, or the Plan Commission.

##### **Section 9-510 FILING**

Every proposal to amend this ordinance shall be filed with the Zoning Administrator on a prescribed form. The Zoning Administrator shall promptly transmit said proposal, together with any comments or recommendations, to the Plan Commission for a public hearing.

##### **Section 9-520 PUBLIC HEARING NOTICE**

The Plan Commission shall hold a public hearing on every amendment proposal within a reasonable time. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of the hearing, and the nature of the proposed amendment shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing:

- A. by publication in a newspaper published within this municipality; and
- B. by mail to all parties within 300 feet of the property for which re-zoning is requested.

##### **Section 9-530 ADVISORY REPORT, FINDINGS OF FACT**

Within a reasonable time after the public hearing, the Plan Commission shall submit an Advisory Report to the City Council stating its recommendations regarding adoption of the proposed amendment, and reasons therefore. If the effect of the proposed amendment would be to alter district boundaries or to change the status of any use, the Plan Commission may include in its advisory report findings of fact concerning the following matters:

- A. existing use(s) and zoning of the property in question;
- B. existing use(s) and zoning of other lots in the vicinity of the property in question;
- C. suitability of the property in question for uses already permitted under existing regulations;

- D. suitability of the property in question for the proposed use;
- E. the trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned; and
- F. the effect the proposed re-zoning would have on implementation of this municipality's comprehensive plan.

**Section 9-540 ACTION BY CITY COUNCIL**

The Council shall act on every proposed amendment at its next regularly scheduled meeting following submission of the Plan Commission Advisory Report. Without further public hearing, the Council may pass any approved proposed amendment or may refer it back to the Plan Commission for further consideration, by simple majority vote of all the members then holding office. No proposed amendment once denied by the City Council shall be again considered within a period of 12 months from the date of such denial.

**Section 9-545 EXCEPTION**

The favorable vote of at least two-thirds of all the members of the Council is required to pass an amendment to this ordinance when the proposed amendment is opposed, in writing, by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage immediately adjoined or across an alley there from, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered. (65 ILCS 5/11-13-14)

# **ARTICLE 10 - SPECIAL USE PERMITS FOR RESIDENTIAL AND AGRICULTURAL DISTRICTS**

## **Section**

10-100 Purpose

10-200 Application for Special Use Permit

10-400 Site Plan Approval for Special Use Permit

10-500 Period of Validity

10-600 Pre-Engineered Metal Buildings in C-3, C-4, and C-5

## **Section 10-100 PURPOSE**

Granite City's comprehensive zoning ordinance divides the City into districts of mutually compatible permitted uses. In addition to such permitted uses, sometimes it may be necessary or desirable to allow C-1 and C-2 uses in agricultural or residential districts. Due to the potential influence upon neighboring uses, need to be regulated with respect to location or operation for the protection of the community.

## **Section 10-200 APPLICATION FOR SPECIAL USE**

### **Section 10-210 FILING**

Every application for a special use shall be filed with the Zoning Administrator upon a prescribed form. The Zoning Administrator shall transmit application, with any comments or recommendations, to the Plan Commission for a public hearing.

### **Section 10-220 PUBLIC HEARING, NOTICE**

The Plan Commission shall hold a public hearing on every application for a Special Use Permit within a reasonable time. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of the hearing, and the nature of the proposed amendment shall be given not more than (30) nor less than (15) days before the hearing:

- A. by publication in a newspaper published within this municipality; and
- B. by mail to all parties within 300 feet of the property for which the Special Use Permit is requested.

### **Section 10-230 ADVISORY REPORT, FINDING OF FACT**

Within a reasonable time after the Public Hearing, the Plan Commission shall submit an Advisory Report to the City Council stating its recommendations regarding the granting of the Special Use Permit and reasons therefore. A Special Use Permit shall only be granted of the special use:

- A. Is necessary for the public convenience at that location, or, in the case of existing nonconforming uses, a special use permit will make the use more compatible with its surroundings; and
- B. Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; and
- C. Will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; and
- D. Except as may be otherwise recommended by the Plan Commission solely in the case of planned developments, will conform to the applicable regulations of, and preserve the essential character of the district in which it is to be located.

**Section 10-235 CONDITIONS**

Special Use permits may include conditions or restrictions on construction, location and operation as deemed necessary to meet the requirements above, including, but not limited to:

- A. provisions for the protection of adjacent property.
- B. the expiration of such Special Use after a specified period of time,
- C. off-street parking and loading,
- D. Dumpster requirements - see Art. 5, Sect. 5-1600
- E. any other criteria as may be deemed necessary to secure the general objective of this Zoning Code, and to reduce injury to the value of property in the neighborhood.

**Section 10-240 ACTION BY THE CITY COUNCIL**

The City Council shall act on every application for a Special Use Permit at its next regularly scheduled meeting following submission of the Plan Commission Advisory Report. Without further public hearing, the City Council may pass any approved Special Use Permit or may refer it back to the Plan Commission for further consideration. A two-thirds vote of the City Council is required to grant a Special Use Permit.

**Section 10-400 SITE PLAN APPROVAL FOR SPECIAL USE PERMITS**

**10-405 REQUIRED**

All applications for a Special Use Permit will require Site Plan approval.

**10-410 PRELIMINARY SITE PLAN**

- A. The following data and drawings are required for the preliminary site plan:

1. Site Location Diagram – small diagram map indicating position in the City and in relation to surrounding streets and the City’s major street network (may be different scale from remaining items).
  2. Title Block and Reference Information
    - a. Name of project
    - b. Name of property owner
    - c. Name of applicant/developer
    - d. Name of architect or engineer
    - e. Date of submission with provision for dating revisions
  3. Site Dimensions - show dimensions of site perimeter, applicable zoning setback line, site area in square feet, an access (may be approximate for preliminary submission).
  4. Site Surroundings - indicate the property line, ownership and location of all buildings occupying and property abutting subject property or location within a distance of three hundred (300) feet from the perimeter of the site (may be drawn at a different scale from other plan items).
  5. Easements and Zoning Boundaries - Indicate location and nature of easements and zoning boundaries.
  6. Site Topography - Provide existing and proposed contours at intervals of two (2) feet or less (may be approximate and drawn from enlarged USGS maps for preliminary submission) or as deemed appropriate by the City Engineer.
  7. Landscaping – approximate location of all trees over nine inch (9”) caliper, whether to remain or to be removed
- B. The preliminary plan may be in sketch form but must be drawn to scale and with reasonable accuracy. The plan may be drawn “hard-lined” or freehand if skillfully executed. It may consist of (1) or more sheets or drawings at a scale of 1” = 50’ or larger (prefer engineers scale = 20’, 1”=40’ etc., rather than architect scale, 1/16”=1’0”, etc.).

**Section 10-420 FINAL SITE PLAN**

The Site Plan shall contain the following information as well as such additional information as the Plan Commission may require.

- A. The name(s) and address(s) of all parties in interest, and operator of proposed structure and use, if any.

- B. All necessary data; title evidence, and drawings for the Zoning Administrator to determine whether the proposed use and development complies with the district requirement and for the City departments affected by the project to assess the impact of the proposed development on public facilities and services and in the surrounding area.
- C. Building location, size and site.  
Outline in a solid line and locate with dimensions from the property line the “foot print” of all buildings. All building extensions or projections beyond the primary façade should be drawn with dotted lines. Indicate also building perimeter dimensions and heights.
- D. Parking layout and driveways.  
Including notation of parking stall size, aisle and driveway widths, and number of cars in each row of parking spaces.
- E. Landscaping plan.  
Describe existing and proposed landscape material by size and species along with related site improvements such as retaining walls, walkways, plazas, etc. Locate all trees over six inch (6) caliper and indicate which are to remain and which are to be removed as well as describing accurately the size, type and location of all planned plant material.
- F. Utilities.  
Indicate provision for or access to major utilities including water, storm sewers, sanitary sewers, gas and electricity.
- G. Storm water management and erosion control.  
Indicate provisions to be made to direct and detain storm water on-site in accordance with applicable City regulations and to mitigate erosion both during and following completion of construction.
- H. Lighting.  
Indicate the location of light standards along with both a graphic and catalog reference describing the proposed standard.
- I. Development data.  
Indicate in tabular form the following information:
1. site area (square feet and acres)
  2. gross building floor area (sq. feet)
  3. leasable floor area (GLA, sq. feet) (GLA/gross leased area)
  4. percentage of leasable to gross floor area (c/b)
  5. floor area ration (c/a)

6. building coverage (building “foot print”/a)
7. site coverage (f + parking & driveways area/a)
8. parking spaces required
9. parking spaces provided
10. existing and proposed zoning

**Section 10-500 PERIOD OF VALIDITY**

No Special Use Permit granted by the City Council shall be valid for a period longer than six (6) months from the date it grants the Special Use Permit, unless within such period:

- A. a building permit is obtained and construction is begun; or
- B. if a building permit is not required, a Certificate of Occupancy Use obtained and the use of building commenced.

The City Council may grant extensions not exceeding one hundred eighty (180) days each, upon written application, without notice or hearing.

**Section 10-600 PRE-ENGINEERED METAL BUILDINGS IN C-3, C-4, AND C-5**

All construction of Pre-Engineered Metal Buildings in C-3, C-4, and C-5 shall comply with Article 10 requirements for Special Use. Applications shall include but may not be limited to:

- A. Design calculations and/or a letter of certification signed and sealed by a registered professional engineer/architect shall be submitted for the structural framing and covering panels for the building system.
- B. All footing and foundations will comply with standard frost footing for the area and six inches (6") thickness on floor with rock sub-grades.
- C. The building will be required to consist of 30% brick or other facade to meet the ascetics or the surrounding neighborhood.
- D. Landscaping in accordance with Section 5-15, Landscape Frontage.
- E. Building will comply with International Building Codes as adopted by the City.

# ARTICLE 11 “B-1” MADISON AVENUE BUSINESS DISTRICT

## Section

- 11-050 Introduction
- 11-100 Intent and Purpose
- 11-200 Lot and Building Requirements
- 11-300 Uses
- 11-400 Off-Street Parking and Loading
- 11-500 Parking Area Design Standards
- 11-600 Design and Location of Off-Street Loading Facilities
- 11-700 Computation of Required Parking/Loading Spaces
- 11-800 Sign Regulations

### **Section 11-050 INTRODUCTION**

The “B-1” Madison Avenue Business District is a zoning district unique to Madison Avenue. The Madison Avenue Business District encompasses property abutting Madison Avenue and one lot in depth, from and including the 2400 block of Madison Avenue through the 3000 block excepting the existing C-5 zoning beginning in the 3000 block of Madison Avenue.

### **Section 11-100 INTENT and PURPOSE**

The INTENT and PURPOSE of this district is to create an area that provides for professional offices and small scale sales and service facilities while maintaining the integrity of the adjacent residential districts. Notwithstanding the provision of Article 3, Sections 3-100 and 3-150 of this Zoning Code, the “B-1” Madison Avenue Business District shall not be subject to expansion under any circumstances.

### **Section 11-200 LOT AND BUILDING REQUIREMENTS**

#### A. General

Every building used as a commercial structure in the “B-1” MADISON AVENUE BUSINESS district shall conform to the applicable requirements of this section:

#### REQUIREMENTS

- |    |                         |                  |
|----|-------------------------|------------------|
| 1. | Minimum lot area:       | 9,600 sq. feet   |
| 2. | Minimum lot width:      | 80 feet          |
| 3. | Maximum lot depth:      | (1) one lot deep |
| 4. | Minimum setbacks:       |                  |
|    | a. From front lot line: | 20 feet          |

- b. From side lot line: 5 feet
- c. From back lot line: 10 feet
- 5. Maximum building height: 35 feet  
Not to exceed two (2) stories
- 6. Maximum percentage lot building coverage: 35%

**B. Commercial Uses Exempt from Lot and Building Requirements**

Upon the effective date of this ordinance, all existing commercial uses and any successor commercial uses, as herein defined, in the Madison Ave Business District “B-1” are hereby exempt from the above Lot and Building Requirements.

A successor commercial use is defined as a C-1 or a C-2 permitted use. This exemption shall remain valid so long as the commercial use or any successor commercial use is not intensified or discontinued for a period in excess of six (6) months. Any successor commercial use exempt from the Lot and Building Requirements comply with all of the remaining provisions of the “B-1” Zoning District. Home Occupancy do not qualify for this exemption.

**Section 11-300 USES**

**Section 11-310 PERMITTED USES**

Any use permitted in the “C-1” Office Commercial District and the “C-2” Neighborhood Commercial District provided such use is not in conflict with the INTENT and PURPOSE of this article.

**Section 11-320 NON-PERMITTED USES**

- A. Special Use Permits
- B. Home Occupancy Permits
- C. Retail Liquor Sales

**Section 11-330 USE RESTRICTIONS**

- A. Retail Use Only: Every commercial or service establishment located in this district shall deal directly with consumers.
- B. Hours of Operation: Every commercial or service establishment located in this district shall limit their hours of operation from 7:00 a.m. to 10:00 p.m.; excepting mechanical banks or automatic tellers.
- C. Enclosed Buildings: All commercial, service and storage activities shall be conducted within enclosed buildings.

- D. Refuse Containers: All refuse generated by any establishment located within this district shall be stored in tightly-covered containers placed in a visually-screened area and must conform to City Ordinance #4194 limiting hours of garbage pick-up.
- E. Screening:
1. Screening shall conform to requirements of Article 5, Section 5-300 except as specifically modified by this section.
  2. Screening for purposes of said district, shall be defined as a wall, solid fence 6 feet (+/- ½ ft.) in height (finished side of fence in view of public) or closely planted shrubby at least six (6) feet (+/- ½ ft.) high.
  3. Prior to installation, screening shall be reviewed and approved by the Zoning Administrator in accordance with a prescribed check list.
  4. No screening is permitted in the area between front building line and the sidewalk or curb.
- f) Landscape Frontage: As stated herein, no parking area space, fence or lot may extend beyond the front building line. The area from the front building line to the sidewalk or curb, whichever is applicable, shall be designated "Landscape Frontage". The Landscape Frontage shall be of the following materials only: grass; shrubbery; trees and ground cover; and may be enhanced with no more than 50% decorative rock, stone, brick or wood; or, a combination of any of the listed materials.

## **Section 11-400 OFF STREET PARKING AND LOADING**

### **Section 11-410 APPLICABILITY OF ARTICLE**

Off-street parking and loading shall be provided in accordance with this Article for all structures and uses erected or established after the effective date of this section.

### **Section 11-420 EXISTING PARKING/LOADING FACILITIES**

- a) Existing off-street parking or loading facilities located on the same lot as the use served shall not be reduced, or if already less than, shall not be further reduced - below the requirements and standards for similar new structures or uses.
  - b) When an existing structure or use is damaged or destroyed and subsequently repaired or rebuilt, parking/loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored, but additional parking/loading facilities need not be provided.
- C. Whenever the use of any structures or premises is intensified through addition of dwelling units, increased floor area, greater seating capacity, etc., additional parking and loading facilities commensurate with such increases in use-intensity shall be provided.

- D. Whenever the existing use of a structure is changed to a different use, parking or loading facilities shall be provided as required herein for such new use.

## **Section 11-500 PARKING AREA DESIGN STANDARDS**

### **Section 11-505 LOCATION AND SETBACKS**

Parking spaces accessory to any use located in the Madison Avenue Business District shall be located on the same lot or adjacent lot of said use. No parking area, space or lot shall extend beyond the front building line, and there shall be a minimum twenty (20) foot front set back. Side set back shall be a minimum of five (5) feet and rear set back shall be a minimum of (10) feet.

### **Section 11-510 SPACES**

- A. Each required parking space shall be at least ten (10) feet wide and twenty (20) feet long, and shall have at least seven (7) feet of vertical clearance. Every space shall be situated so that no part of any parked vehicle overhangs the public right-of-way.
- B. Markings shall be laid and restored as often as necessary to clearly delineate each parking space.

### **Section 11-520 INTERIOR AISLES**

Aisles within parking lots shall be sufficiently wide to permit safe and efficient vehicular movement in the aisles, and into and out of parking spaces. Aisles designed for two-way traffic shall be at least twenty-two (22) feet wide. One-way aisles designated for sixty degree (60) parking shall be at least eighteen (18) feet wide, and for forty-five degree (45) parking shall be at least fourteen (14) feet wide.

### **Section 11-530 ACCESS WAYS**

- A. Parking areas shall be designed so that ingress to or egress from a parking space is from an aisle or driveway, not directly from the public right-of-way. (No alley way ingress or egress permitted)
- B. No access way to any parking area may be located within twenty-five (25) feet of any corner formed by the intersection of the rights-of-way to two or more streets. At intersections where traffic control devices are installed, the Zoning Administrator may increase this requirements as necessary to prevent hazards.
- C. Parking area access ways (including residential driveways) and public streets shall be aligned to form right angels as closely as feasible.
- D. The access way to every parking lot located in this Commercial District shall be at least twenty-four (24) feet wide; unless two one-way drives, each twelve (12) feet wide, are provided. Side lot set back requirements must be observed.

**Section 11-540 SURFACING**

Parking lots shall be graded and improved with a compacted stone base at least six (6) inches thick and three (3) inches bituminous asphaltic concrete or four (4) inches P C concrete.

**Section 11-550 LIGHTING**

Any light(s) used to illuminate any parking area shall be arranged or shielded so as to confine direct light rays within the parking area boundary lines to the greatest extent practical.

**Section 11-560 LANDSCAPING**

- A. A minimum of 5% of the total parking lot area shall be set aside for said landscaping.
- B. A landscaping plan (either a separate document or an element of a more inclusive development plan) shall accompany every application for an initial certificate of zoning compliance to develop any parking lot. The landscaping plan shall include the following information:
1. proposed type, amount, size, and spacing of plantings, including trees, shrubbery, and ground cover;
  2. proposed size, construction materials, and drainage of landscaped islands or planting beds; and
  3. sketch indicating proposed spatial relationships of landscaped areas, parking spaces, automobile circulation, and pedestrian movement.

**Section 11-600 DESIGN AND LOCATION OF OFF-STREET LOADING FACILITIES**

All off-street loading facilities for the "B-1" MADISON AVENUE BUSINESS DISTRICT shall conform to the minimum standards indicated below:

**Section 11-610 SIZE OF SPACE**

Every required off-street loading space shall be at least twelve (12) feet wide and forty-five (45) feet long exclusive of aisle and maneuver space, and shall have vertical clearance of at least fourteen (14) feet. In no case shall a vehicle being loaded or unloaded overhang into the public right-of-way.

**Section 11-620 ACCESS WAY**

Every off-street loading space shall have a safe means of vehicular access to a street. Such access way shall be at least twelve (12) feet wide.

**Section 11-630 SURFACING**

Every off-street loading area shall be improved with a compacted stone base at least six (6) inches thick, surfaced with at least three (3) inches of asphaltic concrete or four (4) inches of P C concrete.

**Section 11-640 BUFFER STRIPS**

No loading space or area for vehicles over two ton cargo capacity shall be developed closer than twenty-five (25) feet to the lot line of any lot located in any residential district unless such space/area

is completely enclosed by walls, a solid fence, or closely planted shrubbery at least six (6) feet (+/- ½ ft.) in height and of sufficient density to block the view from the residential property.

### **Section 11-650 LOCATION**

Every off-street loading space that is required or provided shall be located on the same parcel of land as the use served, and not closer than fifty (50) feet to the intersection of the rights-of-way of two or more streets, and not on required front yards.

### **Section 11-700 COMPUTATION OF REQUIRED PARKING/LOADING SPACES**

In computing the number of parking spaces required by this Zoning Ordinance, the Zoning Administrator shall apply the rules set forth in Article 6, Section 6-500 and 6-600.

### **Section 11-800 GENERAL SIGN REGULATIONS**

#### **Section 11-810 GENERAL**

All signs for the "B-1" Madison Avenue Business District shall conform with the following conditions and must be approved by the Zoning Administrator.

- A. Any sign not expressly permitted by this section (11-800) shall be deemed prohibited in the Madison Avenue Business District.
- B. Existing Signs. Any lawful sign existing on the effective date of this section that could not be erected under the terms of this ordinance because of restrictions on size, height, setbacks, or other characteristics of the sign or its location on the lot may lawfully remain, subject to the following provisions:
  - 1. No sign shall be enlarged or altered in any way which increases its nonconformity.
  - 2. No sign shall be relocated unless, after relocation, it will conform to all the regulations of this section.
  - 3. Registration within 180 days. Any sign or street graphic which exists in the Madison Avenue Business District on the effective date of this section shall be registered by the owner with the Zoning Administrator within 180 days on a form provided by the Zoning Administrator. Any owner who fails to register a sign or street graphic within 180 days of the enactment of this ordinance shall be required to file an application to the Planning Commission.
- C. Replacement.
  - 1. Any sign which is partially destroyed or damaged (up to 50% as determined by the Building Inspector) may be reconstructed; provided such work is
    - a. certified by the Building Inspector

- b. commenced within six (6) months from the date the damage occurred,
  - c. diligently pursued to completion, and
  - d. no intensity of use or greater nonconformity is permitted.
- D. Additional Signs No additional sign or other street graphic shall be allowed to be erected unless all existing signs located on the same property comply with the terms of this Section.

#### **Section 11-820 CALCULATION OF SIGN AREA**

The area of every sign shall be calculated as follows:

- A. If a sign is enclosed by a box or outline, the total area including background, within that outline shall be deemed the sign area.
- B. If a sign consist of individual letters, parts, or symbols, the area of the one imaginary square, or rectangle which would completely enclose all the letters, parts, or symbols shall be deemed the sign area.

#### **Section 11-830 SIGN AREA ALLOWANCE**

If any establishment has frontage on two or more streets, each side having frontage shall be considered separately for the purpose of determining compliance with provisions of this Section.

#### **Section 11-840 MOVEMENT PROHIBITED**

No sign or other street graphics shall revolve, rotate, or mechanically move in any manner.

#### **Section 11-850 ILLUMINATION**

Illumination of Signs is permitted, subject to the following requirements:

- A. If both flush-mounted and free-standing signs are erected on the same property in accordance with this Article, illumination shall be permitted on both signs as long as the lights are extinguished at closing or at 10:00 p.m. whichever is earlier.
- B. Only white light is permitted.
- C. No sign shall have blinking, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness, or color.
- D. The light from any illuminated sign or other street graphic shall be shaded, shielded, or directed so as to avoid the creation or continuation of any nuisance or traffic hazard.
- E. No exposed reflective type bulb, and no strobe light or incandescent lamp which exceeds fifteen (15) watts, shall be used on the exterior surface of any sign in such a manner as to expose the face of the bulb, light or lamp to any public street or to adjacent property.

### **Section 11-860 STRUCTURAL AND MAINTENANCE**

- A. Every sign shall be designed and constructed in conformity with the applicable provisions of the Building Code.
- B. The electrical component of any illuminated sign shall conform to the applicable requirements of the Electrical Code.
- C. Every sign shall be maintained in a neat and attractive condition by its owner. The sign supports shall be kept painted/treated to prevent rust or deterioration.

### **Section 11-870 PERMITTED SIGNS**

Flush-mounted and free standing signs are permitted in this district, in accordance with the following restrictions:

- A. Flush-mounted signs:
  - 1. Shall not project more than twelve (12) inches from the wall or surface to which it is attached (if such wall/surface is not vertical, the projection shall be measured from the closest point of the wall/surface to the sign);
  - 2. Shall not extend more than one and one half (1.5) feet above the roof plate of the building to which said sign is attached.
  - 3. Sign area allowance: A maximum of one (1) square foot of sign area shall be permitted per two (2) lineal feet of building frontage.
- B. Free-standing signs:
  - 1. Shall be limited to two (2) sides, and both sides may be used.
  - 2. Shall not exceed five (5) feet in height from the average ground elevation of the lot.
  - 3. Shall not exceed twenty-four (24) square feet in total signage area per side.
  - 4. Shall be set back a minimum of five (5) feet from the front property line and a minimum of five (5) feet from the side property line.
  - 5. Shall not create a hazard or impede pedestrian or vehicular traffic.

### **Section 11-880 EXEMPTION**

Any tract of land situated in the City of Granite City which has been granted, prior to adoption of this Ordinance, a special exemption permit subject to and conditioned upon, inter alia, all signs conforming to B-1 Madison Avenue sign restrictions, shall be required to comply with the restrictions of Section 11-800, General Sign Regulations, in effect when the applicable special

exemption permit was granted. A copy of said Section 11-8, General Sign Regulations, in effect when the applicable special exemption permit was granted.

# **ARTICLE 12 - LINCOLN PLACE PLANNED UNIT DEVELOPMENT**

## Section

- 12- 050 Intent and Purpose
- 12- 100 Boundaries
- 12- 200 Lot & Building Requirements
- 12- 300 Permitted Uses
- 12- 400 Use Restrictions
- 12- 500 Parking
- 12- 800 Procedures
- 12-1600 Non-Conforming Uses, Special Exemption Permit
- 12-1700 Map

### **Section 12-050 INTENT AND PURPOSE**

The INTENT and PURPOSE of this Article is to create an area that provides for growth, development and redevelopment for offices, retail sales, service facilities, eating establishments and residential areas which complement and maintain the integrity of the adjacent residential districts.

### **Section 12-100 BOUNDRIES**

The Lincoln Place Planned Unit Development (PUD) is a zoning district within the following boundaries:

Beginning at the intersection of Route 3 and Niedringhaus Avenue to the intersection of Walnut Street and Niedringhaus Avenues, along both sides of Niedringhaus Avenue, one lot deep (to the alley).

The area within the Lincoln Place Planned Unit Development is shown on the attached map and will be referred to as the District or PUD in this Article.

### **Section 12-200 LOT & BUILDING REQUIREMENTS**

Each application for a Permit in the District will be evaluated as to lot size, specific design and building requirements by the Plan Commission on an individual basis.

### **Section 12-300 PERMITTED USES**

The following uses are permitted in the District provided they do not conflict in any way with the INTENT and PURPOSE of this article:

- A. Single family housing.
- B. The following uses are permitted on the ground floor:

Antiques Shops  
Artist Studios/Galleries  
Bank Facilities  
Barber Shops  
Book/Music Stores  
Boutiques – Fashion Apparel, Accessories & Vintage  
Candy Stores  
Cigar Shops  
Cosmetics & Wig Shops  
Florist Shops  
Gift & Greeting Card Shops  
Hair/Nail Salons and Day Spas (Licensed)  
Historical Sites  
Hobby, Craft & Quilting Shops  
Photographic Studios  
Picture Frame Shops  
Restaurants, Cafes, Desert Bars, Delicatessens, Pastry Shops, Sandwich Shops,  
Bakeries, Coffee Shops, Ice Cream Shops,  
Sports Bars, Pubs, Jazz Clubs (No Take-out Liquor Sales Allowed)  
T-Shirt Shops  
Theaters (Movie & Live)  
Vitamin and Health Food Shops

C. The following uses are permitted other than on the ground floor:

All of the uses listed in Section B above  
Accounting/CPA Firms  
Administrative Offices  
Apartments & Lofts  
Architects Offices  
Attorney Offices  
Computer Sales & Service  
Engineering Offices  
Insurance Offices  
Real Estate Sales, Appraisal  
State & Government Offices  
Title Closing (Real Estate) Companies  
Travel Agencies

D. Existing Uses

Business operating in the District as of October 1, 2012 but not on the list of businesses permitted within this District, may continue to operate. Additionally, the same type of business may operate if the business is sold, or if the business has closed (due to fire or other event), if there is no intensification of use.

## **Section 12-400 USE RESTRICTIONS**

- A. Residential: Any residential property in this District may be used as commercial but no commercial property may be used as residential.
- B. Enclosed Building: All commercial, service and storage activities shall be conducted within enclosed buildings. Except by the granting of a variance by the Plan Commission (i.e. patio dining, special products).
- C. Refuse Containers: All refuse generated by any establishment located within this District shall be stored in tightly-covered containers placed in a visually-screened area and must conform to City Ordinance #4194 limiting hours of trash/garbage pick-up from 7:00 am to 8:00 p.m.
- D. Screening: Appropriate screening, if any, will be determined on an individual basis.
- E. Decorative Materials: Any decorative materials (fencing, poles, etc.) used to enhance the property shall be allowed upon review and approval, prior to installation, by the Plan Commission.
- F. Retail Use Only: Every commercial or service establishment located in this Sub-District shall deal directly with consumers.

## **Section 12-500 PARKING**

Parking within the District will be determined by the Plan Commission on an individual basis for each application. No semi truck or trailer overnight parking.

## **Section 12-800 PROCEDURE**

- A. Appearance before Plan Commission
  - 1. Any development or redevelopment within this District, including the sale of rental residential property, will require a Permit and be brought before the Plan Commission for consideration.
  - 2. A development does NOT include: interior repair and maintenance which does not change the exterior appearance of the building, repairs to bring a building into compliance with any Granite City building code other than the Zoning Code Ordinance #3818, and the repair of the roof of the building.
  - 3. The sale of an Owner-Occupied single family residential property to another Owner-Occupied single family need not be brought before the Plan Commission.

B. Filing Application

1. All applicants bringing forth a petition for a Permit within this District to the Plan Commission must be in good standing with the City. All outstanding violations on behalf of the applicant or any affiliated company must be resolved on any and all properties within the City of Granite City, i.e. code violations, outstanding debts due the City (sewer, etc.) prior to submission of a petition for a Permit for a new development within this District.
2. The applicant bringing a petition before the Plan Commission must pay the costs for any mailing or newspaper notice.
3. Information Required.  
Every application submitted to the Plan Commission for review and approval must contain the following information before the application can be scheduled for a Plan Commission meeting.
  - a. A complete application
  - b. Site plan of the property and all structures located on the property.
  - c. Description of shape and dimensions of the lot.
  - d. Photograph of lot and existing structures
  - e. Color drawings of proposed structure and modifications
  - f. Samples of all proposed material. (brick, siding, roofing, fencing, etc.)

C. Advisory Report, Finding of Fact

When making a recommendation to the City Council, the Plan Commission shall submit an Advisory Report stating its reasons.

The Plan Commission may include in its advisory report findings of fact concerning the following matters:

1. Existing use(s) and zoning of the property in question;
2. Existing use(s) and zoning of other lots in the vicinity of the property in question;
3. Suitability of the property in question for uses already permitted under existing regulations;
4. Suitability of the property in question for the proposed use;
5. The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned; and
6. The effect the proposal would have on implementation of this

municipality's comprehensive and/or master plan.

7. Whether the property has been declared a historic building.

D. Registration.

Each business within this District must register at the time it obtains or renews its business license. This registration includes rental residential property.

E. Failure to commence development within six (6) months after approval by the Plan Commission of the Permit can result in the lapse of the development plan, with any building permits becoming null and void. All development shall be brought for review before the Plan Commission on the seventh month after approval.

## **Section 12-1600 NON-CONFORMING USES, SPECIAL EXEMPTION PERMIT**

### **Section 12-1605 GENERAL**

On occasion there may be such unique features or circumstances with regards to non-conforming lots, structures, and uses of land or structures, that a party in interest and/or operator of a proposed structure or use will require relief from the provisions of this Article through an application to the Plan Commission for a Special Exemption Permit. This section shall not be construed as being contrary to the general elimination of non-conformities.

### **Section 12-1610 FILING**

Every application for a Special Exemption Permit shall be filed with the Zoning Administrator on a prescribed form. The Administrator shall transmit the application, together with any comments or recommendations, to the Plan Commission for a public hearing.

### **Section 12-1620 PUBLIC HEARING, NOTICE**

Plan Commission shall hold a public hearing on every application for a Special Exemption Permit within a reasonable time. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date and place of the hearing, and the nature of the proposed amendment shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing.

1. by publication in a newspaper with this municipality; and,
2. by mail to all parties within 300 feet of the property for which the Special Exemption Permit is requested.

### **Section 12-1630 ADVISORY REPORT, FINDING OF FACT**

Within reasonable time after the public hearing, the Plan Commission shall submit its Advisory Report to the City Council. The Advisory Report shall state the recommendation regarding adoption of the proposed Special Exemption Permit, reasons therefor, and any findings of fact. The Advisory Report should contain information regarding days and hours of operation, allowed signs, and required screening, and installation of outside lighting.

### **Section 12-1640 ACTION BY CITY COUNCIL**

The City Council shall act on every proposed Special Exemption Permit at its next regularly scheduled meeting following submission of the Advisory Report. Without further public hearing, the Council may pass any approved Special Exemption Permit or may refer it back to the Plan Commission for further consideration, by simple majority vote of all members then holding office.

### **Section 12-1650 REQUIREMENT FOR AUTHORIZATION**

A Special Exemption Permit shall only be granted if the proposed use:

1. is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; and
2. will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; and
3. will not substantially alter the essential character of the district in which it is to be located; and,
4. should be able or necessary to extract reasonable value from the use of the property.

### **12-1660 CONDITIONS**

Special Exemption Permits may include conditions or restrictions upon the construction, location and operation of a non-conforming lot, structure, and use of land or structure, including, but not limited to:

1. those required to meet the objective set forth in this Article;
2. provisions for the protection of adjacent property;
3. the expiration of such exemption after a specified period of time;
4. off-street parking and loading; and
5. any other criteria as may be deemed necessary to secure the general objective of this Zoning Code, and to reduce injury to the value of property in the neighborhood.

**Section 12-1700 MAP**

**ARTICLE 13 - RESERVED**

# **ARTICLE 14 - TELECOMMUNICATIONS SERVICES AND FACILITIES**

## **Section**

- 14-100 Purpose
- 14-200 Definitions
- 14-300 Applicability
- 14-400 Requirements
- 14-500 Telecommunications Facilities Permits
- 14-600 Removal of Facilities

## **Section 14-100 PURPOSE**

The purpose of this Section is to establish regulations for towers, antennae, and telecommunication facilities that:

- A. Protect residential areas and land uses by minimizing adverse impacts.
- B. Encourage the location of telecommunications facilities on City owned property.
- C. Enhance the ability to provide telecommunications services to the community quickly, effectively and efficiently.
- D. Promote collocation and the shared use of towers, and to encourage the attachment of antennae to existing facilities.
- E. Reduce the need for new towers.
- F. Minimize adverse visual impacts by design, landscape screening, and camouflage.
- G. Avoid potential damage to property.
- H. Ensure that telecommunications facilities, towers and antennae do not compromise public safety communications.

## **Section 14-200 DEFINITIONS**

Alternative Tower Structure: includes clock towers, bell steeples, light poles and similar alternative design mounting structures. This term also includes any antenna or antennae array attached to the alternative tower structure.

Antenna: any exterior transmitting or receiving devise(s) mounted on a tower, building or structure and used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

FAA: Federal Aviation Administration.

FCC: Federal Communications Commission.

Lattice or Self-Supporting Tower: a tower that has open-framed supports on three (3) or four (4) sides and is constructed without guy wires and ground anchors.

Monopole: a tower consisting of a single-pole constructed without guy wires or ground anchors.

Telecommunications Facilities: the plant, equipment and property, including but not limited to; cables, wires, conduits, ducts, pedestals, antennae, towers, telecommunications support facilities, alternative tower structures, electronics and other appurtenances; used to transmit, receive, distribute, provide or offer telecommunications services.

Telecommunications Service: the providing or offering for rent, sale, lease, or in exchange for other value received; of the transmittal of voice, data, image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities.

Telecommunications Support Facilities: support buildings, structures and equipment cabinets containing electrical and mechanical equipment and devices used for the reception of or transmission of voice, data image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities.

Tower: any structure designed and constructed primarily for the purpose of supporting one or more antennae, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, and other similar structures. This term also includes any antenna or antennae array attached to the tower structure.

Tower Height: when referring to a tower or other alternative tower structure, the distance measured from the lowest point on the ground within ten (10) feet of the structure to the highest point on the tower or other alternative tower structure, including the base pad and any antenna.

#### **Section 14-300 APPLICABILITY**

- A. New Towers and Antennae. All new towers or antennae in the City shall be subject to these regulations including pre-existing towers where new antennae are proposed to be installed.
- B. Pre-Existing Towers or Antennae. Pre-existing towers and pre-existing antennae in place prior to the date of the adoption of this ordinance shall be required to meet the requirements of Sections 4 and 6.
- C. Assignment or Sale. If a tower is sold, or the use of the tower is assigned or sold; the new owner or assignee shall notify the City and shall be subject to the regulations contained in

this ordinance including the requirement of a Special Use Permit.

#### **Section 14-400 REQUIREMENTS**

- A. Permits and Approvals. Owners of telecommunications facilities shall certify that all permits and approvals required by law have been obtained and shall file copies of same.
- B. Business License. Owners and/or operators of telecommunications facilities shall obtain a Business License from the City.
- C. Municipal Antenna. All owners of Telecommunication Towers shall allow the City to place its antenna and other radio or communication equipment on the tower where said antenna or equipment does not interfere with the operation of owner's antenna and equipment. Violation of this provision shall result in revocation of permit.
- D. Removal Bond. A removal bond in the amount of \$20,000.00 must be posted with the City Clerk prior to the issuance of a building permit. The removal bond must be accompanied by surety for the full amount of the bond, and said surety must be a business licensed by the State of Illinois to act as surety. The surety shall remain in full force and effect so long as the telecommunication tower and related equipment remain.
- E. OMITTED
- F. Separation. Separation distances between towers shall be one-half (½) mile.
- G. Setbacks. Telecommunications facilities, towers and antennae must be set back a distance equal to at least 100 percent of the height of the facility from any adjoining lot line. Accessory buildings must satisfy the minimum zoning district setback requirements.
- H. Support facilities. The telecommunications support facility shall have maximum gross floor space of 240 square feet and maximum height of 10 feet.
- I. Aesthetics. Antennae and towers shall be monopole style in C-4 and C-5. Antennae and towers shall maintain a galvanized steel finish or be painted to reduce visual obtrusiveness. Accessory buildings, supporting equipment, and related structures shall use materials and colors that blend into the natural setting and surrounding buildings.
- J. Security Fencing. Telecommunications facilities shall be enclosed by sight proof security fencing or walls not less than eight (8) feet in height and shall also be equipped with an acceptable anti-climbing design.
- K. Landscaping. Telecommunications facilities, towers and antennae shall be landscaped with a green space at least ten (10) feet wide. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible.

- L. Signs. A permanent plaque must be placed outside the facility stating the owner's name, address, and phone number. No other signs shall be allowed on the antenna, tower, or facility.
- M. Lighting. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

**Section 14-500 TELECOMMUNICATIONS FACILITIES PERMITS**

- A. Where Permitted. Telecommunications towers, antennae and facilities are permitted in the following zoning districts: Agricultural and Industrial [M -1, M -2, M -3, M -4, M -5]. They may be permitted in zoning districts C -4 and C -5.
- B. Special Use Permit. A Telecommunications Facilities Permit shall be required. Also, a Special Use Permit shall be required. Applications shall be submitted in the same manner as applications for a Special Use Permits.
- C. Information Required. Applicants for a Telecommunications Facilities Permit shall submit:

1. The name, address, and telephone number of the owner and lessee of the parcel of land and the owner and operator of the telecommunications facility.  
Additionally, the Registered Illinois Agent for each.
2. The name, address, and telephone number of the telecommunications company which will be collocating on the facility.
3. A scaled site plan.
4. Legal description of the parcel of land.
5. A landscape plan showing specific landscape materials, fencing, and illumination.
6. Coverage prediction maps showing the area served both prior to and after construction.
7. A co-location affidavit stating that space on the proposed tower will be made available to future users when technically possible and upon commercially reasonable terms.
8. A description of the unsuitability of existing towers, other structures or alternative technology.
9. An inter-modulation study.
10. A certified statement by a licensed structural engineer attesting to the structural

integrity of the facility, its ability to hold additional antennae, and that it will not interfere with public safety communications or reception of radio, television and other communications services.

11. An inventory of the applicant's existing telecommunications facilities, or sites which have been approved, or for which applications or petitions for approval have already been filed; that are either within the jurisdiction of the City or within one and one-half (1 ½) miles.
12. An application fee of \$750.00.

#### **Section 14-600 REMOVAL OF FACILITIES**

- A. The owners of the property and/or the Telecommunications Facilities shall notify the City of their intent to cease operation of such facilities at least sixty (60) days prior to such termination of operation.
- B. The owners of the property and/or the Telecommunications Facilities shall notify the City of any intent to sell such facilities or use of such facilities at least sixty (60) days prior to the sale.
- C. Any telecommunications facility, tower, or antenna that is not operated for a continuous period of twelve (12) months shall be considered abandoned.
- D. Upon receipt of the notice of intent to cease operations, or the determination of abandonment; the Zoning Administrator shall send a "Notice to Remove" to the owner of the telecommunications facility and the owner of the property by certified mail.
- E. The owners shall have sixty (60) days after the mailing of the notice to remove all of the facility, including footings and foundation.
- F. If the telecommunications facility is not removed within the sixty (60) days, the City may use the removal bond to remove such facility and may pursue any and all other available legal remedies.
- G. Any delay by the City in taking action to enforce the removal shall not waive the City's right to take any action at a later time.

# **ARTICLE 15 - HISTORICAL & ARCHITECTURAL REVIEW COMMISSION**

## **Section**

- 15-050 Intent and Purpose
- 15-100 Boundaries
- 15-200 HARC Established
- 15-300 Arts & Entertainment Sub-District – Central Core
- 15-400 Commercial Sub-District
- 15-500 Industrial Sub-District
- 15-600 Residential Sub-District
- 15-700 Sale or Closing of Non-Permitted Business
- 15-800 Procedure
- 15-900 Historic Designation
- 15-1000 General Design Standards Overview
- 15-1100 Renovations and Alterations to Existing Structures
- 15-1200 New Construction
- 15-1300 Fences
- 15-1400 Approved Exterior Building Materials
- 15-1500 Comprehensive Sign Control Regulations
- 15-1600 Non-Conforming Uses, Special Exemption Permit
- 15-1700 Map

## **Section 15-050 INTENT and PURPOSE**

The purpose of this Article is to protect the local historical character of the properties and surroundings of Downtown Granite City. Exterior alterations should not alter or destroy a building's distinctive architectural features. New construction in old neighborhoods must be compatible with existing patterns of building and landscape to maintain the historic character.

## **Section 15-100 BOUNDARIES**

### **A. General**

The Granite City Historical & Architectural Review Commission (HARC) has authority within the following boundaries:

Beginning at the intersection of 22<sup>nd</sup> Street and Madison Avenue proceeding to 16<sup>th</sup> Street, proceeding to Cleveland Boulevard, proceeding to 18<sup>th</sup> Street, proceeding to Benton Street, proceeding to 19<sup>th</sup> Street, proceeding to Adams Street, proceeding to 22<sup>nd</sup> Street, and returning to the intersection of 22<sup>nd</sup> Street and Madison Avenue.

- B. Arts & Entertainment Sub-District – Central Core  
The Arts & Entertainment Sub-District – Central Core shall be zoned D-1. This Sub-District is **within** the following boundaries:

Beginning at the intersection of 21<sup>st</sup> Street and Grand Avenue, along Grand Avenue to 19<sup>th</sup> Street, along 19<sup>th</sup> Street to Cleveland Boulevard, along Cleveland Boulevard to 21<sup>st</sup> Street, along 21<sup>st</sup> Street returning to the intersection of 21<sup>st</sup> Street and Grand Avenue.

- C. Commercial Sub-District  
The Commercial Sub-District shall be zoned D-2. This Sub-District is **within** the following boundaries:

Beginning at the intersection of 22<sup>nd</sup> Street and Madison Avenue along Madison Avenue to 18<sup>th</sup> Street, along 18<sup>th</sup> Street to Benton Street, along Benton Street to 19<sup>th</sup> Street, along 19<sup>th</sup> Street to Grand Avenue, along Grand Avenue to 22<sup>nd</sup> Street, along 22<sup>nd</sup> Street returning to the intersection of 22<sup>nd</sup> Street and Madison Avenue.

- D. Industrial Sub-District  
The Industrial Sub-District shall be zoned D-3 This Sub-District is **within** the following boundaries:

Beginning at the intersection of 18<sup>th</sup> Street and Madison Avenue along Madison Avenue to 16<sup>th</sup> Street, along 16<sup>th</sup> Street to Cleveland Boulevard, along Cleveland Boulevard to 18<sup>th</sup> Street, along 18<sup>th</sup> Street returning to the intersection of 18<sup>th</sup> Street and Madison Avenue.

- E. Residential Sub-District  
The Residential Sub-District shall be zoned D-4. This Sub-District is **within** the following boundaries:

Beginning at the intersection of 22<sup>nd</sup> and Grand Avenue, along Grand Avenue to 21<sup>st</sup> Street, along 21<sup>st</sup> Street to Cleveland Boulevard, along Cleveland Boulevard to 19<sup>th</sup> Street, along 19<sup>th</sup> Street to Adams Street , along Adams Street to 22<sup>nd</sup> Street, along 22<sup>nd</sup> Street returning to the intersection of 22<sup>nd</sup> Street and Grand Avenue.

## **Section 15-200 HISTORICAL & ARCHITECTURAL REVIEW COMMISSION ESTABLISHED**

### **Section 15-210 MEMBERSHIP**

The HARC shall consist of seven members, residents of the City, appointed by the mayor, on the basis of their particular fitness for their duty on the HARC.

### **Section 15-220 TERM OF OFFICE**

Of the seven members, four shall serve for a period of 4 years, and three for a period of 3 years. Subsequent terms of office for all members shall be 4 years. Vacancies shall be filled by appointments for unexpired terms only. All members of the Commission shall serve without

compensation. Three consecutive absences without excuse will be deemed to constitute a resignation. The Mayor will immediately replace the member with a new appointee to fill out the term of such member.

### **Section 15-230 OFFICERS AND THEIR DUTIES**

- A. The officers of the Historical and Architectural Review Commission shall consist of a Chairperson and a Vice Chairperson, both of whom shall be members of the HARC. Election of officers shall take place at the first meeting of the year.

The Chairperson shall be the presiding officer at all meetings and hearings of the HARC. The most recent edition of Robert's Rules of Order as amended, now and in the future, will govern procedures except where such rules conflict with Granite City ordinance. The Vice Chairperson shall act in the absence of the Chairperson.

In the absence of both the Chairperson and Vice Chairperson, a temporary Chairperson shall be appointed by vote of the membership.

- B. The Chairperson's general duties are: to open and call the meeting to order; to announce the business to be conducted; to recognize members and others entitled to the floor; to state and put to vote all questions which arise in the course of proceedings; and to announce the result of the vote.
- C. The Zoning Administrator, or designee, shall act as Secretary of the HARC and shall attend all meetings. In his or her absence, the Chairperson shall appoint a temporary secretary. The duties of the secretary are as follows: to keep records and minutes of each meeting; to call roll of the members; to record the number of votes for and against each question put to vote; and to furnish the agenda of the meeting.

### **Section 15-235 POWERS AND DUTIES**

The Granite City Historical & Architectural Review Commission (HARC) shall have the following powers and duties:

- A. To carry out the intent and purpose of this Article and to exercise such other powers germane to the powers granted under authority of the Illinois Municipal Code.
- B. To recommend to the City Council plans for the present and future development or redevelopment of the downtown area.
- C. To prepare and recommend to the City Council any needed changes in the HARC ordinance and to recommend the declaration of a building as a historic building.
- D. To prepare and recommend to the City Council any needed improvements in procedure.
- E. To conduct meetings and hear applications and petitions relating to development in the downtown area. To conduct public hearings regarding such applications and petitions, vote on same, and prepare advisory reports to the City Council.

- F. To review progress of development after same has been approved by HARC
- G. To cooperate with other municipal or regional planning commissions and other agencies or groups to further the local planning program and to assure harmonious and integrated planning for the area.

**Section 15-240 MEETINGS**

- A. The HARC shall meet on the fourth Tuesday of the month at 6:00 p.m. at Granite City Hall. Special meetings may be called by the Mayor, the Chairperson, or by any two members of the Commission. All meetings at which official action is taken shall be open to the general public.
- B. **QUORUM**  
A quorum for the purpose of holding a HARC Meeting shall be four (4). Final action may be taken by a majority of the present members.
- C. **ORDER OF BUSINESS**  
The order of business at regular meetings shall be as follows:
  - Roll Call
  - Approval of the Minutes of Previous Meeting
  - Approval of the Agenda
  - Old and Unfinished Business
  - Agenda Items
  - New Business
  - Adjournment
- D. **TRANSACTION OF BUSINESS**
  - 1. In order for a matter to be placed upon the agenda for any meeting of the HARC, an application must be filed and found to be in satisfactory form by the Zoning Administrator.
  - 2. Any member of the HARC who has any financial interest in any question called to vote shall notify the Chairman of such interest and thus disqualify himself/herself from voting on the matter.
  - 3. Consent of the majority of members present at a meeting is required for the HARC to consider an application for relief within twelve months after rejection of a former application for substantially the same relief.
  - 4. Public hearings shall be conducted informally, and the Chairperson shall make all rulings and determinations regarding the admissibility of evidence, the scope of the inquiry, and other like matters. Any member may make inquiries personally and call for a vote. The Chairperson shall expedite all

hearings confining them to the presentation of only essential matters in the interest of saving time, but entertaining the presentation of sufficient matter to do substantial justice to all concerned.

## **Section 15-300 “D-1” - ARTS & ENTERTAINMENT SUB-DISTRICT – CENTRAL CORE**

### **Section 15-305 ZONING AND BOUNDARIES**

The Arts and Entertainment Sub-District – Central Core shall be zoned D-1. This Sub-District is **within** the following boundaries:

Beginning at the intersection of 21<sup>st</sup> Street and Grand Avenue, along Grand Avenue to 19<sup>th</sup> Street, along 19<sup>th</sup> Street to Cleveland Boulevard, along Cleveland Boulevard to 21<sup>st</sup> Street, along 21<sup>st</sup> Street returning to the intersection of 21<sup>st</sup> Street and Grand Avenue.

### **Section 15-320 PERMITTED USES**

The following uses are permitted in the Arts & Entertainment Sub-District (D-1) provided they do not conflict in any way with the INTENT and PURPOSE of this article.

- A. On Niedringhaus Avenue in the Arts & Entertainment Sub-District (D-1), the following uses are permitted on the ground floor:

- Antique Shops
- Artist Studios/Galleries
- Banking Facilities
- Barber Shops
- Book/Music Stores
- Boutiques – Fashion Apparel, Accessories & Vintage
- Candy Stores
- Cigar Stores
- Cosmetics & Wig Shops
- Florist Shops
- Gift & Greeting Card Shops
- Hair/Nails Salons and Day Spas (Licensed)
- Historical Sites
- Hobby, Craft & Quilting Shops
- Photographic Studios
- Picture Frame Shops
- Restaurants, Cafes, Desert Bars, Delicatessens, Pastry Shops, Sandwich Shops, Bakeries, Coffee Shops, Ice Cream Shops
- Sports Bars, Pubs, Jazz Clubs (No Take-out Liquor Sales Allowed)
- T- Shirt Shops
- Theaters (Movie & Live)
- Vitamin and Health Shops

- B. The following uses are permitted in all areas of the Arts & Entertainment Sub-District (D-1) other than on the ground floor of Niedringhaus Avenue:

- All of the uses listed in Section A above
- Accounting/CPA Firms
- Administrative Offices

Apartments & Lofts  
Architects Offices  
Attorneys Offices  
Computer Sales & Service  
Engineers Offices  
Insurance Offices  
Real Estate Sales, Appraisal  
State & Government Offices  
Title Closing (Real Estate) Companies  
Travel Agencies

C. Existing Uses.

Businesses operating in the Arts & Entertainment Sub-District (D-1) as of August 1, 2009; but not on the list of businesses permitted within this district, may continue to operate. Additionally, the same type of business may operate if the business is sold, or if the business has closed (due to fire or other event), if there is no intensification of the use.

**Section 15-330 USE RESTRICTIONS**

- A. Enclosed Buildings: All Commercial, service and storage activities shall be conducted within enclosed buildings. Except upon the granting of a variance by HARC (i.e. patio dining, special products).
- B. Refuse Containers: All refuse generated by any establishment located within this District shall be stored in tightly-covered containers placed in a visually-screened area and must conform to City Ordinance # 4194 limiting hours of trash/garbage pick-up from 7:00 a.m. to 8:00 p.m.
- C. Screening: Appropriate screening, if any will be determined on an individual basis.
- D. Decorative Materials: Any decorative materials (fencing, poles, etc.) used to enhance the property shall be allowed upon review and approval, prior to installation, by HARC.
- E. Retail Use Only: Every commercial or service establishment located in this Sub-District shall deal directly with consumers.

**Section 15-350 PARKING**

Parking within the Arts & Entertainment Sub-District (D-1) will be determined by HARC on an individual basis for each application for a permit. No semi trucks or trailers overnight parking.

## **Section 15-400 “D-2”- COMMERCIAL SUB-DISTRICT**

### **Section 15-405 ZONING AND BOUNDARIES**

The Commercial Sub-District shall be zoned D-2. This Sub-District is **within** the following boundaries:

Beginning at the intersection of 22<sup>nd</sup> Street and Madison Avenue along Madison Avenue to 18<sup>th</sup> Street, along 18<sup>th</sup> Street to Benton Street, along Benton Street to 19<sup>th</sup> Street, along 19<sup>th</sup> Street to Grand Avenue, along Grand Avenue to 22<sup>nd</sup> Street, along 22<sup>nd</sup> Street returning to the intersection of 22<sup>nd</sup> Street and Madison Avenue.

### **Section 15-420 PERMITTED USES**

The Following uses, plus the permitted uses in the Arts & Entertainment Sub-District (D-1), are permitted in the Commercial Sub-District (D-2) provided they do not conflict in any way with the INTENT and PURPOSE of this article:

- Answering Services Offices
- Bicycle Sales & Repair Shops
- Business Equipment Stores
- Cell Phone & Service Shops
- Day Care Adult/Child Facilities
- Dentist/Orthodontists/Oral Surgeons
- Fish Markets
- Gas Stations
- Grocery Stores
- Hardware Stores
- Jewelry Sales & Repair Shops
- Key Shops
- Meat Markets (Retail – no Bulk Sales)
- Package Mailing/Mailbox Stores
- Paint Stores
- Pet Supplies & Grooming Shops
- Pharmacies
- Physicians Offices
- Printing Companies
- Recreation/Sports Complexes
- Retail Liquor Sales
- Shoe Stores
- Video Game Arcades
- Video Sales & Rental Stores

### **Section 15-430 USE RESTRICTIONS**

- A. Enclosed Buildings: All commercial, service and storage activities shall be conducted within enclosed buildings. Except upon the granting of a variance by HARC (i.e. patio dining, special products).

- B. Refuse Containers: All refuse generated by any establishment located within this District shall be stored in tightly-covered containers placed in a visually-screened area and must conform to City Ordinance # 4194 limiting hours of trash/garbage pick-up from 7:00 a.m. to 8:00 p.m.
- C. Screening: Appropriate screening, if any, will be determined on an individual basis.
- D. Decorative Materials: Any decorative material (fencing, poles, etc.) used to enhance the property shall be allowed upon review and approval, prior to installation, by HARC.

**Section 15-450 PARKING**

Parking within the Commercial Sub-District will be determined by HARC on an individual basis for each application for a Permit. No semi truck or trailer overnight parking.

## **Section 15-500 “D-3” - INDUSTRIAL SUB-DISTRICT**

### **Section 15-505 ZONING AND BOUNDARIES**

The industrial Sub-District shall be zoned D-3. This Sub-District is **within** the following boundaries:

Beginning at the intersection of 18<sup>th</sup> Street and Madison Avenue along Madison Avenue to 16<sup>th</sup> Street, along 16<sup>th</sup> Street to Cleveland Boulevard, along Cleveland Boulevard to 18<sup>th</sup> Street, along 18<sup>th</sup> Street returning to the intersection of 18<sup>th</sup> Street and Madison Avenue.

### **Section 15-520 PERMITTED USES**

The following uses, plus the permitted uses in the Arts & Entertainment Sub-District (D-1) and the Commercial Sub-District (D-2), are permitted provided they do not conflict in any way with the INTENT and PURPOSE of this article:

- Auto Body Shops
- Auto Parts – New & Used
- Auto Sales – New & Used
- Building Material: Sales, Warehousing, and Service
- Car Wash/Detailing Businesses
- Cold Storage Facilities
- Furniture: Sales, Warehousing, Storage & Repair, including Upholster Repair & Replacement
- Heating & Air Conditioning: Retail & Wholesale, Sales, Equipment, Warehousing, Servicing
- Muffler Shops
- Plumbing: Retail & Wholesale Sales, Equipment, Warehousing, Servicing
- Parking Lot Facilities
- Rental Equipment, Repair & Servicing
- Rental Storage Warehousing
- Repair Shops
- Skating Rinks
- Telecommunication Towers & Related Equipment (as described in Article 14 where such equipment shall not exceed 125 ft. in height. All other restrictions and conditions of use in Article 14 are applicable.)
- Accessory Buildings, Land uses & Activities customarily incident to any of the above uses.

### **Section 15-530 USE RESTRICTIONS**

- A. Enclosed Buildings: All commercial, service and storage activities shall be conducted within enclosed buildings. Except upon the granting of a variance by HARC (i.e. patio dining, special products).
- B. Refuse Containers: All refuse generated by any establishment located within this District shall be stored in tightly-covered containers placed in a visually-screened area and must

conform to City Ordinance # 4194 limiting hours of trash/garbage pick-up from 7:00 a.m. to 8:00 p.m.

C. Screening: Appropriate screening, if any, will be determined on an individual basis.

**Section 15-550 PARKING**

Parking within the Industrial Sub-District (D-3) is governed by Article 6 of this Zoning Ordinance, Off-street Parking and Loading. Overnight parking of semi trucks and/or trailers is not allowed unless specifically approved by HARC

**Section 15-600 “D-4” - RESIDENTIAL SUB-DISTRICT**

**Section 15-605 ZONING AND BOUNDARIES**

The Residential Sub-District shall be zoned D-4. This Sub-District is within the following boundaries:

Beginning at the intersection of 22<sup>nd</sup> Street and Grand Avenue, along Grand Avenue to 21<sup>st</sup> Street to Cleveland Boulevard, along Cleveland Boulevard to 19<sup>th</sup> Street, along 19<sup>th</sup> Street to Adams Street, along Adams Street to 22<sup>nd</sup> Street, along 22<sup>nd</sup> Street returning to the intersection of 22<sup>nd</sup> Street and Grand Avenue.

**Section 15-620 PERMITTED USES**

Single family housing is the permitted use in the Residential Sub-District (D-4), provided it does not conflict in any way with the INTENT and PURPOSE of this article.

## **Section 15-700 SALE OR CLOSING OF NON-PERMITTED BUSINESS**

Businesses operating in the District, but not on the list of businesses permitted within this District, may continue to operate. Additionally, the same type of business may operate if the business is sold, or if the business has closed (due to fire or other event), if there is no intensification of the use.

## **Section 15-800 PROCEDURE**

### **A. Appearance before HARC**

1. Any development or redevelopment within this District, including the sale of rental residential property, will require a Permit and to be brought before HARC for consideration.
2. A development does NOT include: interior repair and maintenance which does not change the exterior appearance of the building, repairs to bring a building into compliance with any Granite City building code other than the zoning code ordinance # 3818, and the repair of the roof of the building.
3. The sale of an Owner-Occupied single family residential property to another Owner-Occupied single family need not be brought before HARC.

### **B. Filing Application**

1. All applicants bringing forth a petition for a Permit within this District to HARC must be in good standing with the City. All outstanding violations on behalf of the applicant or any affiliated company must be resolved on any and all properties within the City of Granite City, i.e. code violations, outstanding debts due the City (sewer, etc.) prior to submission of a petition for a Permit for a new development within this District.
2. The applicant bringing a petition before HARC must pay the costs for any mailing or newspaper notice.
3. Information Required: Every application submitted to HARC for review and approval must contain the following information before the application can be scheduled for the HARC meeting.
  - a. A complete application
  - b. Site plan of the property and all structures located on the property.
  - c. Description of shape and dimensions of the lot.
  - d. Photograph of lot and existing structures.

- e. Color drawings of proposed structures and modifications.
- f. Samples of all proposed materials, (brick, siding, roofing, fencing, etc.)

C. Advisory Report, Finding of Fact

When making a recommendation to the City Council, HARC shall submit an Advisory Report stating its reasons. HARC may include in its advisory report findings of fact concerning the following matters:

1. Existing use(s) and zoning of the property in question;
  2. Existing use(s) and zoning of other lots in the vicinity of the property in question;
  3. Suitability of the property in question for uses already permitted under existing regulations;
  4. Suitability of the property in question for the proposed use;
  5. The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned; and
  6. The effect the proposal would have on implementation of this municipality comprehensive and/or master plan.
  7. Whether the property has been declared a historic building.
- E. Registration: Each Business within this District must register at the time it obtains or renews its business license. This registration includes rental residential property.
- F. Failure to commence development within six (6) months after approval by HARC of the Permit can result in the lapse of the development plan, with any building permits becoming null and void. All developments shall be brought for review before HARC on the seventh month after approval.

**Section 15-900 HISTORIC DESIGNATION**

**Section 15-905 GENERAL**

The purpose of the designation of a landmark is to encourage preservation, rehabilitation and use of these buildings. Each designation of a landmark shall include the designation of a landmark site, which shall consist of the land on which the landmark and related buildings and structures are located and the land that provides the grounds or the setting for the landmark.

### **Section 15-910 FILING APPLICATION**

- A. Consideration for designation of a historic district, site or landmark may be originated by the HARC, or by the filing of an application for designation by a property owner, any resident of the City, or any organization in the City.
  
- B. An application shall be filed with the Zoning Administrator and shall contain the names and addresses of the owners of the affected property and the owners of all properties within 300 feet. The Administrator shall transmit the application, together with any comments or recommendations, to HARC for a public hearing.

### **Section 15-920 PUBLIC HEARING, NOTICE**

HARC shall hold a public hearing on the proposed designation within a reasonable time. At the hearing any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of the hearing, and the nature of the proposal shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing.

- 1. By publication in a newspaper of general circulation in the city; and
  
- 2. By mail to the owners of the affected property and the owners of all properties within 300 feet. Notice is sufficient when it is mailed to the person at the address listed on the county records or when it is mailed to the last known address of that person.

### **Section 15-930 ADVISORY REPORT, FINDING OF FACT**

Within a reasonable time after the public hearing, HARC shall submit its Advisory Report to the City Council. The Advisory Report shall state the recommendation regarding designation as a historic district, site, or landmark; reasons therefor; and any finding of fact.

A district, site, or landmark may be found historic if it meets one or more of the following criteria:

- A. Value as a reminder of the cultural or archeological heritage of the city, state or nation;
  
- B. Location of a significant local, state or national event;
  
- C. Identification with a person or persons who significantly contributed to the development of the city, state or nation;
  
- D. Identification as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation;
  
- E. Value as a building recognized for the quality of its architecture which retains sufficient elements showing its architectural significance;
  
- F. Character as a geographically definable area possessing a significant concentration of sites, building, objects or structures united by architectural styles or a plan of physical development; or

- G. Character as an established and geographically definable neighborhood, united by culture or past events.

**Section 15-940 ACTION BY CITY COUNCIL**

The City Council shall act on every proposal at its next regularly scheduled meeting following submission of the Advisory Report. Without further public hearing, the Council may pass any approval historic district, site, or landmark or may refer it back to HARC for further consideration, by simple majority vote of all the members then holding office.

**Section 15-1000 GENERAL DESIGN STANDARDS OVERVIEW**

RESERVED

**Section 15-1100 RENOVATIONS AND ALTERATIONS TO EXISTING STRUCTURES**

RESERVED

**Section 15-1200 NEW CONSTRUCTION**

RESERVED

**Section 15-1300 FENCES**

Fences in the Arts & Entertainment District shall be wrought iron only. Set back requirements and height limitations shall be determined on a case by case basis.

**Section 15-1400 APPROVED EXTERIOR BUILDING MATERIALS**

For the Arts and Entertainment District, the following building materials are approved. All new structures built in this district shall be of the material listed.

For existing structures only, other material may be used after petition before HARC and approval of the City Council.

When reviewing alternate designs or materials, HARC shall consider integration of all building appearance and the exterior finish of the structure.

**Siding Material**

Match existing Material

Face brick (must be 3 5/8" x 2 1/4" x 7 3/4" x 7 3/4" with 3/8" joints, or matching existing construction.

Wood (must be approved design and wood species for each case presented)

**Stone Trim and Fascias**

Face Stone

Granite (gray or white)

Limestone

### **Doors visible from the street**

Wood – Glazed or unglazed.

Color to be coordinated with building design and color.

Unglazed doors must have approved design features.

Aluminum – Glazed or unglazed.

Color to be coordinated with building design and color.

Unglazed doors must have approved design features.

Steel – Glazed or unglazed.

Color to be coordinated with building design and color.

Unglazed doors must have approved design features.

Flat slab doors are not acceptable.

For service doors not visible from the street, slab, steel, aluminum, or wood may be used.

### **Window Frames**

Wood

Color to be coordinated with building design and color.

Aluminum

Color to be coordinated with building design and color

Glass

All exterior glazing shall be in accordance with City building code.

Tinted glass may be used in a light unnoticeable shade.

### **Awnings**

Canvas or synthetic cloth.

Color to be coordinated with building design and color.

Awning heights are regulated by the building code.

### **Overhangs**

Wood

Exposed wood painted a color to be coordinated with building design and color.

Metal

Metal canopies to be no deeper than 8" in thickness at outer edges.

All exposed metal painted a color to be coordinated with building design and color, excluding copper.

Concrete

Concrete canopies to be no deeper than 8" in thickness at outer edges.

### **Concrete walks**

Any replacement of concrete walks to match the original design of gray concrete with Meramec gravel surface as accent walk areas.

The original rectangle with was designed for planting shall be restored as a planting area.

Cast iron grates for planting areas must be replaced if present.

### **Visible Exterior Materials not Allowed without Approval by HARC**

Vinyl siding

Metal siding

Aluminum awnings

Concrete block

Field stone or stone veneer

Concrete panels

Ceramic tile or tile panels

Glazed panels

Obscure glass panels

Marble panels

Stucco or like material

Stone or brick walks

## **Section 15-1500 COMPREHENSIVE SIGN CONTROL REGULATIONS**

### **Section 15-1510 GENERAL**

All signs for the Arts & Entertainment Sub-District (D-1) shall conform to the following conditions and must be approved by HARC. All signs for the Commercial, Industrial, and Residential Sub-Districts shall be governed by the Sign Ordinance # 4849.

- A. Definition Sign means any object or device or part thereof situated outdoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business product, service, event, or location by any means including words,

letters, figures, design, symbols, fixtures, colors, motion, illumination or projected images.

B. Not Included Signs do not include the following:

1. Flags of nations, states and cities, fraternal, religious and civic organizations.
2. Merchandise, pictures or models of products or services incorporated in a window display.
3. Time and temperature devices.
4. National, state, religious, fraternal, professional and civic symbols or crests, or on site ground based on measure display device used to show time and submit matter of religious services.
5. Works of art which in no way identify a product.

C. If for any reason it cannot be readily determined whether or not an object is a sign, the HARC shall make such determination.

**Section 15-1520 PERMITS**

A. Permits are required.

B. A sign shall not be erected until a building permit stating that the proposed sign complies with the rules and regulations described herein has been issued by the Zoning Administrator.

C. The applicant must provide a photograph of the premises where the sign is proposed to be located which adequately shows all existing signs on the premises. The applicant must also provide all pertinent information as required by HARC needed to properly review the application.

D. A sign permit may be issued if the proposed sign complies with the rules and regulations herein and also complies with all applicable provisions of the Building Code of the City. If said sign fails to comply with the rules and regulations set out herein, said permit shall not be issued, regardless of whether said sign complies with all provisions of the Building Code of the City.

**Section 15-1530 PERMITTED SIGNS**

On-premises signs may be erected, altered and maintained on the same premises as the business to which they pertain and shall be clearly incidental, customary and commonly associated with the operation of the business.

A. Permitted Contents – Identification by letter, numeral, symbol or design of the business to which they pertain by name, use, hours of operation, services offered and events.

B. Permitted Sign Types

1. Flush Mounted

- a. Definition – A sign attached to, erected against, or painted on a wall of a building or structure with the exposed face of the graphic in a plane approximately parallel to plane of the wall.
  - b. Limitations – A flush mounted sign shall not project more than twelve (12) inches from the wall or other surface to which it is attached (if such wall/surface is not vertical, the projection shall be measured from the closest point of the wall/surface to the sign). The sign shall not extend more than one and one half (1.5) feet above the roof plate of the building to which said sign is attached.
  - c. Sign area allowance – A maximum of one (1) square foot of sign area shall be permitted per two (2) lineal feet of building frontage.
2. Sandwich Board
- a. Definition – A temporary, movable A frame sign
  - b. Limitations – Sandwich board type signs shall be limited to two (2) sides and shall not exceed five (5) feet in height from the average ground elevation of the lot.
  - c. Sign area allowance – A maximum of 15 square feet.
3. Projecting
- a. Definition – Any sign, other than flush mounted, which is suspended from or supported by a building or wall, and which projects.
  - b. Limitations – Projecting signs shall be attached to a building at an angle, and shall project no more than three (3) feet from the building. The bottom of the sign shall be at least ten (10) feet above grade and its top shall be no higher than the height of the building at the building line or twenty five (25) feet above grade, whichever is highest. No support for a sign shall extend above the cornice line of the building to which it is attached. Only one such sign for each side of a business establishment is allowed.
  - c. Sign area allowance – No free standing graphic shall project into the public Right-of-Way except buildings that cannot meet set back requirements. On such buildings size is limited to two (2) foot by three (3) foot projecting graphic and must meet all bonding and construction requirements set forth below.
  - d. Bond – Each person or corporation maintaining such awnings, canopy, projecting signs and marquees shall file each year on May 1<sup>st</sup> with the

City Clerk a bond or indemnity policy in the sum of \$100,000. Conditioned to indemnify the municipality for any loss or damage, or liability that may result from the construction or maintenance of the above, such bond or policy shall have such sureties as may be approved by the council; provided, that if a blanket indemnity insurance policy against any loss or liability due to such awning, canopies, projecting signs and marquees is secured by the municipality, no such bond shall be required.

#### 4. Marquee Sign

- a. Definition – A sign on or attached to a building that is supported entirely by the building and is painted on or erected against the marquee. A marquee is any hood or permanent construction projecting from the wall of a building but not supported by the ground or sidewalk, serving the purpose of providing shelter and protection from the weather.
- b. Limitations – Said sign shall not exceed seven (7) feet in height nor shall it project below the face of the marquee nor lower than ten (10) feet above the sidewalk. A marquee sign may extend the full length, but in no case shall it project beyond the end of the marquee. Only one marquee sign per building side is allowed.
- c. Sign area allowance – One hundred (100) square feet in area.
- d. Bond – Each person or corporation maintaining such marquee sign shall file each year on May 1<sup>st</sup> with the City Clerk a bond or indemnity policy in the sum of \$100,000. Conditioned to indemnify the municipality for any loss or damage, or liability that may result from the construction or maintenance of the above. Such bond or policy shall have sure sureties as may be approved by the council; provided, that if a blanket indemnity insurance policy against any loss or liability due to such awnings, canopies, projecting signs or marquees is secured by the municipality, no such bond shall be required.

#### C. Illumination

All signs may be lighted by or exposed to artificial lighting either by lights on the sign or within the sign or directed toward the sign.

1. Concealed Light Source – Internal and external lighting, such as neon tubing, floor lights, thin line gooseneck reflectors are permitted provided the light source is directed upon the face of the sign and is effectively shielded to prevent beams or rays of light from being directed toward any person facing such sign or device upon any public way or street. The light shall not be of such intensity so as to cause glare or impair the vision of any person upon any

public way or street or adjoining premises. Neon tubing shall be enclosed in channels or covered by plastic faces.

2. Exposed Light Source – Internal and external lighting, such as neon tubing and lamps are permitted, provided the intensity of such lighting shall not cause glare or impair the vision of any person facing such sign or device upon any public way, street, or adjoining premises.

#### **Section 15-1540 REMOVAL OF SIGNS**

##### **A. Business Closing**

In the event a business should close, all signs must be removed at the business owner's expense within thirty (30) days of closing. If not removed, the business owner shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than \$100. Nor more than \$750. For each offense. Each day that such violation continues shall be deemed a separate and distinct offense. If the sign has not been removed within sixty (60) days, the City may remove the sign and the business and/or property owner shall be subject to the provisions of Section 6-11 of the Sign Ordinance #4849, "Removal by City, Reimbursement for Costs

##### **B. Damaged Sign**

Any sign which is partially destroyed or damaged may be reconstructed, provided such damage is certified by the HARC. Reconstruction shall be commenced within three (3) months from the date other damage occurred, diligently pursued to completion within six (6) months, and the reconstruction may not change the style or wording of the sign. Any sign which is destroyed or damaged to an extent greater than fifty (50) percent of its value, which shall be determined by the HARC, shall be removed.

#### **Section 15-1550 NON-CONFORMING SIGNS**

A. Any sign not expressly permitted by this section shall be deemed prohibited.

B. Any Sign existing on the effective date of this ordinance that could not be erected under the terms of this ordinance may lawfully remain for the period of one year, subject to the following provisions:

1. No sign shall be enlarged or altered in any way which increases its nonconformity.
2. No sign shall be relocated unless, after relocation, it will conform to all the regulations of this section.

## **Section 15-1600 NON-CONFORMING USES, SPECIAL EXEMPTION PERMIT**

### **Section 15-1605 GENERAL**

On occasion there may be such unique features or circumstances with regards to non-conforming lots, structures, and uses of land or structures, that a party in interest and/or operator of a proposed structure or use will require relief from the provisions of this Article through an application to the Plan Commission for a Special Exemption Permit. This section shall not be construed as being contrary to the gradual elimination of non-conformities.

### **Section 15-1610 FILING**

Every application for a Special Exemption Permit shall be filed with the Zoning Administrator on a prescribed form. The Administrator shall transmit the application together with any comments or recommendations, to HARC for a public hearing.

### **Section 15-1620 PUBLIC HEARING, NOTICE**

HARC shall hold a public hearing on every application for a Special Exemption Permit within a reasonable time. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of the hearing, and the nature of the proposed amendment shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing:

- A. by publication in a newspaper published within this municipality; and.
- B. by mail to all parties within 300 feet of the property for which the Special Exemption Permit is requested.

### **Section 15-1630 ADVISORY REPORT, FINDING OF FACT**

Within a reasonable time after the public hearing, HARC shall submit its Advisory Report to the City Council. The Advisory Report shall state the recommendation regarding adoption of the proposed Special Exemption Permit, reasons therefor, and any finding of fact. The Advisory Report shall contain information regarding days and hours of operation, allowed signs, any required screening, and installation of outside lighting.

### **Section 15-1640 ACTION BY CITY COUNCIL**

The City Council shall act on every proposed Special Exemption Permit at its next regularly scheduled meeting following submission of the Advisory Report. Without further public hearing, the Council may pass any approved Special Exemption Permit or may refer it back to HARC for further consideration, by simple majority vote of all the members then holding office.

### **Section 15-1650 REQUIREMENTS FOR AUTHORIZATION**

A Special Exemption Permit shall only be granted if the proposed use:

- A. is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; and,
- B. will not cause substantial injury to the value of other property in the neighborhood in which it

is to be located; and,

- C. will not substantially alter the essential character of the district in which it is to be located; and,
- D. should be able or necessary to extract reasonable value from the use of the property.

**Section 15-1660 CONDITIONS**

Special Exemption Permits may include conditions or restrictions upon the construction, location and operation of a non-conforming lot, structure, and use of land or structure, including, but not limited to:

- A. those required to meet the objective set forth in this Article
- B. provisions for the protection of adjacent property;
- C. the expiration of such exemption after specified period of time
- D. off-street parking and loading; and
- E. any other criteria as may be deemed necessary to secure the general objectives of this Zoning Code, and to reduce injury to the value of property in the neighborhood.

**Section 15-1700 MAP**