

ZONING CODE

<u>ARTICLE</u>	<u>TITLE</u>	<u>PAGE</u>
<i>I</i>	<i>GENERAL PROVISIONS</i>	
	<i>Section 40-1-1 - Purpose</i>	<i>40-1</i>
	<i>Section 40-1-2 - Scope</i>	<i>40-1</i>
	<i>Section 40-1-3 - Jurisdiction</i>	<i>40-1</i>
	<i>Section 40-1-4 - Annexed Territory</i>	<i>40-1</i>
	<i>Section 40-1-5 - Interpretation</i>	<i>40-2</i>
	<i>Section 40-1-6 - Disclaimer of Liability</i>	<i>40-2</i>
<i>II</i>	<i>DEFINITIONS</i>	
	<i>Section 40-2-1 - Construction of Terms</i>	<i>40-3</i>
	<i>Section 40-2-2 - Selected Definitions</i>	<i>40-3</i>
<i>III</i>	<i>GENERAL ZONING REGULATIONS</i>	
	<i>Section 40-3-1 - Establishment of Districts</i>	<i>40-12</i>
	<i>Section 40-3-2 - Zoning Map and District Boundaries</i>	<i>40-12</i>
	<i>Section 40-3-3 - General Prohibition</i>	<i>40-12</i>
	<i>Section 40-3-4 - Unlisted Uses Prohibited</i>	<i>40-13</i>
	<i>Section 40-3-5 - Temporary Uses</i>	<i>40-13</i>
	<i>Section 40-3-6 - One Building and All Yards on One Lot</i>	<i>40-13</i>
	<i>Section 40-3-7 - Access Required</i>	<i>40-13</i>
	<i>Section 40-3-8 - Front Setbacks – Corner/Through Lots</i>	<i>40-13</i>
	<i>Section 40-3-9 - Front Setbacks in Certain Built-Up Areas</i>	<i>40-13</i>
	<i>Section 40-3-10 - Intrusions Into Yards</i>	<i>40-14</i>
	<i>Section 40-3-11 - Exceptions to Height Limits</i>	<i>40-14</i>
	<i>Section 40-3-12 - Accessory Uses</i>	<i>40-14</i>
	<i>Section 40-3-13 - Sewers, Septic Tanks</i>	<i>40-14</i>
	<i>Section 40-3-14 - Schedule: Area and Bulk Regulations; Parking Requirements</i>	<i>40-15</i>
	<i>Section 40-3-15 - Schedule: Permitted uses and Accessory Uses; Special Uses; Prohibited Uses</i>	<i>40-15</i>
<i>IV</i>	<i>SUPPLEMENTARY ZONING REGULATIONS</i>	
	<i>Division I - Generally</i>	
	<i>Section 40-4-1 - Applicability of Article</i>	<i>40-16</i>
	<i>Section 40-4-2 - Recreational Vehicle</i>	<i>40-16</i>
	<i>Section 40-4-3 - Fences, Walls</i>	<i>40-16</i>
	<i>Section 40-4-4 - Service Stations</i>	<i>40-16</i>
	<i>Section 40-4-5 - Home Occupations</i>	<i>40-17</i>
	<i>Section 40-4-6 - Hospitals, Nursing Homes</i>	<i>40-17</i>
	<i>Section 40-4-7 - Junk Yards</i>	<i>40-17</i>
	<i>Section 40-4-8 - Sanitary Landfills</i>	<i>40-17</i>
	<i>Section 40-4-9 - Schools</i>	<i>40-18</i>
	<i>Section 40-4-10 - Swimming Pools and Recreational Equipment</i>	<i>40-18</i>
	<i>Section 40-4-11 - Drive-In Theaters</i>	<i>40-18</i>
	<i>Section 40-4-12 - Utility Substations</i>	<i>40-18</i>
	<i>Section 40-4-13 - Kennels</i>	<i>40-19</i>
	<i>Section 40-4-14 - Agricultural Activities</i>	<i>40-19</i>
	<i>Section 40-4-15 - Lighting Controls</i>	<i>40-19</i>
	<i>Section 40-4-16 - Domestic Animal Pens</i>	<i>40-19</i>

<u>ARTICLE</u>	<u>TITLE</u>	<u>PAGE</u>
IV	SUPPLEMENTARY ZONING REGULATIONS (CONTINUED)	
	<i>Division I – Generally (Continued)</i>	
	Section 40-4-17 - Public Buildings	40-19
	Section 40-4-18 - Outbuildings	40-19
	Section 40-4-19 - Roof Pitch	40-19
	Section 40-4-20 - Wind Generators/Windmills	40-20
	Section 40-4-21 - 40-4-24 Reserved	
	<i>Division II – Solar Energy Conversion</i>	
	Section 40-4-25 - Definitions	40-20
	Section 40-4-26 - Reserved	
	<i>Division III – Large Solar Energy Project</i>	
	Section 40-4-27 - Procedure	40-21
	Section 40-4-28 - Change of Ownership	40-22
	Section 40-4-29 - Used Equipment	40-22
	Section 40-4-30 - Weed and Grass Control	40-22
	Section 40-4-31 - Setbacks	40-22
	Section 40-4-32 - Prohibition	40-22
	Section 40-4-33 - Appearance	40-22
	Section 40-4-34 - Use of Public Road	40-22
	Section 40-4-35 - Certification	40-23
	Section 40-4-36 - Power Lines	40-23
	Section 40-4-37 - Utility Location	40-23
	Section 40-4-38 - Warnings	40-23
	Section 40-4-39 - Height	40-23
	Section 40-4-40 - Lighting	40-23
	Section 40-4-41 - Aviation Protection	40-23
	Section 40-4-42 - Screening	40-24
	Section 40-4-43 - Study Reviews – Use of Third-Party Consultant	40-24
	Section 40-4-44 - Emergency Providers	40-24
	Section 40-4-45 - Material Handling, Storage, and Disposal	40-24
	Section 40-4-46 - Wildlife	40-24
	Section 40-4-47 - Wetland Mitigation	40-25
	Section 40-4-48 - Invasive Plants	40-25
	Section 40-4-49 - Stormwater and Drainage	40-25
	Section 40-4-50 - Energy Deliverability	40-25
	Section 40-4-51 - Installation Certification	40-25
	Section 40-4-52 - Maintenance	40-25
	Section 40-4-53 - Compliance with Regulations	40-25
	Section 40-4-54 - Decommissioning and Site Reclamation Plan	40-25
	Section 40-4-55 - Financial Assurance for Decommissioning and Site Reclamation	40-26
	Section 40-4-56 - Cessation of Operation	40-27
	Section 40-4-57 - Penalties	40-27
	Section 40-4-58 - Reserved	
	<i>Division IV – Small Solar Energy Projects</i>	
	Section 40-4-59 - Regulations	40-28
	Section 40-4-60 - Community Restrictions	40-28

<u>ARTICLE</u>	<u>TITLE</u>	<u>PAGE</u>
V	SUPPLEMENTARY OFF-STREET PARKING AND LOADING REGULATIONS	
	Section 40-5-1 - Applicability of Article	40-31
	Section 40-5-2 - Existing Parking/Loading Facilities	40-31
	Section 40-5-3 - Parking Design and Maintenance Standards	40-31
	Section 40-5-4 - Location of Parking	40-32
	Section 40-5-5 - Business and Industrial Districts	40-32
	Section 40-5-6 - Parking Surfaces	40-32
	Section 40-5-7 - Design and Location of Off-Street Loading Facilities	40-32
VI	NONCONFORMITIES	
	Section 40-6-1 - Purpose of Article	40-33
	Section 40-6-2 - Nonconforming Lots	40-33
	Section 40-6-3 - Same: Residential	40-33
	Section 40-6-4 - Same: Other Districts	40-33
	Section 40-6-5 - Two or More Lots in Common Ownership	40-33
	Section 40-6-6 - Nonconforming Structures	40-33
	Section 40-6-7 - Nonconforming Uses Occupying a Structure	40-34
	Section 40-6-8 - Nonconforming Use of Land	40-34
	Section 40-6-9 - Nonconformities Under Permit Authority	40-34
VII	ADMINISTRATION AND ENFORCEMENT	
	Section 40-7-1 - Zoning Administrator	40-35
	Section 40-7-2 - Duties	40-35
	Section 40-7-3 - Temporary Certificates of Zoning Compliance	40-35
	Section 40-7-4 - Permanent Certificates of Zoning Compliance	40-36
	Section 40-7-5 - Procedures Upon Violation	40-36
	Section 40-7-6 - Emergency Measures	40-36
	Section 40-7-7 - Complaints	40-37
	Section 40-7-8 - Penalties for Violation	40-37
VIII	SPECIAL USES AND AMENDMENTS	
	<i>Division I - Special Use Permits</i>	
	Section 40-8-1 - Description	40-38
	Section 40-8-2 - Applicant	40-38
	Section 40-8-3 - Hearing	40-38
	Section 40-8-4 - Notice	40-38
	Section 40-8-5 - Factors Considered	40-38
	Section 40-8-6 - Decision by Board of Appeals, Standards	40-38
	Section 40-8-7 - Temporary Use Permits	40-38
	Section 40-8-8 - Reserved	
	<i>Division II – Amendments</i>	
	Section 40-8-9 - Procedure	40-39
	Section 40-8-10 - Filing	40-39
	Section 40-8-11 - Hearing	40-39
	Section 40-8-12 - Notice	40-39
	Section 40-8-13 - Advisory Report/Findings of Fact	40-39
	Section 40-8-14 - Decision by Village Board	40-40
	Section 40-8-15 - When Two-Thirds Majority Vote is Required	40-40
	Section 40-8-16 - Notice to Applicant of Written Protest	40-40

<u>ARTICLE</u>	<u>TITLE</u>	<u>PAGE</u>
IX	BOARD OF APPEALS & PROCEDURES	
	<i>Division I – Administration</i>	
	Section 40-9-1 - Board of Appeals Established	40-41
	Section 40-9-2 - Membership, Appointment, Compensation	40-41
	Section 40-9-3 - Term of Office, Vacancies	40-41
	Section 40-9-4 - Meetings	40-41
	Section 40-9-5 - Records	40-41
	Section 40-9-6 - Duties	40-41
	Section 40-9-7 - 40-9-9 Reserved	
	<i>Division II - Appeals</i>	
	Section 40-9-10 - Nature of an Appeal	40-42
	Section 40-9-11 - Filing, Record Transmittal	40-42
	Section 40-9-12 - Stay of Further Proceedings	40-42
	Section 40-9-13 - Hearing	40-42
	Section 40-9-14 - Notice	40-42
	Section 40-9-15 - Decision by Board of Appeals	40-42
	Section 40-9-16 - Reserved	
	<i>Division III - Variances</i>	
	Section 40-9-17 - Description	40-42
	Section 40-9-18 - Application	40-43
	Section 40-9-19 - Hearing	40-43
	Section 40-9-20 - Notice	40-43
	Section 40-9-21 - Standards for Variances	40-43
	Section 40-9-22 - Decision by Board of Appeals	40-43
	Section 40-9-23 - Unauthorized Variances (Use Variance)	40-43
	Section 40-9-24 - Filing Fees	40-43
	Addendum “A” - Zoning Fees	40-44