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## Chapter 6

### LAND USE AND DEVELOPMENT STANDARDS

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#### Article 6.1

##### GENERAL PROVISIONS

- 6.1.1. New Structures.** All structures built hereafter shall comply with all of the regulations of this Title. Any structure hereafter moved from one site to another site shall be considered to be a structure built hereafter. Any structure rebuilt or restored after damage or destruction by fire or other casualty shall be considered to be structure built hereafter, unless Chapter 3 of this Title permits such structure to be rebuilt or restored.
- 6.1.2. New Uses of Old Structures.** If the use of any existing structure is hereafter changed to another use, then the new use shall comply with the use regulations of this Title; provided, however, the mere establishment of a new use does not itself require the existing structure to conform to the lot size or other bulk regulations of this Title.
- 6.1.3. Remodeling.** If any structure is hereafter remodeled, except as provided under Chapter 3:
- A. The entire structure as remodeled shall comply with the use regulations of this Title; and
  - B. Any alterations or enlargements of, or additions to the structure shall comply with the bulk regulations of this Title; and
  - C. The off-street parking facilities provided for the structure shall not be reduced below (or if already less than, shall not be further reduced below) the requirements that would be applicable to a similar new structure or use. (Ord. 2007-35, 12-04-2007)
- 6.1.4. Uses of Open Land.** If any use of open land is hereafter established, or if any use of open land is hereafter changed to another use, such use shall comply with all the regulations of this Title.
- 6.1.5. Uses Permitted In All Districts.** The following public utility and municipal uses are permitted in all district; poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves or any other similar equipment (not including substations located on or above the surface of the ground) for the distribution to consumers of telephone or other communications, electricity, gas, water, or for the collection of sewage or surface water.
- 6.1.6. Public Sewer and Water Facilities Required.** All structures built hereafter shall be served by and connected to a public sanitary sewage disposal system and water distribution system. Existing structures not connected to a public sanitary sewage disposal system and water distribution system may be enlarged, repaired, or altered without connection to said system provided that the failure to connect said structure shall not create a hazard to the public health, safety, or welfare.
- 6.1.7. Permitted Uses.** No structure shall hereafter be built, moved or remodeled, and no structure or land shall be used, occupied or designed for use or occupancy except for a use that is permitted within the zoning district in which the structure or land is located.
- 6.1.8. Special Uses.** No use of a structure of land that is designed as a Special Use in any zoning district shall hereafter be established, and no existing Special Use shall hereafter be changed to another Special Use, in such district unless a Special Use Permit has been secured in accordance with the provisions of Article 4.3 of this Title.

**6.1.9. Lot Size Requirements.**

- A. No structure or part thereof shall hereafter be built, moved or remodeled, and no structure or land shall hereafter be used, occupied, arranged or designed for use or occupancy on a zoning lot which is:
  - 1. Smaller in area than the minimum lot area or minimum lot area per dwelling unit required in the zoning district in which the structure or land is located; or
  - 2. Narrower than the minimum lot width required in the zoning district in which the structure or land is located; or
  - 3. Shallower than the minimum lot depth required in the zoning district in which the structure or land is located.
- B. No existing structure shall hereafter be rebuilt, remodeled or otherwise altered or modified so as to conflict or further conflict with the lot area per dwelling unit or lot size requirements as set forth in Article 6.5, for the zoning district in which the structure is located.
- C. Whenever a minimum contiguous area is specified for a zoning district, then no property shall be classified or reclassified in any such zoning district unless, after such classification or reclassification, the said property will, when considered alone or in conjunction with similarly classified property which it abuts, contain at least the minimum contiguous area specified for such zoning district.

**6.1.10. Bulk Regulations.** In this Title, bulk regulations are expressed in terms of maximum structure height, maximum lot coverage, maximum floor area ratio, minimum building separation and minimum front, side, corner side, transition, rear, and double frontage yards among other terms. No structure or part thereof, shall hereafter be built, moved or remodeled, and no structure or land shall hereafter be used, occupied or designed for use or occupancy so as to;

- A. exceed the maximum lot coverage percentage, the maximum structure height or the maximum floor area ratio specified for the zoning district in which the structure is located; or
- B. provide any setback or front, side, corner side, transition or rear yard that is less than that specified for the zoning district in which such structure or use of land is located or maintained.

**6.1.11. Off-Street Parking and Loading.** No structure shall hereafter be built or moved and no structure or land shall hereafter be used, occupied or designed for use or occupancy unless the minimum off-street parking and off-street loading spaces required by Article 6.7 of this Title are provided. No structure or use already established on the effective date of this ordinance shall be enlarged unless the minimum off-street parking and loading spaces required by Article 6.7 for such enlargement are provided.

**6.1.12. Number of Structures and Uses on a Zoning Lot.**

- A. RESIDENTIAL DISTRICTS. Unless otherwise permitted in a specific zoning district, not more than one principal residential building shall be located on a single zoning lot, unless such principal residential building is located in a planned development that was approved pursuant to the provisions of this ordinance.

- B. **COMMERCIAL AND INDUSTRIAL DISTRICTS.** In commercial and industrial districts, any number of structures and uses including residential, when permitted, may be constructed or established on a single zoning lot, but no single zoning lot shall be smaller than the minimum lot area prescribed for the district in which such structure is located.

**6.1.13. Yard Requirements for Open Land.** If a zoning lot is, or will be, occupied by a permitted use without structures, then the minimum front, side or rear yards that would otherwise be required for such zoning lot shall be provided and maintained unless some other provisions of this Title requires or permits a different front, side, corner side or rear yard, on zoning lots used for garden purposes without structures, or on zoning lots used for open, public recreation areas.

**6.1.14. Restrictions on Allocation and Disposition of Required Yards or Open Space.**

- A. No part of the lot area, or of a yard, or other open space, or off-street parking or loading space provided in connection with any structure or use in order to comply with this Title shall, by reason of a change of ownership or otherwise, be included as a part of the minimum lot area, yard, other open space, or off-street parking or loading space required for any other structure or use, except as specifically permitted by this Title.
- B. All of the lot area and all yards and other open spaces provided in connection with any structure or use in order to comply with is Title shall be located on the same lot as the structure or use.

**6.1.15. Use Limitations.** No permitted use hereafter established, altered, modified or enlarged shall be operated or designed so as to conflict with the use limitations for the zoning district in which such use is, or will be, located. No permitted use already established on the effective date of this Title shall be altered, modified or enlarged so as to conflict with or further conflict with, the use limitations for the zoning district in which such use is located.

## Article 6.2

### ACCESSORY STRUCTURES OR USES

**6.2.1. Accessory Structures or Uses.** No accessory structure or use, as defined herein shall hereafter be built, moved or remodeled, established altered or enlarged unless such accessory structure or use is permitted by the Title. Accessory uses are permitted in any zoning district in connection with any principal use that is permitted within such district.

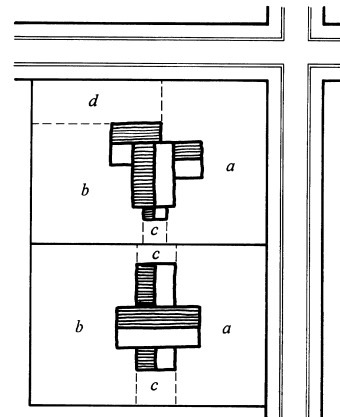
A. **ACCESSORY USE LIMITATIONS AND CONDITIONS.** Each accessory structure and use shall comply with the applicable limitations in the zoning district in which it is located and, in addition:

1. No accessory structure or use shall be constructed, occupied or established on any lot prior to the completion of the principal structure to which it is accessory.
2. No accessory structure or use shall be permitted in any yard unless it is a permitted yard obstruction as provided in Section 6.2.1(B)2 or 6.2.1(B)3.
3. Outdoor storage, where permitted, shall be maintained in such a manner so as to prevent the over-growth of weeds, grasses and other obnoxious plant material, and the harboring of rodents and other animal and insect pests.
4. Buildings and structures essential, incidental or customary to the pursuit of agriculture are exempt from the requirements of this Section 6.2.1.
5. On a corner lot occupied by a principal residential structure that is legally nonconforming with respect to the corner side yard setbacks, accessory uses and structures may be located in said corner side yard provided they maintain the same setback as the principal residential structure.
6. No accessory structure or building projection except fences shall be constructed, occupied or established on any public utility, drainage, or pipeline easement, except with the written permission of the City and all utility companies having rights to use the easement.

B. **PERMITTED YARD OBSTRUCTIONS.**

1. No accessory structures and uses, except those which are permitted as obstructions in yards as indicated in Section 6.2.1(B)2, Table of Permitted Yard Obstructions, shall be established, constructed or altered in, or moved to any yard. *For the purpose of this Section 6.2.1:*

- a. Front yard shall refer to the open space on a lot between the front lot line and all of the vertical planes forming the front elevation of the principal structure;
- b. Rear yard shall refer to the open space on a lot between the rear lot line and all of the vertical planes forming the rear elevation of the



*Accessory Structures and Uses Yards*

Where a = Front Yard  
b = Rear Yard  
c = Side Yard  
d = Corner Side Yard

of the principal structure, but excluding any corner side yard;

- c. Side yard shall refer to the open space on a lot between the side lot line and the vertical plane(s) forming the side elevation of the principal structure closest to the side lot line, but excluding any rear or front yards; and,
- d. Corner side yard shall refer to the open space on a lot between the corner side lot line and the vertical plane forming the side wall(s) of the principal structure closest to the corner side lot line, but excluding any rear or front yards.

2. TABLE OF PERMITTED YARD OBSTRUCTIONS.



Chapter 6—Land Use and Development Standards

STRUCTURE OR USE	FRONT YARD	CORNER SIDE YARD	REAR YARD	SIDE YARD	STRUCTURE OR USE	FRONT YARD	CORNER SIDE YARD	REAR YARD	SIDE YARD
Air conditioner condenser unit, window units	P	P	P	P	Greenhouse, private in accordance with Section 6.2.1			P	
Animal houses, for domestic animals, not to exceed sixteen (16) square feet in area and four (4) feet in height			P		Lamp posts	P	P	P	P
Antenna, freestanding, for non-commercial purposes			P		Landscaping	P	P	P	P
Arbors, trellises and pergolas	P	P	P	P	Laundry drying (clotheslines)			P	
Architectural ornamentation, e.g. sills, belt courses, cornices	P	P	P	P	Lawn and garden ornaments, sculpture and statuary, and garden furniture	P	P	P	P
Awnings and canopies, projecting no more than forty-eight (48) inches from the structure	P	P	P		Outdoor storage of firewood			P	P
Balconies, projecting no more than sixty (60) inches from the structure	P	P	P		Outdoor storage, in Industrial Districts			P	P
Barbeque grills, in-ground			P		Parking boats, trailers, campers, recreational vehicles, trucks, and cars shall be required to be parked on a driveway in accordance with Section 6.7.4 (F)	P	P	P	P
(RESERVED)					Storing boats, trailers, campers, recreational vehicles, trucks, and cars shall be required to be parked on a driveway in accordance with Section 6.7.4 (F).)	P	P	P	P
Bay windows, having no foundation and projecting no more than thirty (30) inches from the structure	P	P	P	P	Parking spaces and aisles, loading berths, except covered or enclosed, in accordance with Article 6.7	P	P	P	P
Cabanas			P		Patio, open to the sky			P	P
Carport, attached, projecting no more than ten (10) feet from the structure			P	P	Patio, permanently roofed-over			P	
Children's playhouse, not to exceed forty (40) square feet in area			P		Porches, projecting no more than eight (8) feet from the structure	P	P	P	P
Chimneys, having no foundation and projecting no more than thirty (30) inches from the structure	P	P	P	P	Port Cochere, projecting no more than fourteen (14) feet from the structure	P	P	P	P
Decks, open to the sky and less than thirty-six (36) inches above the ground under the deck. (Decks in excess of 36 inches above ground must comply with the applicable yard setbacks)			P	P	Recreational equipment, e.g. children's swing set			P	
Decks, permanently roofed-over			P		Satellite stations, freestanding in accordance with Section 6.2.1			P	P
Dog runs, open to the sky and not to exceed one hundred (100) square feet in area			P		Signs and nameplates, in accordance with Article 6.8	P	P	P	P
Driveways and walkways	P	P	P	P	Solar energy devices, attached	P	P	P	P
Eaves and gutters, projecting no more than thirty (30) inches from the structure	P	P	P	P	Solar energy devices, detached			P	
Fall-out, storm shelters, attached or detached, above or below grade			P		Steps, at or below the first floor level (Landing no greater than 6' by 6' and steps no greater than 6' width in front and corner side yards)	P	P	P	P
Fences and walls, more than four (4) feet in height			P	P	Storing boats, trailers, campers, recreational vehicles and trucks in accordance with Section 6.7.4(F)			P	P
Fences and walls, four (4) feet or less in height	P	P	P	P	Swimming pools, hot tubs, Jacuzzi and outdoor spas in accordance with Section 6.2.1			P	
Fire escapes, open to the elements and projecting no more than five (5) feet from the structure	P	P	P	P	Tennis, basketball courts			P	
Fireplace, outdoor			P		Terraces	P	P	P	P
Flag poles, the height of which shall not exceed the distance from any lot line in Residential Districts, and 35' maximum height and 10' setback in Non-residential Districts if min 120 mph flag wind speed	P	P	P	P	Tool, garden shed or similar buildings or structures for domestic storage purposes in accordance with Section 6.2.1			P	
Garages and carports, detached in accordance with Section 6.2.1			P		Trash receptacles and enclosures			P	P
Gazebos			P		Utility meters, distribution boxes, pedestals and other above ground appurtenances	P	P	P	P

Where 'P' indicates accessory structure or use is a permitted yard obstruction in the indicated yard as defined in this Section 6.2.1(B)1.

Accessory structures and uses not listed in this Table shall be considered to be prohibited yard obstructions.

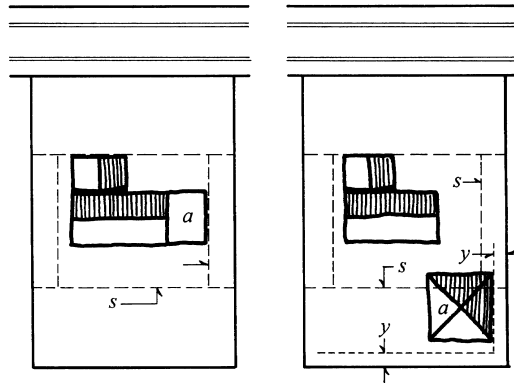
Accessory structures and uses listed in this Table shall conform with the bulk regulations in Section 6.2.1(C) unless otherwise specified in this Table.





- C. **BULK REGULATIONS.** Except as otherwise provided by this ordinance, all accessory structures and uses shall observe the bulk regulations of the district in which they are located, provided that:

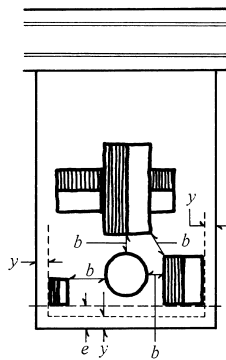
1. **ATTACHED ACCESSORY STRUCTURES:** Accessory structures, except porches, balconies and decks attached to the principal structure, shall be considered part of the principle building and shall comply with the required yards for the principle structure.



***Yard Requirements for Accessory Structures (a)***

*Where s = required setback for principle structure, and  
y = required setback for detached accessory structure*

2. **DETACHED ACCESSORY STRUCTURES, EXCEPT FENCES, AND WALLS:**
  - a. Minimum rear and side yard: Five (5) feet from any side or rear lot line
  - b. Maximum structure height: Fifteen (15) feet
  - c. Minimum building separation: No detached accessory structure may be located less than ten (10) feet from the principal structure or another accessory structure on the lot.



***Accessory Structure  
Required Setbacks***

*Where*

*b = principal building  
separation (≥ 10 feet)*

*sy = required side yard setback for  
accessory structures (≥ 5 feet)*

*ry = required rear yard setback for  
accessory structures (≥ 10 feet)*

*e = utility or drainage easement,  
and if e > 10 feet, ry = e*

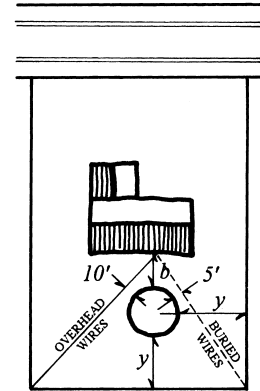
D. ADDITIONAL BULK REGULATIONS.

1. SWIMMING POOLS, HOT TUBS, AND OUTDOOR SPAS.

- a. No swimming pool, hot tub or outdoor spas and any deck attached thereto, may be located less than five (5) feet from any fence or property line.

- b. No swimming pool, hot tub, and outdoor spa shall be located within ten (10) feet of any overhead electric distribution or above ground service utility line transformer, pedestal or meter, nor within five (5) feet of any buried electric distribution or service utility line.

- c. All swimming pools, hot tubs, and outdoor spas, hereinafter referred to as “pool”, shall provide adequate enclosure when not in use or supervised. Said enclosure shall be:



1. A fence or wall with no openings or breaks, except for gates, not less than four (4) feet in height must be placed around the pool or lot on which the pool is located; or

**Swimming Pool (p) Setbacks**

Where  $b$  = building separation ( $\geq 10$  feet)

$y$  = yard setback ( $\geq 5$  feet)

2. The pool must be constructed with a self-contained fence and retractable ladder; or,
3. A manufacturer's swimming pool, hot tub, or outdoor spa cover or other type of protective device providing equal or better degree of protection than the other options in this Section and approved by the City building official.
4. Planting material shall not be used as a substitute for a fence or wall required by this Section.

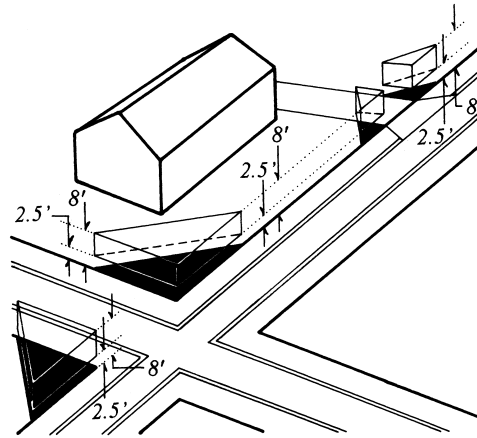
- d. Maximum area of all swimming pools, hot tubs, or outdoor spas located on a lot shall not exceed six hundred (600) square feet or five percent (5%) of the lot area, whichever is less.

2. FENCES AND WALLS.

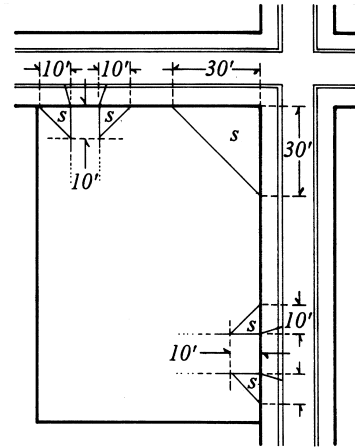
a. PROHIBITED FENCES AND WALLS.

1. Fences, including walls, and planting material used in the nature of a fence, placed or maintained on any portion of any public right-of-way or in any required yard which, by the nature of the materials used for its construction, its design or location would impair public safety by interfering with and obstructing the vision of persons using the streets, sidewalks or driveways on or adjacent to such a yard. No such fence may be located within the sight triangle, the sides of which are formed by the right-of-way lines of two intersecting streets or a street and a driveway. The length of the sides of said

triangle shall be thirty (30) feet along the street right-of-way that intersect, and ten (10) feet along the street right-of-way and driveway when a street and driveway intersect, or along the street right-of-way and alley when a street and alley intersect.



**Sight Triangle**



**Sight Triangle (s)**  
Plan View

2. Fences or walls constructed in whole or in part of electrically charged wire, barbed wire, spikes, glass, protruding nails, or other sharp or pointed material of any kind. Except that barbed wire may be used on a lot in the AG District when such lot is used for permitted agriculture purposes.
3. Chain link fences with barbed ends up.
4. Chain link fences are prohibited in a front yard.
5. Chain link fences with privacy insert strips in residential zoning districts. Privacy insert strips may be used in chain link fences in non-residential zoning districts provided all of the inserts are of the same color.
6. Snow fences, except for the exclusive control of wind blown snow between November 1 and March 31 and erected by State or local highway authorities, or used exclusively for protection devices at excavation sites.
7. Fences constructed of less than 9-gauge wire.
8. Exceptions to this Section may be granted by petition to the Hearing Officer. (Ord. 2007-35, 12-04-2007)

**b. FENCE AND WALL REQUIREMENTS.**

1. **FENCE CATEGORIES.** For the purpose of this Section, there shall be two categories of fences in Genoa:
  - i. **TYPE A.** A Type A fence may only be a decorative fence and shall not exceed four (4) feet in height

above the ground level in all zoning districts. Type A fences are permitted in all yards.

- ii. Type B. A Type B fence may be a wall, natural or solid fence and shall not exceed six (6) feet in height in residential districts or ten (10) feet in all other districts, and is permitted only in rear and side yards, unless otherwise specified or permitted in this Ordinance.

- 2. Fences and walls shall be located entirely on the lot of the property owner constructing the fence or wall.
- 3. The finished side of the fence or wall must face out from the property of property owner constructing the fence or wall.
- 4. No fence or wall shall be constructed or maintained in such a manner as to obstruct, inhibit, impair or otherwise alter over land surface drainage across any adjoining lot.
- 5. Fences may be located on public utility and drainage easements, however the City and the public utility companies having rights to use said easement reserve the right to remove said fence to construct, repair or maintain utility facilities with no obligation to replace or restore said fence, unless so stated in the governing easement document. It shall be the obligation of the property owner to locate all utilities prior to construction of a fence.
- 6. ADDITIONAL REGULATIONS FOR FRONT AND SIDE YARD AND CORNER SIDE YARD FENCES AND WALLS: Walls, except terraces, knee walls and retaining walls, and chain link fences shall be prohibited in a front yard.

- c. EXEMPTIONS. The provisions of this Title shall not apply to the following:

- 1. Fences constructed for the safety of children on park or school playgrounds.
- 2. Planting material used in the nature of a fence, except as otherwise prohibited by Section 6.2.1(D)2(a)1 herein.

- 3. PRIVATE ANTENNA TOWERS AND SATELLITE STATIONS. The following provisions apply only to non-commercial antenna towers solely for the use of the existing use on the same lot as the antenna. Satellite stations with a diameter of forty (40) inches or less are exempt from these regulations only for non-commercial stations solely for the use on the same lot as the satellite station. All other non-commercial antenna and satellite stations shall conform with the following.

- a. MAXIMUM HEIGHT: 50 feet above grade.
- b. MINIMUM YARDS:

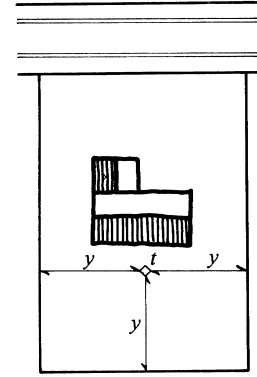
1. Freestanding towers or antenna structures and satellite stations that are unattached to the principal structure shall not be located closer to the lot line than the total height of the tower, satellite stations or antenna structure. All unattached, freestanding towers, satellite stations or antenna structures shall be located in the rear yard and must be properly guyed entirely within the limits of the property.

2. Towers, satellite stations or antenna structures that are directly attached to the principal structure may be located in a side yard or rear yard.

- c. SCREENING REQUIRED. Detached satellite stations greater than forty (40) inches in diameter shall be screened from view from adjoining lots and adjoining public right-of-way by a solid fence, wall and/or landscaping.

- c. EXEMPTIONS. Satellite stations forty (40) inches or less in diameter or diagonal dimension and non-commercial personal wireless communication facilities solely for the use of existing use on the same lot as the antenna are exempt from the regulations of this Section.

(Ord. 2013-04, 04-03-2013)



***Freestanding  
Antenna Tower (t)***

*Where y = yard setback, and  
y = height of tower or  
antenna*

4. DETACHED GARAGES AND CARPORTS.
  - a. MAXIMUM AREA: One thousand two hundred (1,200) square feet or ten percent (10%) of the lot area, whichever is less. (Ord. 2007-02, 02-20-2007)
  - b. MAXIMUM NUMBER: One (1) per single family lot.
  - c. ACCESS. A continuous asphalt, concrete, or concrete paver surface shall be provided between any garage or carport and the adjoining street or alley.
  - d. MAXIMUM HEIGHT: Fifteen (15) feet, unless an accessory cottage or accessory cottage office is located above the garage in which case the garage shall not exceed the height of the principal structure. For the purpose of an accessory detached garage only, the height for a gable, gambrel or four (4) sided hip roof shall be measured to the midpoint of the gable on the gabled end, or the midpoint of the roof slope on the lowest side of a 4 sided hip roof. (Ord. 2007-35. 12-04-2007; Ord. 2010-12, 07-26-2010)
5. DECKS, OPEN-TO-THE-SKY.
  - a. MAXIMUM AREA: Ten-percent (10%) of the lot area.

- b. MINIMUM YARDS: Five (5) feet from any side or rear lot line provided that no deck attached to the principal building shall be located less than fifteen (15) feet from a rear lot line.
  - c. MAXIMUM HEIGHT: No deck detached from the principal building shall be higher than the floor level of the upper most story of the structure containing living space and which is thirty-six (36) inches above the ground beneath the deck. Decks attached to above ground swimming pools shall be exempt from the maximum height limitation set forth herein but shall not be less than five (5) feet from any adjoining property line.
- 6. ACCESSORY COTTAGES AND ACCESSORY COTTAGE OFFICES.
  - a. MAXIMUM FLOOR AREA: Six hundred fifty (650) square feet.
  - b. NUMBER: Not more than one (1) accessory cottage or accessory cottage office shall be permitted on a lot.
  - c. MAXIMUM HEIGHT: The accessory cottage or accessory cottage office shall not exceed the height of the principal residential building on the lot.
- 7. PORT COCHERE AND ATTACHED CARPORTS.
  - a. NUMBER: One (1) per lot
  - b. MAXIMUM HEIGHT: The top of the port cochere shall not be higher than the lowest eave line of the wall to which it is attached.
  - c. YARDS: A port cochere may extend in to a required yard provided that it has no solid wall and is open to the elements year round.
  - d. The roof of a port cochere may be used as a deck, but shall not be enclosed or used as habitable space if the port cochere is located in a required yard.
- 8. TOOL, GARDEN STORAGE SHEDS, GAZEBOS, CABANAS AND OTHER ACCESSORY STRUCTURES, NOT OTHERWISE SPECIFIED IN THIS SECTION 6.2.1.
  - a. MAXIMUM AREA: Except in the ER or AG Districts, Tool and garden storage sheds maximum 200 square feet, and ten percent (10%) of the lot area total maximum for tool, garden storage shed gazebo, cabana or other accessory structure, not otherwise specified in this section 6.2.1, combined.
  - b. MAXIMUM NUMBER: One tool or garden storage shed, and one gazebo, or cabana or other accessory structure, not otherwise specified in this section 6.2.1, per lot. (Ord. 2007-35, 12-04-2007)

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## Article 6.3

### TEMPORARY STRUCTURES AND USES

**6.3.1. Temporary Structures and Uses.** No temporary structure or use as listed herein shall hereafter be built, established, moved or remodeled, altered or enlarged unless such temporary structure or use is permitted by this Title. The following uses of land are permitted in each zoning district (unless specifically restricted to a particular in each district), subject to the specific regulations and time limited which follow, and to the other applicable regulations of the district or districts in which it is located:

- A. **CHRISTMAS TREE SALES.** Christmas tree sales, when located on a lot not less than two (2) acres located in a commercial or industrial district for a period not to exceed thirty (30) days. Such use need not comply with the yard requirements of this Title, provided that no trees shall be displayed within ten (10) feet of any driveway or street right-of-way or within thirty (30) feet of the intersection of the rights-of-way of any two streets.
- B. **CONTRACTORS' OFFICES AND EQUIPMENT SHEDS AND TRAILERS.** Contractors' offices and equipment sheds and trailers, when accessory to a construction project and only for the duration of the project while building permits are in effect and provided that such office or equipment shed or trailer is located on the premises undergoing construction. No such office, shed or trailer shall contain sleeping accommodations or cooking facilities. Such use shall be removed upon the lapse of building permits or issuance of the last occupancy certificate and shall be screened from view with a fence or landscaping.
- C. **SUBDIVISION SALES OFFICES.** Subdivision sales offices, sometimes in a model home, when incidental to a new housing development. No such use may be used for sleeping or cooking purposes and may continue only until all dwelling units in the development have been sold or leased.

Fences may be located on lots used for subdivision sales offices and model homes provided that such fences comply with the provisions of 6.2.1(D)2, except that points of access be provided as required by the Development Administrator for persons, equipment and vehicles which may be required in case of emergency.
- D. **SEASONAL SALE OF FARM PRODUCTS.** Seasonal sales of farm produce, grown on the premises in an AG District, for a period not to exceed four (4) months in any calendar year. Structures incidental to such sales shall comply with the yard requirements of the district in which it is located.
- E. **CIRCUSES AND CARNIVALS.** Circus or carnivals, when operated or sponsored by a religious, civic, or institutional not-for-profit group for a period not to exceed one week. No such use may occur on a lot which will pose a safety hazard to pedestrians and motorists or interfere with the use and privacy of adjacent property. Such use may not be located in any residential district, except on park, church, or school property, and shall comply with the yard requirements of the district in which it is located.
- F. **SIDEWALK SALES.** Sidewalk sales, when conducted in a commercial district incidental to the business(es) located on the lot provided such use is conducted in conjunction with a special event or promotion which is related to or sponsored by the business(es) on the lot and conducted adjacent to the entrance of said business(es), and that such use occurs for a period not to exceed four days and does not to occur more than three (3) times in a calendar year.



## Article 6.4

### HOME-BASED BUSINESSES

**6.4.1. Purpose.** Home-based businesses are a necessary and desirable part of the development of a community, but if left unchecked can have a deleterious effect on the value, use and enjoyment of adjoining property and the neighborhood. It is necessary to establish performance standards to measure the appropriateness of the many diverse home-based businesses in Genoa neighborhoods. It is the intent of this section to:

1. Ensure the compatibility of home-based businesses with other uses permitted in residential zoning districts;
2. Maintain and preserve the character of residential neighborhoods;
3. Promote the efficient use of public services and facilities by assuring that services are provided to the residential population for which they were planned and constructed, rather than provided to commercial uses; and,
4. Prevent the generation of vehicular or pedestrian traffic in greater volumes than would normally be expected in a residential neighborhood.

**6.4.2. Performance Standards.** In addition to all of the use limitations applicable in the district in which a home-based business is located, no home-based business, as defined herein, shall hereafter be established, altered or enlarged in any residence district unless such home-based business complies with the following performance standards in all residence districts:

- A. **EMPLOYEES.** Not more than one person who is not a member of the immediate family occupying such dwelling unit shall be employed at the home in connection with the home-based business.
- B. **SIGNS.** No sign on the premises shall advertise the presence or conduct of a home-based business.
- C. No wholesale, jobbing or retail business shall be permitted unless sales are conducted entirely by mail or telephone or by appointment and the business does not involve the receipt, shipment, delivery (except by US Mail or overnight package delivery service) or storage of merchandise on or from the premises.
- D. **NO EXTERIOR EVIDENCE.** There shall be no activity, structure, or other exterior evidence that the dwelling unit is being used for any non-residential purpose in order to conduct the home-based business.
- E. **AREA LIMITATION.** No more than twenty-five percent (25%) of the area of a dwelling shall be devoted to the home-based business.
- F. **EQUIPMENT.** No mechanical or electrical equipment may be used except such types as are customary for purely domestic, household, or hobby purposes, or used in a manner to indicate that the structure is being used for a non-residential purpose. Furthermore, no equipment which creates noise vibration, glare, fumes, odors or electrical interference beyond what normally occurs in the applicable zoning district shall be used in such home-based business.
- G. **OUTSIDE STORAGE.** There shall be no storage outside a principal building or accessory structure of equipment or materials or products used in the home-based business.

- H. OUTDOOR BUSINESS OPERATIONS. The home-based business shall be conducted entirely within the principal residential building or in a private garage accessory thereto.
- I. CHARACTER. The home-based business shall be conducted in a manner which would not cause the premises to differ from its residential character either by use of colors, materials, lighting, or the emission of sounds, noises, or vibrations.
- J. TRAFFIC IMPACT. The home-based business shall not have an adverse affect on the neighborhood through the congestion of City streets.
- K. SCALE. The home-based business shall be incidental and subordinate to the principal use of a building used as a dwelling.
- L. CUSTOMER SALES AND PICK-UP. Direct sales of products from the dwelling unit are prohibited, but a person may pick-up an order placed earlier.
- M. DISPLAYS. No article or stock-in-trade shall be displayed such that it is visible from the exterior of the dwelling unit.
- N. ORIGIN OF GOODS. Goods that are the subject of the home-based business may be fabricated or produced on the premises, as well as manufactured elsewhere, subject to the ordinance set forth in this Section.
- O. PARKING. The conduct of the home-based business shall not require more vehicle parking space than exists on the residential driveway on the property, or on assigned parking spaces serving the dwelling unit. The conduct or operation of a home-based business shall not reduce or render unusable any areas provided for required off-street parking, or prevent the number of cars intended to be parked in a garage from doing so. Parking for any employees shall be provided off-street on the property.
- P. HUMAN CARE SERVICES AND PERSONAL INSTRUCTION. Home-based businesses involving human care services or personal instruction shall be limited to: the care of humans for barber or beauty shops with not more than two (2) cutting chairs; babysitting services and licensed day care homes; and, personal instruction for not more than three (3) individuals at one time.

**6.4.3. Particular Home-based Businesses Prohibited.** Any home-based business that cannot satisfy the requirements of Section 6.4.2(B) shall be prohibited. Prohibited home-based businesses include, but are not limited to, the following:

- A. Funeral homes
- B. Nursery schools and day care centers
- C. Restaurants
- D. Stables, kennels, or animal hospitals
- E. Tourist homes and lodging houses
- F. Medical or dental offices, clinics or hospitals
- G. Antique shops or sales
- H. Catering
- I. Motor vehicle body shops and repair shops

## Article 6.6

### LANDSCAPING AND TREE PRESERVATION

**6.6.1. Purpose.** This Article is established to create uniform landscape, screening and tree preservation standards for development of property in the City and review of plans therefor, in order to ensure that the City remains attractive, safe and comfortable. Landscaping required by this Article shall be a condition to the issuance of a Certificate of Occupancy for any improvements built on a lot in the City. The landscape standards herein are established:

- A. To promote, protect and preserve the general health and safety of the people of the community and, as part of the general welfare, insure aesthetic compatibility among land uses within the community;
- B. To conserve soil and reduce soil erosion, reduce storm water run-off, to provide oxygen regeneration to enhance air quality, and to reduce the effects of urban heat islands;
- C. To minimize the harmful or nuisance effects resulting from noise, dust, debris, motor exhaust, headlight glare, artificial light intrusions, objectionable sights or activities, or similar incompatible impacts conducted or created by adjoining or nearby land use;
- D. To safeguard the environmental quality and aesthetic character of the community by limiting the removal and insuring replacement of trees upon private property within the City;
- E. To preserve, insofar as practical, existing vegetation and topographical features by limiting unnecessary clearing and modification of land, encouraging the retention of existing mature trees, requiring the replacement of indigenous trees with approved species; and,
- F. To encourage the energy efficient operation of land uses in the public interest.

**6.6.2. Tree Preservation and Removal Regulations.** It shall be unlawful for any person to remove or cause the removal of any tree having a caliper of four (4) inches or greater in the City of Genoa without having first obtained approval from the City of a Tree Preservation and Removal Plan as described herein. Nothing in this Section 6.6.2 shall apply to tree removal by an owner of a lot having a single family, two-family or duplex dwelling located thereon.

- A. **TREE PRESERVATION AND REMOVAL PLAN REQUIRED.** A Tree Preservation and Removal Plan shall be required for any parcel of land involving the construction of any new building(s) or structure(s) or other site improvements, or the removal of a tree having a caliper of four (4) inches or greater. All Tree Preservation and Removal Plans shall include or have attached thereto the following information:
  - 1. A tree survey.
  - 2. The location of those trees to be removed and preserved and the methods which are to be used to remove and preserve such trees during site development and/or tree removal procedures.
  - 3. A written statement indicating the reason for removal of the tree(s). A report from a licensed Illinois arborist may be requested by the City Administrator if deemed appropriate.
  - 4. A general description of the tree(s) to be removed.

5. Details, specifications and/or technical information of materials or procedures to be used to preserve and protect trees.

**B. GENERAL TREE PRESERVATION AND REMOVAL STANDARDS AND CRITERIA.**

1. Every reasonable effort shall be made to retain existing trees on the aforementioned tree survey through the integration of those trees into the site plan and landscape plan for a proposed development.
2. Grading and construction equipment shall be forbidden from encroaching within the drip line of a tree.
3. Crushed limestone hydrocarbons and other material detrimental to trees shall not be stored or dumped within the drip line of any tree nor at any higher location where drainage toward the tree could conceivably effect the health of the tree.
4. Toxic chemicals, gasoline, oil and other injurious substances shall not be stored or allowed to seep, drain or empty within one hundred (100) feet of the drip line of protected trees.
5. Snow fencing shall be temporarily installed at the periphery of the tree's drip line.
6. Tree trunks and branches shall be protected when construction must occur within a tree drip line.
7. No grade changes shall be allowed under drip line of any trees designated for preservation.
8. No ropes, signs, wires, unprotected electrical installation or other device or material shall be secured or fastened around or through a protected tree.
9. To improve the survival rate of tree, root pruning and/or thinning should be performed in accordance with the Arboricultural Specifications Manual.
10. In the event that underground utility lines are proposed within five (5) feet of the trunk of a tree, then augering of the utility line should be considered and may be required by the City.
11. **TREE REPLACEMENT REQUIRED.** Any tree intended to be removed or unintentionally removed or damaged during construction on the lot shall be replaced in the manner herein prescribed.
  - a. In the event that a tree is designated for removal during the construction process, such tree shall be replaced with new trees in accordance with the following schedule:

<u>CALIPER (INCHES)</u> <u>OF TREE TO BE REMOVED</u>	<u>NUMBER OF</u> <u>REPLACEMENT TREES</u>
30 or greater	6
13-29	5
4-12	4

Except that when a tree designated for removal is one of the following species each such tree shall be replaced with one replacement tree from the list of species provided in Section 6.6.2(B)9(d):

Black Locust (*Robinea psuedoacacia*), Box Elder (*Acer negundo*), Buckthorn (*Rhamnus cathartica*), Chokecherry (*Prunus virginiana*), Cottonwood (*Populus deltoides*), Chinese Elm (*Ulmus parviflora*), Goldenchain Tree (*Laburnum anagyroides*), Laurel Willow (*Salix pentandra*), Mulberry (*Morus sp.*), Osage Orange (*Maclura pomifera*), Russian Olive (*Elaeagnus angustifolia*), Siberian Elm (*Ulmus pumila*), Tree of Heaven (*Ailanthus altissima*), and Weeping Willow (*Salix baylonica*).

- b. In the event that a tree designated for preservation is destroyed, damaged, or removed during the construction process, such tree shall be replaced with new trees in accordance with the following schedule:

<u>CALIPER (INCHES)</u> <u>OF TREE TO BE REMOVED</u>	<u>NUMBER OF</u> <u>REPLACEMENT TREES</u>
30 or greater	10
13-29	8
4-12	6

- c. All replacement trees shall have a minimum caliper of two and one-half (2.5) inches.
- d. Replacement trees shall be limited to the following species:  
  
American Beech, Ash, European Beech, Ginkgo, Hackberry, Horse Chestnut, Linden, Maidenhair Tree, Maple (excluding Silver Maple and other similar softwood species), Oak, Purple Leaf Beech, Thornless Honeylocust (cultivars), and Tulip Tree.
- e. The landscape plan shall identify each replacement tree as a replacement tree and indicate it's location, specie, and size. No replacement trees shall be used to satisfy the requirements for tree planting in public right-of-way or in parking lots.
- f. Removal of trees designated for preservation shall be allowed only by amending the Landscape Plan.
- g. Tree preservation and replacement required by this Article shall be a condition to the issuance of a Certificate of Occupancy for any improvements constructed on a zoning lot in the City.
- h. If it is impractical to plant the required number of replacement trees on the same zoning lot due to space limitations or the density of existing trees, the City shall require the Owner to plant said tree(s) at its discretion on other public property, excluding right-of-ways.

D. GUIDELINES FOR REVIEWING TREE REMOVAL PLANS. The City of Genoa shall approve removal of a tree if one (1) or more of the following conditions is present:

- 1. It is necessary to remove a tree that poses a safety hazard to pedestrian or vehicular traffic or threatens to cause disruption of public safety.

2. It is necessary to remove a tree which poses a safety hazard to structures.
  3. It is necessary to remove a tree which is diseased or has been weakened by age, storm, fire or other injury.
  4. It is necessary to observe good forestry practice, i.e., the number of healthy trees a given parcel of land will support.
- E. **TREE REMOVAL PERMIT.** When tree removal is occasioned by any development or land use requiring the submission of a Landscape Plan, Tree Preservation and Removal Plan, Site Plan, or Subdivision Plan, said plan shall, upon approval by the City, constitute a tree removal permit.
- F. **FAILURE TO COMPLY.** If, in the opinion of the Development Administrator, the necessary precautions as specified in the tree preservation and removal plan were not undertaken before or maintained during construction, the land development permit for the parcel shall not be issued or, if previously issued, shall be revoked until such time as these precautions have been satisfied.

**6.6.3. Landscaping and Screening Regulations.** A landscape plan prepared in accordance with the standards set forth in this Article shall be required for any land development requiring a Class I Site Plan Review or a non-residential use requiring a Class II Site Plan Review described in Article 4.2. Landscaping and screening required by this Article shall be a condition to the issuance of a Certificate of Occupancy for any improvements built on a zoning lot in the City.

- A. **LANDSCAPE PLAN REQUIRED.** A Landscape Plan shall be completed by a landscape architect or a person capable of fulfilling all requirements set forth in this Title. Applicants may elect to prepare a landscape plan in two phases: a preliminary landscape plan, and a final plan. Requests for relief or revisions to these requirements of this Title may be submitted to the Development Administrator for his consideration.
- B. **CONTENT OF LANDSCAPE PLAN**
1. **PRELIMINARY LANDSCAPE PLAN.** All preliminary landscape plans shall include or have attached thereto the following information:
    - a. The name, address and phone number of the Landscape Architect or other person who prepared the plan; scale, north arrow, date of preparation, and identification of the plans as a preliminary landscape plan.
    - b. The proposed location of all new plant materials shall be shown.
    - c. An indication of the character of suggested plant materials to be used, i.e. shade trees, ornamental trees, shrubbery, ground cover, etc.
    - d. A tree preservation and removal plan.
    - e. The location of existing natural site features, including, but not limited to, large boulders, rock outcroppings, wetlands and streams.
    - f. The location and dimension of all existing and proposed buildings, parking lots and driveways, roadways and right-of-way, sidewalks, bicycle paths, signs, fences, refuse disposal areas, free standing electrical equipment, setbacks, easements, and other free-standing structure or features as determined by the Development Administrator.

- g. Existing and proposed contours, including proposed berms, at one foot contour intervals.
2. FINAL LANDSCAPE PLAN. All final landscape plans shall include or have attached thereto to the following information:
  - a. The name, address and phone number of the Landscape Architect or other person who prepared the plan; scale, north arrow, date of preparation, and identification of the plan as a final landscape plan.
  - b. The general design criteria prescribed in 6.6.3(F) regarding right-of-way landscape requirements. (Ord. 2011-30, 10-18-2011)
  - c. The location of existing and proposed improvements; including, but not limited to, buildings, with entry and exit points identified; all utilities, lighting, walls, and fences, parking areas (spaces delineated, including handicapped spaces, curbs); spot elevations and contours; existing and proposed berms; existing (four (4) inch caliper and larger with drip line) and proposed plant material; paved surfaces; sign locations; public rights-of-way and easements, including street widths; refuse disposal areas; property lines; and, other exterior landscape amenities, such as bike paths, plazas, architectural paving, flag poles, foundations, benches, and bicycle racks.
  - c. The planting schedule listing botanical names, common names, caliper or height, and quantity;
  - d. The proposed treatment of all ground surfaces (pea gravel, ground covers, sod, seed and/or prairie).
  - e. Other drawings and information as required; such as irrigation plan, if appropriate, grading and drainage plan, showing spot elevations and/or cross section, or methods to be used to protect plants and planted areas, e.g. curbs, ties, walls.
  - f. Tree Preservation and Removal Plan.
  - g. Provide elevations, cross sections, samples and/or photographs to indicate; texture of exposed surfaces, landscape material, scale, color of exposed surfaces, planting in relation to buildings, if requested by the Development Administrator.
  - h. Provide technical information, samples, details, and/or photographs of materials to be used for light standards, benches, fences, walls, signage, safety lighting, and other site details.

### C. GENERAL DESIGN CRITERIA

1. **SCALE AND NATURE OF LANDSCAPE MATERIALS.** The scale and nature of landscape material shall be appropriate to the site and the structures thereon.
2. **SELECTION OF PLANT MATERIAL.**
  - a. Planting materials used in conformance with the provisions of this Article shall be:

1. Of good quality and of a species normally grown in northeastern Illinois.
  2. Capable of withstanding the extremes of individual site microclimates.
  3. Selected for interest in its structure, texture, and color for its ultimate growth.
  4. Harmonious to the design, and of good appearance.
  5. In conformance with American Standard for nursery stock as approved by American National Standards Institute and issued as ANSI 2601.1986.
- b. Evergreens shall be incorporated into the landscape treatment of a site, particularly in those areas screening parking lots from dedicated public rights-of-way or property zoned for residential use.
- c. Minimum sizes for plant materials at time of installation for all landscape areas shall be as follows:
1. Deciduous trees shall be a minimum size of two and one-half (2 ½) inches caliper when installed. Evergreen trees shall be a minimum six (6) feet in size feet in height when installed.
  2. Deciduous shrubs (other than dwarf varieties) shall be a minimum of three (3) feet in height at time of installation if used as a perimeter screen planting, and thirty (30) inches in height for all other installations. Dwarf varieties and plants normally measured by spread shall be a minimum of twenty-four (24) inches in height/spread.
  3. Ground cover shall be so planted and spaced that complete coverage can be obtained within two (2) years after date of installation.
  4. Ornamental trees shall be used, especially in smaller planting areas, and shall have a minimum trunk size of two (2) inches caliper, or be of a clump form at a minimum height of five (5) feet.
- d. PROHIBITED TREES. The following trees shall not be used to satisfy the requirements of this Article: Silver Maple (except new hybrids); Box Elder; Red Mulberry; Osage Orange; Poplar (all species); Black Locust; Weeping Willow (except in large, wet areas); Catalpa; Tree of Heaven; White Birch; Elm (except new hybrids; Russian Olive; Mountain Ash; and, fruit trees.
3. INSTALLATION OF PLANT MATERIALS. Plant materials of all types and species shall be installed in accordance with the minimum technical specifications of the Illinois Landscape Contractors Association, including the provisions for guarantee and replacement.
4. MAINTENANCE OF PLANT MATERIAL. The Owner of the premises shall be



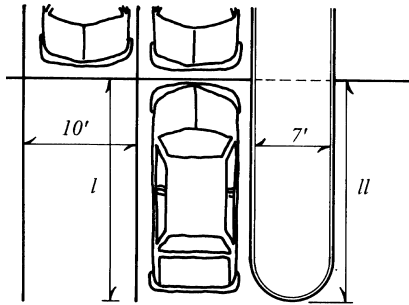
responsible for the maintenance, repair and replacement of all landscaping materials and barriers, including refuse disposal areas, walls, fences, and other amenities, as may be required by the provisions of this Article. A means of irrigating plant material shall be provided. Installation of an automatic underground sprinkling system is recommended.

5. **PLANTING BEDS.** Planting beds shall be mulched in their entirety with shredded bark or other similar organic material. Lava rock or large diameter (1½” diameter or larger) bark chips (“chunk bark”) are not acceptable. Gravel and stone mulches are not permitted, unless specifically approved in writing by the City. Mulch beds at time of planting shall extend a minimum of two (2) feet beyond the center of a shrub.
6. **WALLS AND FENCES.** Plant materials shall be placed intermittently against long expanses of building walls, fences and other barriers to create a softening effect. All wood fences proposed to be used to satisfy the requirements of this Article shall be of red cedar, redwood, cypress, or other approved decay resistant treated wood, at least six (6) feet high, and of solid construction. Wood fences shall be not less than seventy-five percent (75%) opaque, with all supporting posts exposed to the lot interior. Stockade type fences are not permitted.
7. **DETENTION/RETENTION BASINS AND PONDS.** Detention/retention basins and ponds areas shall be planted. Such plantings shall include shade and ornamental trees, evergreens, shrubbery, hedges and/or other live planting materials. Plants must be able to tolerate wet conditions if planted within the basin.
8. **ENERGY CONSERVATION**
  - a. Deciduous trees, shrubs and vines should dominate the south and west sides of buildings and plaza areas to provide shade during the summer and limited shade during winter.
  - b. Evergreens and other plant materials should be concentrated on the north side of buildings in a manner which dissipates the effect of winter winds.
9. **BERMS.** Earthen berms and existing topography shall, wherever practical, be incorporated into the landscape treatment of a site. Berms shall not exceed a maximum slope of four horizontal units to one vertical unit (4:1), except in parking islands, where the maximum slope shall not exceed two horizontal units to one vertical unit (2:1).
10. **TOPOGRAPHY.** Where natural, existing topographic patterns contribute to the beauty and utility of a development, they shall be preserved and developed. Modification of topography may be allowed where it contributes to the aesthetic quality of the site.
11. **PROTECTION OF PLANT MATERIAL AND/OR PEOPLE.** In locations where plant materials may be susceptible to injury or cause personal injury, appropriate curbs, tree guards, or other devices shall be provided.
12. **AREAS WHERE PLANT MATERIAL WILL NOT PROSPER.** In areas where general planting will not prosper, other materials such as fences, walls and pavings of wood, brick, stone, and cobbles shall be used. Carefully selected plant material shall be combined with such materials where possible.

13. EXTERIOR LANDSCAPE LIGHTING. Lighting standards and fixtures when used to enhance the building design and the adjoining landscape shall be of a size and design compatible with the building and adjacent areas. Lighting shall be restrained in design, and excessive brightness and brilliant colors shall be avoided. Electrical service shall be underground.
14. AMENITIES. In business, office and industrial districts seating areas, paved areas, plant enclosures, benches, waste receptacles, lights, and other amenities shall be provided where appropriate.
15. SERVICE YARD SCREENING. Service yards, loading docks and other places that tend to be unsightly shall be screened from view. Screening shall be equally effective at all times of the year.
  - a. Trash dumpsters and other waste receptacles or equipment shall be screened on three (3) sides with a solid wall at least six (6) feet in height, and a solid single or double access gate on the fourth side.
  - b. All utility equipment (meters, transformers, etc.) shall be provided with appropriate planting screens.
  - c. Except when located across a street from residential zoned property, all garage doors and loading areas on non-residential property shall be concealed from view (at grade) from adjoining residential zoned property.
  - d. All outdoor storage facilities for raw materials and finished products within five (500) hundred feet of a residence district shall be effectively screened and enclosed by a solid wall or fence at least eight (8) feet in height. If materials to be stored outdoors are in excess of eight (8) feet in height, then landscape screening shall be provided in addition to the fence or wall installed along the outside perimeter of the fence or wall, equal or exceeding the height of the materials to be stored outdoors.
16. INNOVATIVE LANDSCAPING. Innovative landscaping treatments are encouraged and shall be considered as a positive attribute in connection with any request for a variation from the requirements of this Article.
17. INTERSECTION VISIBILITY. Landscaping must be designed and installed to minimize potential obstruction of critical sight lines. Landscape planting shall be so designed as to avoid obstruction of a motorist's vision at the intersection of parking aisles, driveways, or public or private streets and alleys. Unobstructed visibility between two and one-half (2.5) feet and eight (8) feet above the height of the pavement must be maintained at all intersections. To maintain this visibility, no berms, shrubs or other landscape material which will reach a mature height greater than two and one-half (2.5) feet shall be permitted within a sight triangle. Trees are allowed in sight triangles provided the lowest branching begins not less than eight (8) feet above the pavement.
18. EDGING. Edging is recommended to separate grass areas from shrubs, ground cover and mulch and shall be a good quality steel, plastic, or weather resistant (redwood, cedar) or treated wood secured with stakes.
19. ARTIFICIAL PLANTS. No artificial plants of any type shall be used to satisfy any requirements of this Article.

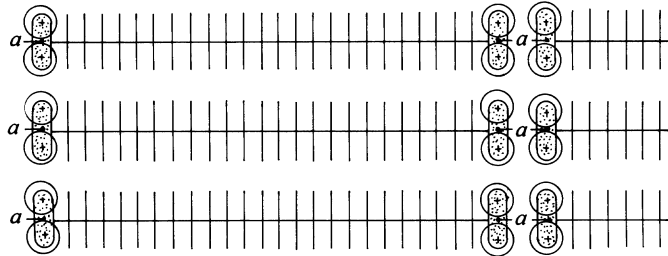
20. GROUND COVER. All drainage swales and slopes having a slope of three vertical units to one horizontal unit (3:1) or greater shall be sodded. All other ground areas not covered by buildings, parking, sidewalks or other impervious surfaces, or occupied by planting beds shall be graded smooth with a minimum of six (6) inches of black dirt after compacting and removing stumps, rocks and other debris, and shall be seeded or sodded to prevent soil erosion and sedimentation of public drainage systems, creeks, streams, rivers and wetlands.
  21. WATER CONSERVATION. Wherever possible landscape designs and plant material which is indigenous and or drought tolerant should be used to reduce the need for irrigation.
  22. FLOWER BEDS. Flower beds are encouraged and shall be planted in masses in acceptable areas to create color, texture and visual interest.
- F. ADDITIONAL RIGHT-OF-WAY LANDSCAPING REQUIREMENTS. In addition to the general design criteria prescribed in Section 6.6.3(C), the following requirements shall also apply to landscaping in rights-of-way.
1. SCOPE. Where a zoning lot abuts a dedicated public street right-of-way, trees shall be provided in accordance with the provisions of this Article, the City's Municipal Code, and the Arboricultural Specifications Manual. (Ord. 2011-30, 10-18-2011)
  2. STREET TREES. Street trees shall be planted in all parkways having a width of five (5) feet or more. The City shall have the discretion to require trees be planted outside of the right-of-way if the parkway is less than five (5) feet wide or overhead or buried utilities may conflict with the growth of street trees. Street trees shall be planted not more than forty (40) feet apart whenever possible, and shall have a minimum trunk diameter of two and one-half (2½) inches measured six (6) inches above ground level.
  3. The City will provide the applicant with the required number and type of parkway trees that shall be included in the Final Landscape Plan indicating the common name of each parkway tree within the rights-of-way on a parcel of land identified by the lot number per the approved Preliminary Plan. The Final Landscape Plan shall also include a listing of all lots in numeric order that requires a parkway tree or trees and the type of tree provided by the City. Underneath the listing of trees, the applicant shall insert the following language: The City reserves the right at its own discretion to amend the tree list based on the availability, diversity or when a certain type of tree has been identified to transmit some type of disease or be prone to infestation. (Ord. 2011-30, 10-18-2011)
- G. ADDITIONAL PARKING LOT LANDSCAPING REQUIREMENTS. In addition to the general design criteria prescribed in Section 6.6.3(C), the following requirements shall also apply to landscaping parking lots.
1. SCOPE. All parking lots designed for twenty (20) or more parking spaces shall be landscaped in accordance with the provisions of this Article.
  2. INTERIOR PARKING LOT LANDSCAPING. To define circulation within a parking lot and to visually and physically break-up long rows of parking spaces, landscape islands are required to be provided within parking lot areas, as follows:

- a. **PARKING AISLE LANDSCAPE ISLANDS.** A landscaped island shall be provided at the end of each parking row. The island shall be protected by a continuous concrete barrier curb and shall have a minimum width of seven (7) feet, measured back-of-curb to back-of-curb, and shall have a depth equal to the adjoining parking space. Each parking aisle landscape island shall contain two (2) shade trees.



*Parking Space Landscape Island, Detail*

Where  $l = ll$



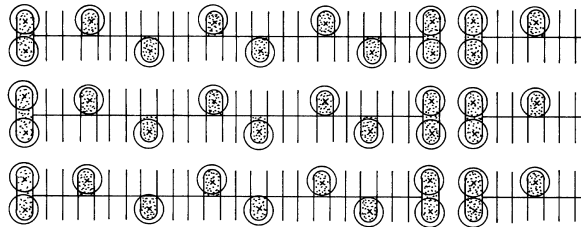
*2 Shade Trees per Landscape Island*

*Landscape Island, Parking Aisle (a)*

- b. **PARKING SPACE LANDSCAPE ISLANDS.** In addition to parking aisle landscape islands, one or more of the following alternatives shall be used to divide each row of parking having twenty (20) spaces or more:

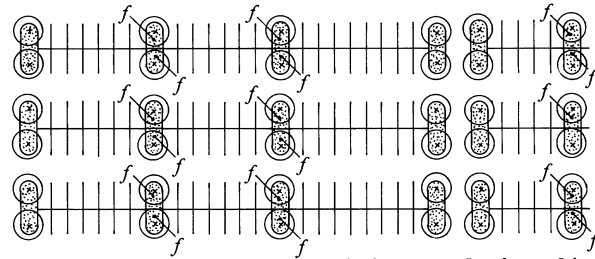
1. **FULL PARKING SPACE LANDSCAPE ISLAND.** One landscape island protected by a continuous concrete barrier curb and having a minimum width of seven (7) feet, measured back-of-curb to back-of-curb, and a depth equal to the adjoining parking space, may be provided for each twenty (20) parking spaces in the parking row. Said landscape islands shall be dispersed throughout the parking row. Each said landscape island shall contain one (1) shade tree; or,

**EXAMPLE 1**



*1 Shade Tree per Landscape Island*

**EXAMPLE 2**

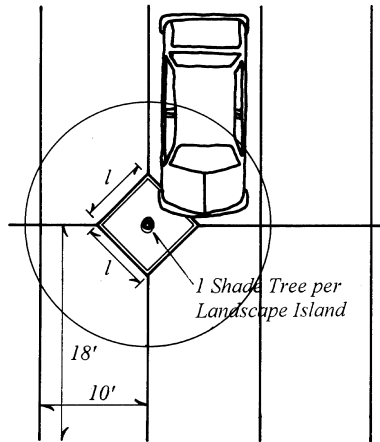


*1 Shade Tree per Landscape Island*

*Landscape Island, Full Parking Space (f)*

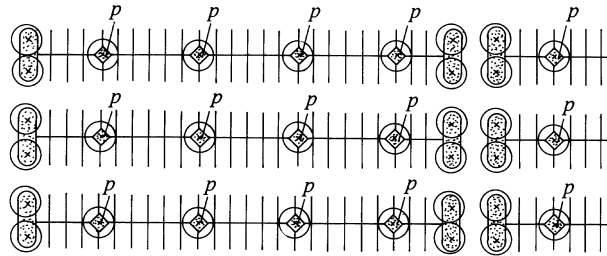
$$\text{Where Number of Islands} = \frac{\text{Number of Parking Spaces in Parking Row}}{20}$$

2. **PARTIAL PARKING SPACE LANDSCAPE ISLAND.** One landscape island positioned at the front corner of a parking space, protected by a continuous concrete barrier curb and having minimum dimensions of six and one-half (6.5) feet square, measured back-of-curb to back-of-curb, may be provided for each ten (10) parking spaces in the parking row. Said landscape islands shall be dispersed throughout the parking row and shall not be used in parking rows along the perimeter of a parking lot. Each said landscape island shall contain one (1) shade tree; or,



**Partial Parking Space Landscape Island, Detail**

Where  $l = 6.5$  feet (measured back-of-curb to back-of-curb)

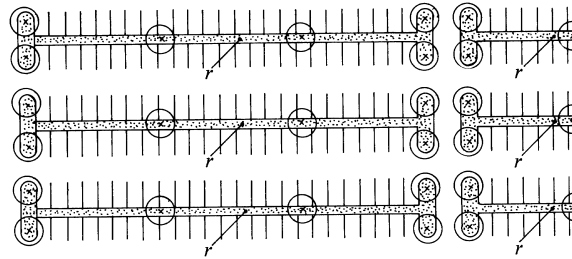


*1 Shade Tree per Landscape Island*

**Landscape Island, Partial Parking Space (p)**

Where Number of Islands = 
$$\frac{\text{Number of Parking Spaces in Parking Row}}{10}$$

3. CONTINUOUS PARKING ROW LANDSCAPE ISLAND. A continuous landscape island protected by a continuous concrete barrier curb and having a minimum depth of seven (7) feet, measured back-of-curb to back-of-curb, may be provided between parking rows. Said landscape island shall not be used in parking rows along the perimeter of a parking lot. Each said landscape island shall contain one (1) shade tree for each twenty (20) parking spaces in the parking row.



*Landscape Island, Continuous Parking Row (r)*

- c. ADDITIONAL LANDSCAPING STANDARDS. In addition to the shade trees required in this Section, each landscape island required herein shall be landscape with an appropriate number and selection of shrubs, flowers, groundcovers, sod and mulch. Shrubs planted in a parking lot landscape island shall not exceed a mature height of thirty (30) inches above the adjoining pavement. No tree planted in a parking lot landscape island shall have branches maintained at a height less than six (6) feet above the adjoining pavement.

### 3. PARKING LOT PERIMETER LANDSCAPING

#### a. FRONT AND CORNER SIDE YARDS:

1. Where a parking lot is located in or adjacent a front or corner side yard in a residential district, continuous landscaping shall be provided across not less than one hundred-percent (100%) of the parking lot frontage to a minimum height of three (3) feet. Such landscaping shall consist of any combination of berms, shade and ornamental trees, evergreens, shrubbery, hedges, and/or other live planting material.
2. Where a parking lot is located in or adjacent a front or corner side yard not in a residential district, continuous landscaping shall be provided across not less than sixty-percent (60%) of the parking lot frontage to a minimum height of three (3) feet. Such landscaping shall consist of any combination of berms, shade and ornamental trees, evergreens, shrubbery, hedges, and/or other live planting material. Plantings may be placed in clusters, containing at minimum seven (7) evergreens and/or shrubs per cluster, spaced at intervals of approximately thirty-five (35) feet along the frontage of the parking lot. However, when a continuous row of shrubs or hedges is chosen, the entire parking lot frontage shall be screened.

b. REAR AND SIDE YARDS:

1. Where a parking lot is located in a yard adjacent a residential zoning district, landscaping shall be provided as follows:
  - i. Screening between the parking lot and the residential property line shall be a minimum of six (6) feet in height.
  - ii. Shade trees shall be provided at the equivalent of one for each fifty (50) lineal feet, or fraction thereof, of parking lot frontage and shall not be planted more than forty (40) feet apart.
  - iii. Other planting material, including ornamental trees, evergreens, shrubbery, hedges, and/or other live planting materials shall be provided in a continuous row covering one hundred-percent (100%) of the frontage of the parking lot adjacent the residential lot(s).
  - iv. Except where occupied by planting beds, all side and rear yard perimeter landscaping area shall be sodded or seeded.
2. Where a parking lot is located in a yard adjacent a non-residential property; landscaping shall be provided across not less than fifty-percent (50%) of that portion of the parking lot abutting the property line to a minimum height of three (3) feet. Such landscaping shall consist of any combination of berms, shade and ornamental trees, evergreens, shrubbery, hedges, and/or other live planting materials. Plantings may be placed in clusters, containing not less than seven (7) shrubs per cluster, spaced at intervals of approximately thirty-five (35) feet along the property line.

H. ADDITIONAL FOUNDATION LANDSCAPING REQUIREMENTS. In addition to the general design criteria prescribed in Section 6.6.3(C), the following requirements shall also apply to foundation landscaping.

1. All non-residential and multiple family development shall provide perimeter landscaping as prescribed herein. Parking lots located on the perimeter of a lot shall comply with the requirements of Section 6.6.3(G).
2. SETBACK. A landscaping area not less than ten (10) feet in width shall be located around the perimeter of all buildings, except where impractical, i.e. loading dock areas, entryways, etc.
3. COVERAGE. Required foundation landscaping areas shall remain open and free of all paving except where walks to buildings and other similar paving is required.
4. LANDSCAPING MATERIALS. Foundation landscaping consist of shade and ornamental trees, evergreens, shrubbery, hedges, and/or other live planting materials. Particular attention shall be paid toward screening mechanical equipment, bicycle parking areas, and loading docks; softening large expanses of building walls; and accenting entrances and architectural features of the building(s).

- I. **ADDITIONAL PERIMETER LANDSCAPING REQUIREMENTS.** In addition to the general design criteria prescribed in Section 6.6.3(C), the following requirements shall also apply to foundation landscaping.
1. All non-residential and multiple family development shall provide perimeter landscaping as prescribed.
  2. **NON-RESIDENTIAL PROPERTY ABUTTING NON-RESIDENTIAL PROPERTY.** Where non-residential property abuts property in a business, office or industrial district, landscaping shall be provided as follows:
    - a. Shade trees shall be provided at the equivalent of one for each seventy-five (75) feet, or fraction thereof, of frontage along the abutting property line. Such trees shall be planted no more than forty (40) feet apart and may be clustered or spaced linearly as determined appropriate.
    - b. Other landscaping materials, including berms, ornamental trees, evergreens, shrubbery, hedges, and/or other live planting materials shall be provided at appropriate locations along the abutting property line.
  3. **NON-RESIDENTIAL PROPERTY ABUTTING RESIDENTIAL PROPERTY.** Where non-residential property abuts property in a residential district, landscaping shall be provided as follows:
    - a. A solid screen six (6) feet in height, shall be provided along the entire length of the abutting property line. Such screen shall consist of a solid wood fence, berms, trees, evergreens, shrubbery, and/or other live planting materials, necessary to provide one-hundred percent (100%) coverage.
    - b. Shade trees shall be provided at the equivalent of one for each seventy-five (75) feet, or fraction thereof, of frontage along the abutting property line. Such trees shall not be planted more than forty (40) feet apart and may be clustered or spaced linearly as determined appropriate.
  4. **MULTIPLE FAMILY RESIDENTIAL PROPERTY.** Where multiple family residential used abuts property in any zoning district, landscaping shall be provided as follows:
    - a. Shade trees shall be provided at the equivalent of not less than one for each seventy-five (75) feet, or fraction thereof, of frontage along the abutting property line. Such trees shall not be planted more than forty (40) feet apart and may be clustered or spaced linearly as appropriate.
    - b. Other landscaping materials, including berms, if possible, ornamental trees, evergreens, shrubbery, hedges, and/or other live planting materials shall be provided at intermittent locations across fifty-percent (50%) of the abutting property line. Shrubs shall be placed in clusters containing at least seven (7) per cluster, spaced at intervals of approximately thirty-five (35) feet along the abutting property line.



J. ADMINISTRATION OF LANDSCAPING AND TREE PRESERVATION REGULATIONS.

1. VARIATIONS FROM REQUIREMENTS OF THIS ARTICLE. The City recognizes that, because of the wide variety of types of developments and the relationships between them, some flexibility in applying standards set forth in Sections 6.6.2 and 6.6.3 are appropriate as long as the intent of specified requirements are met. The Development Administrator may authorize deviations not more than twenty-percent (20%) from the requirements of any specific requirement set forth in Sections 6.6.2 and 6.6.3. Whenever the City allows or requires deviation from the requirements set forth in this Article, it shall enter on the face of the landscape plan the reasons for allowing or requiring deviation from the requirements of this Section.
2. CERTIFICATE OF OCCUPANCY. All required landscaping shall be installed prior to the issuance of a certificate of occupancy. If weather conditions or other circumstances beyond the developer's control prevent installation of all or portions of the landscape materials and all other requirements for the issuance of a certificate of occupancy have been met, a letter of credit or a performance guarantee approved by the City Attorney to insure completion of approved landscaping shall be filed with the City Administrator. The amount of the performance guarantee and the required completion data shall be recommended by the Development Administrator based on current costs and set by the City. If such a letter of credit or performance guarantee has already been submitted for the proposed landscape improvements, the City may permit the developer to extend the performance guarantee for an additional specified period of time.

K. GUIDELINES FOR REVIEWING LANDSCAPE PLANS. A landscape plan shall be approved if the following conditions are satisfied:

1. The use of shrubs, flowers, berms and ground cover are used appropriately to enhance the overall appearance and function of the site or open spaces on the site;
2. The planting of shade and ornamental and evergreen trees is used to define and enhance spaces on the site;
3. The use of planting material to effectively screen adjacent dwelling units, service areas, and parking areas;
4. The use of planting material to contribute to water conservation and energy efficiency;
5. The use of planting material seasonal color, texture, size and form to create seasonal and visual interest and appeal in the community.
6. The composition, number, location, specie of landscape material, berms, fences and other features, and supporting documentation are provided as required by this Article.
7. The general design criteria prescribed in Section 6.6.3(F) regarding right-of-way landscape requirements have been completed and illustrated on the Final Landscape Plan. (Ord. 2011-30, 10-18-2011)

## Article 6.7

### OFF-STREET PARKING AND LOADING

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

**6.7.2. Scope.** The off-street parking and loading provisions of this Title shall apply as follows:

- A.. For all building and structures erected and all uses of land established after the effective date of this Title, accessory parking and loading facilities shall be provided as required by the regulations of the district in which building or uses are located. However, where a permit has been issued prior to the effective date of this Title, and provided that constructions is begun within one year of such effective date, and diligently prosecuted to completion, parking and loading facilities as required herein-after need not be provided.
- B. When the intensity of use of any building, structure or premises shall be increased through the addition of dwelling units, gross floor area, seating capacity or other units of measurements specified herein for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.
- C. However, no building or structure lawfully erected or use lawfully established prior to the effective date of this Title shall be required to provide such additional parking or loading facilities unless and until the aggregate increase in units of measurement shall equal not less than fifteen percent (15%) of the units of measurement existing upon the effective date of this Title, in which event parking or loading facilities as required herein shall be provided for the total increase.
- D. Whenever the existing use of a building or structure shall be changed hereafter to a new use, parking and loading facilities shall be provided as required for such new use. However, if the said building or structures was erected prior to the effective date of this Title, additional parking or loading facilities shall be required only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this Title.

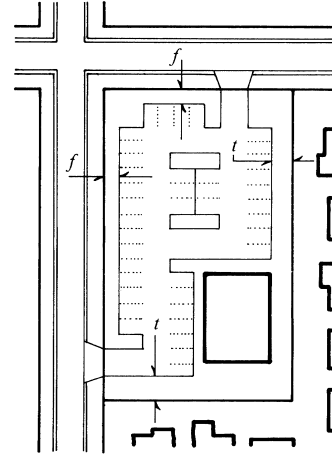
**6.7.3. General Off-Street Parking and Loading Standards.**

- A. EXISTING PARKING AND LOADING FACILITIES. Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and which were in existence on the effective date of this Title or were provided voluntarily after such effective date shall not hereafter be reduced below, or if already less than, shall not further be reduced below, the requirements of this Title for a similar new building or use.
- B. PERMISSIVE PARKING AND LOADING FACILITIES. Nothing in this Article shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings provided that all regulations herein governing the location, design, improvement and operation of such facilities are adhered to.
- C. DAMAGE OR DESTRUCTION. For any conforming or legally non-conforming building for use which is in existence on the effective date of this Title, which subsequent thereto is damaged or destroyed by fire, collapse, explosion or other cause, and which is reconstructed, re-established or repaired, off-street parking or loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored or continued in operation, except that when such damage or destruction exceeds more than

fifty-percent (50%) of the value of the building or use, sufficient off-street parking or loading facilities shall be provided as required by this Title for equivalent new use on construction. However, in no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this Title for equivalent new uses or construction.

- D. **COMPUTATION OF REQUIRED OFF-STREET PARKING SPACES AND LOADING BERTHS.** When determination of the number of off-street parking spaces and loading berths required by this Article results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space or loading berth.

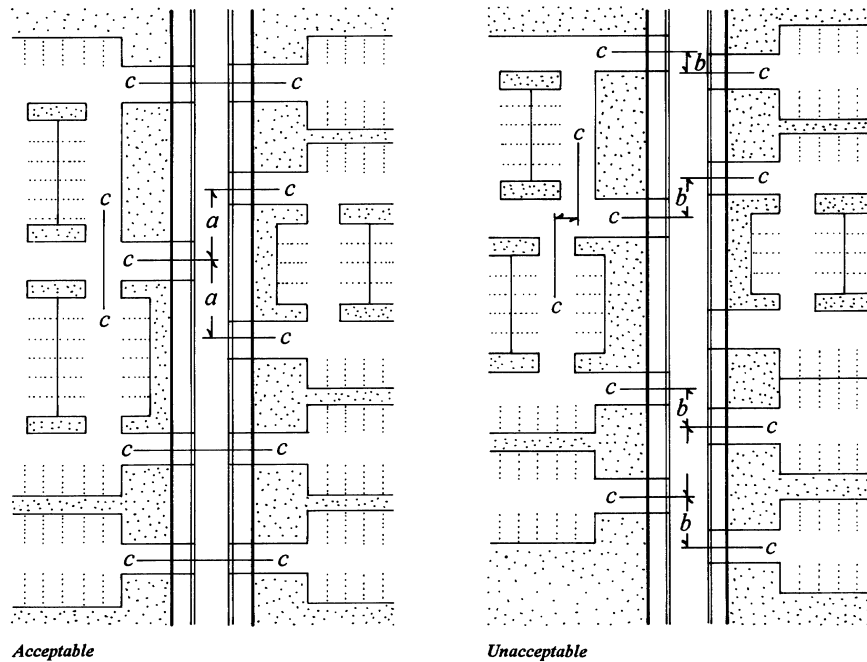
- E. **YARDS.** Off-street parking spaces and loading berths and access thereto in Industrial or Commercial Districts, or for non-residential uses in Residential Districts may be located in required rear, side or transition yards, except no parking spaces or loading berths may be located within twenty (20) feet of adjacent Residential Districts. Off-street parking spaces in any zoning district shall not be located within ten (10) feet of a front or corner side lot line.



**Off-Street Parking and Loading Setbacks**  
Where, front and corner side yards ( $f$ )  $\geq 10$  feet,  
and transition yards ( $t$ )  $\geq 20$  feet

- D. **DESIGN AND MAINTENANCE.**
1. **OPEN AND ENCLOSED PARKING SPACES AND LOADING BERTHS.** Accessory parking spaces and loading berths may be open to the sky or enclosed in a building.
  2. **SCREENING AND LANDSCAPING.** All open loading areas and all parking areas providing space for five (5) or more vehicles shall be effectively screened in accordance with the landscaping requirements in Section 6.6 herein.
  3. **ILLUMINATION.** Lighting used to illuminate off-street parking and loading areas shall be directed away from all adjacent property and roadways.
  4. **SIGNS.** Signs for the purpose of assigning parking spaces and loading areas or giving directions thereto may be placed in parking and loading areas.
  5. **REPAIR AND SERVICE.** No motor vehicle repair work of any kind shall be permitted in conjunction with accessory open off-street parking or loading facilities in any district.
  6. **GASOLINE AND OIL SALES.** The sale of gasoline and motor oil in conjunction with accessory off-street parking or loading facilities shall not be permitted in any district.
  7. **CURBING.** The perimeter of all loading areas and parking areas providing loading berths for one or more vehicles or parking space for five (5) or more vehicles shall provide vehicular barriers around the perimeter of the loading area and parking area. The vehicular barriers of such loading and parking areas shall be continuous concrete barrier curbing, minimum six (6) inches by eighteen (18) inches.

8. **STRIPING.** The pavement surface of off-street parking and loading areas shall be striped to define each loading berth and parking space. Striping shall be a minimum of four (4) inches in width for the length of each space and shall be painted white or yellow. All areas designated as fire lanes and/or no parking area shall be painted yellow.
9. **CIRCULATION AND ACCESS.** Parking lot driveways on opposite sides of an arterial or collector street shall be either aligned or off-set by no less than one hundred-fifty (150) feet between the centerlines of each opposing driveway. Parking aisles throughout the parking lot shall align as closely as practical in order to create four-way intersections. Shared driveways and access easements between ad-joining lots shall be encouraged to reduce the number of parking lot driveways along public streets.



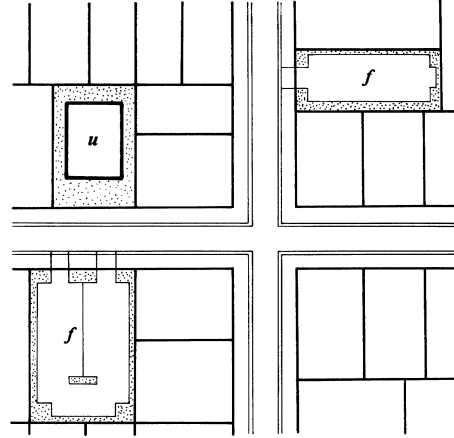
**Parking Lot and Parking Aisle Alignment**

Where  $c$  = driveway centerline,  
 $a \geq 150$  feet and,  
 $b \leq 150$  feet

- F. **SUBMISSION OF LAND PLAN.** Any application for an improvement location permit, or certificate of occupancy where no permit is required, shall include therewith a land plan drawn to scale and fully dimensioned showing any parking or loading facilities, lighting, landscaping, signs and other improvements accessory thereto provided in compliance with this Title.

**6.7.4. Additional Off-Street Parking Standards and Requirements.** In addition to the Standards and Requirements in Section 6.7.3, herein, accessory off-street parking facilities shall conform with the following:

- A. **CONTROL OF OFF-SITE OFF-STREET PARKING FACILITIES.** When required parking facilities are provided off-site, that is on land other than the zoning lot on which the building or use served by such off-site facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the off-street parking facilities serve until and unless the Plan Commission has reviewed the plans and heard the applicant and made findings that the common ownership or possession of the zoning lot and the site of the parking facilities are reasonably certain to continue and that the off-site parking facilities will be maintained at all times during the life of the proposed use of building.



*Off-Site Parking (f)*

*where f is required parking for use (u)*

- B. **USE OF PARKING FACILITIES.** Off-street parking facilities accessory to residential uses and developed in any residential district in accordance with the requirements of this Section shall be used solely for the parking of passenger automobiles owned by occupants of the dwellings to which such facilities are accessory or by guests of said occupants. Required parking facilities accessory to residential structures shall not be used for the storage of commercial vehicles or the parking of automobiles belonging to employees, owners, tenants, visitors, or customers of business, office or manufacturing establishments. For the purpose of this paragraph, storage shall mean a vehicle parked on the zoning lot for more than forty-eight (48) hours in any seventy-two (72) hour period.

C. **DESIGN AND MAINTENANCE**

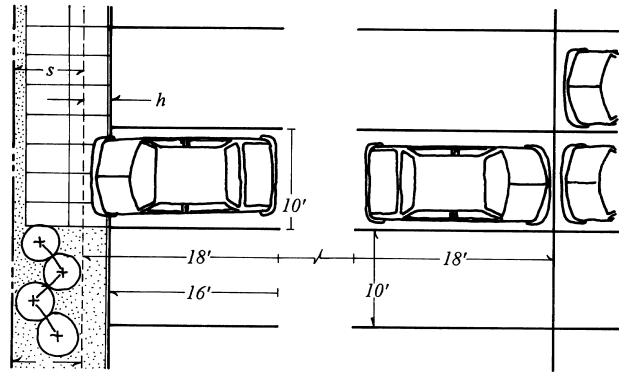
1. **CONSTRUCTION AND SURFACING.** Except as provided otherwise herein, the construction and design of off-street parking facilities shall be reviewed by the City Engineer to determine:
  - a. That every parking space, including access thereto, shall have a concrete or asphalt surface and shall be so graded and drained as to dispose of surface water accumulation by means of a positive storm water drainage system connected to a public drainage way. If an existing gravel parking lot is expanded for additional parking spaces or driveway access, the entire parking lot shall paved with concrete or asphalt.
  - b. That parking areas shall be constructed in accordance with a minimum structural number of 2.5 and a minimum surface slope of one-percent (1%), provided that no parking area shall have less than two and one-half (2.5) inches of bituminous surface course, or four (4) inches of concrete surface. (Ord. 2007-35, 12-04-2007)

- c. That every driveway approach comply with the following standards. For the purpose of this section a driveway approach shall mean that portion of the driveway located in the right-of-way of a street.
  - 1. For a single family or two family residential driveway approach:
    - a. A two and one half (2.5) inches of bituminous surface over eight (8) inches of gravel or crushed stone; or
    - b. Six (6) inches of concrete with mesh on six (6) inches of compacted crushed gravel or crushed stone.
  - 2. For any non-residential; or a residential use in excess of two family driveway approach;
    - a. Six (6) inches of concrete with mesh or on eight (8) inches of compacted crushed gravel or crushed stone; or
    - b. Shall be constructed in accordance with a minimum structural number of 2.5 and shall not have less than two and one half (2.5) inches of bituminous surface course.
  - 3. For sidewalks at driveway crossings; six (6) inches of concrete with mesh on six (6) inches of compacted crushed gravel or crushed stone. (Ord. 2016-20, 11-15-2016)
- d. Parking spaces, driveways and the access thereto for individual single family, duplex, two-family, and townhome dwellings shall not require review by the City Engineer but shall require a building permit and shall constructed of two and one-half (2.5) inches of bituminous surface over eight (8) inches of gravel or crushed stone or four (4) inches of concrete with a mesh grid over six (6) inches of gravel or crushed stone and be graded so as to dispose of surface water accumulation by means of positive storm water drainage.
  - 1. Driveways shall not be constructed fronting the principle living area in the front yard of the dwelling unit, and shall not exceed fifteen (15) percent of the total lot area.
  - 2. Driveways shall not be constructed so as to be closer to the lot line than one-half of the distance of the side yard setback requirement; however, dwelling units within the CR residential zoning district which were in existence and did not have a driveway prior to March 15, 2011, may have driveways constructed within one (1) foot of the side yard setback line.
  - 3. In corner yards, driveways shall not be constructed so as to extend more than fifteen (15) feet from a principle or garage structure. (Ord. 2011-03, 03-16-2011)
  - 4. However, dwelling units within the SR residential zoning district for lots which were in existence and improved with a dwelling unit prior to March 1, 2013, for those properties with all of the following conditions:

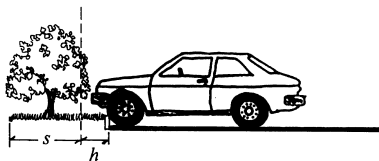
- i. A one car garage, being a garage no wider than 16' and deeper than 27', and
- ii. Does not have rear yard access for parking, and
- iii. Cannot meet a 16 foot wide driveway by construction at the limit of the side yard requirement,

May extend the driveway that fronts the principle living area in the front yard of the dwelling unit no greater than six (6) feet, the total driveway width not to exceed sixteen (16) feet in pavement. Driveways fronting the principle living area of the house shall be limited to parking operable passenger vehicles only. (Ord. 2013-04, 04-13-2013)

2. **SIZE.** Except for parallel parking spaces and handicap parking spaces, required off-street parking space shall be one hundred eighty (180) square feet in area and shall be no less than eighteen (18) feet long with a vertical clearance of seven (7) feet, all exclusive of access drives, aisles, ramps, columns, office or work space, provided however that in measuring the length of a parking space the area safely occupied by a vehicle beyond a curb stop, whether paved or unpaved, shall be included. Each off-street parking space parallel to the parking aisle or driveway shall be no less than nine (9) feet wide and twenty-three (23) feet in length.



Wheelstop Overhang  
Plan View



Wheelstop Overhang  
Side View

**Parking Space Dimensions**

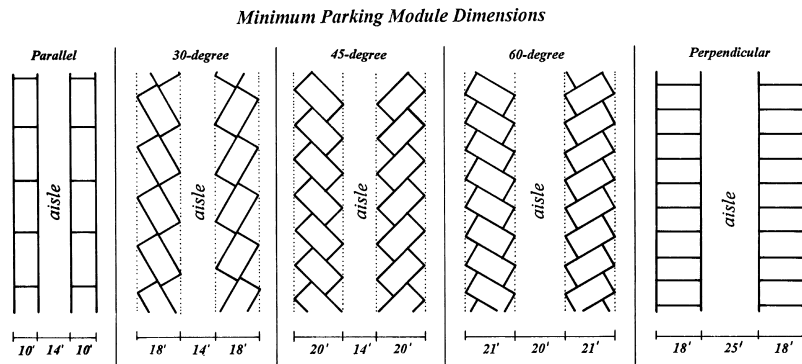
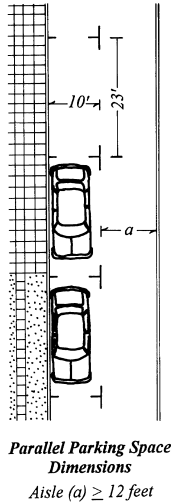
Where  
wheelstop overhang ( $h$ )  $\leq$  2 feet,  
and  $s$  = parking setback

3. **ACCESS AND ON-SITE CIRCULATION.** Off-street parking areas shall be designed so as to require egress from the zoning lot to the street or alley by forward motion of the vehicle.
  - a. **AISLES.** Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. Aisle widths shall not be less than the following: Twenty-four (24) feet for any aisle designed for two-way traffic; Twenty-four (24) feet for each perpendicular parking space; eighteen (18) feet for each parking space on a sixty degree ( $60^\circ$ ) angle to the aisle; thirteen (13) feet for each

parallel parking space or parking space on a forty-five degree (45°) or thirty degree (30°) angle to the aisle; and twelve (12) feet for each parallel parking space.

- b. **PARKING MODULES.** A parking module shall mean a row of parking spaces, a parking aisle, and another row of parking spaces. Parking module widths shall not be less than the following:

Sixty-one (61) feet for perpendicular parking spaces; sixty (60) feet for parking spaces on a 60-degree angle to the aisle; fifty-three (53) feet for parking spaces on a forty-five-degree angle from the aisle; forty-nine (49) feet for parking spaces on a thirty-degree angle from the aisle; and, thirty (30) feet for parallel parking modules.



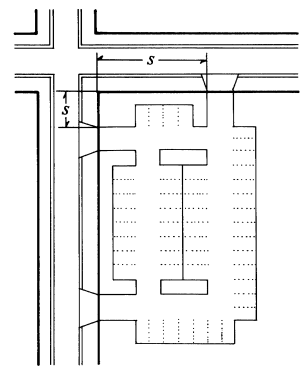
- c. **DRIVEWAYS.** All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements on the public streets:

1. **INTERSECTION SETBACKS.**

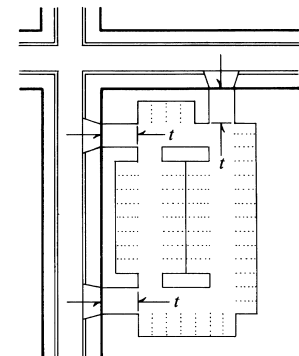
- a. Driveways located along an arterial road right-of-way shall not be located less than sixty (60) feet from an intersecting right-of-way.

- b. Driveways located along a collector road right-of-way shall not be located less than fifty (50) feet from an intersecting right-of-way.

- c. Driveways located along local or cul-de-sac right-of-way shall not be located less than thirty (30) feet from an intersecting right-of-way.



**Driveway Intersection Setback (s)**



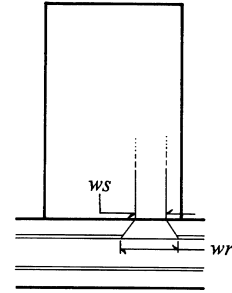
**Parking Facility Driveway/Street Transition (t)**

Where t ≥ 30 feet



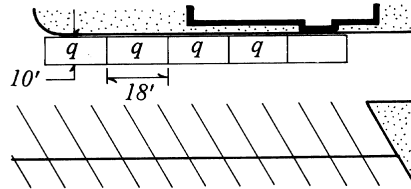
2. **STREET TRANSITION.** All parking facility driveways which lead to or from a public right-of-way shall provide a transition space of not less than thirty (30) feet in length from the public right of way to the nearest parking space, an intersecting driveway or parking aisle along said driveway to ensure traffic safety and circulation efficiency.

3. **WIDTH.** All driveways installed, altered, changed, replaced, or extended after the effective date of this Title shall meet the following requirements: no driveway for vehicular ingress and egress shall exceed twenty-eight (28) feet in width at the right-of-way and thirty-four (34) feet in width at the roadway in residential districts; no driveway for vehicular ingress and egress shall exceed thirty-four feet (34) in width at the right-of-way and forty-four (44) feet in width at the roadway in industrial districts;



**Driveway Width:**  
(ws) width at street line  
(wr) width at roadway

- D. **QUEUING SPACES.** Queuing spaces shall be provided accessory to drive-up service facilities in the number prescribed in the Table of Parking Requirements. Queuing spaces shall be located so as to not interfere with parking or pedestrian and vehicular circulation on the zoning lot, or circulation on adjacent public streets. Queuing spaces shall measure ten (10) feet in width and eighteen (18) feet in length. Queuing space shall not occupy the same spaces as parking or aisles thereto.



**Queuing Space (q)  
for drive-up window facility**

- E. **LOCATION.** The location of off-street parking spaces accessory to the use served shall be prescribed hereinafter:
  1. **FOR USES IN RESIDENTIAL DISTRICTS.** Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Parking spaces accessory to uses other than dwellings in a residential district may be located on an adjacent lot or directly across a street or alley from the lot occupied by the use served, but in no case more than three hundred (300) feet from such use.
  2. **FOR USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS.** All required parking spaces shall be not more than five hundred (500) feet from the use served, except for spaces accessory to dwelling units which shall be not more than three hundred (300) feet from the uses served. However, no parking spaces accessory to a use in a commercial or industrial district shall be located in a residential district, except that private, free, off-street parking accessory to and located not more than two hundred (200) feet from such uses and municipal parking lots may be allowed by Special Use Permit in accordance with the standards and procedures provided in Article 4.3 of this Title.

F. PARKING CARS, TRUCKS, TRAILERS, AND BUSES, AND RECREATIONAL VEHICLES IN RESIDENTIAL DISTRICTS:

1. DEFINITIONS: For the purpose of this Section, “Motor Vehicle” shall mean every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power, motorized wheelchairs, low-speed electric bicycles, and low speed gas bicycles. For this ordinance, motor vehicles are divided into two divisions:
  - a. First Division: Those motor vehicles which are designed for carrying of not more than 10 persons.
  - b. Second Division: Those motor vehicles which are designed for carrying more than 10 persons, those motor vehicles designed or used for living quarters, those motor vehicles implements of husbandry and those motor vehicles of the First Division remodeled for use and used as motor vehicles of the Second Division.
  - c. “Recreational Vehicle” shall mean every motor home, mini-motor home, truck camper or van camper used primarily for recreational purposes, and not used commercially nor owned by a commercial business.
  - d. “Trailer” shall mean every camping trailer, travel trailer used primarily for recreational purposes, and those trailers used for commercial business and private use.

2: STANDARDS

- a. It shall be unlawful for any person to park or store or to permit another to park or store, any motor vehicle, trailer, or recreational vehicle on a residential lot or portion thereof that is not an approved driveway as required in Article 6.7, Section 4.C. of the Unified Development Ordinance of the City of Genoa.
- b. It shall be unlawful for a person or persons to occupy a parked or stored recreational vehicle for residential purposes for than thirty consecutive days in any six-month period.
- c. It shall be unlawful for a person or persons to park or store, or to permit another to park or store, a recreational vehicle or trailer on a public right-of-way, driveway approach or private sidewalk. No recreational vehicle or trailer shall be parked within one (1) foot of a public sidewalk, alley, or street. (Ord. 2011-03, 03-15-2011)

G. RESERVED (Ord. 2011-03, 03-15-2011)

H. HANDICAPPED PARKING. Any parking area for use by the general public shall provide parking spaces designated and located to accommodate the handicapped. Parking spaces reserved for the handicapped shall be located, designed, identified, and otherwise provided in accordance with the most restrictive requirements of the Illinois Accessibility Code, 71 Illinois Administrative Code, Part 400, and the Americans with Disabilities Act of 1990 (ADA) Guidelines, 28 C.F.R. Part 36, Appendix A as the same are from time to time amended.

1. SIZE. Each parking space reserved for handicapped use shall be at least sixteen (16) feet in width by eighteen (18) feet in length.

2.. ENFORCEMENT. The designation of handicapped parking stalls shall constitute consent by the property owner to the enforcement by the City of the restriction of use of such spaces to handicapped motorists.

**6.7.5. Schedule of Required Parking.** For the following uses, accessory off-street parking spaces shall be provided as required hereinafter.

A. OTHER USES. For uses not listed heretofore in Section 6.7.5(H), the Table of Parking Requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Development Administrator.

B. PARKING BASIS. Parking spaces required for floor area shall be based on the maximum net floor area, herein defined, devoted to such use. Parking spaces required for employees shall be based on the maximum number of employees on duty, or residing, or both, on the premises at any one time.

C. FLOOR AREA EXEMPTIONS.

1. When two (2) or more non-residential uses are located on the same zoning lot, only one (1) exemption in terms of floor area, as set forth in Section 6.7.5(H), the Table of Parking Requirements, may be permitted.
2. If on-street parking is provided adjacent to the proposed use, an exemption of one thousand (1,000) square feet shall be applied toward the calculation of required off-street parking spaces, however, if the credit permitted under Section 6.7.5-D herein is used, this exemption shall not apply.

D. ON-STREET PARKING CREDITS. On street parking directly in front of a lot shall count toward fulfilling the parking requirement of that lot. One parking space credit shall be given for every partial on-street parking space in front of the lot that is over fifty-percent (50%) of the length of the on-street parking space, and shall apply only where parking is legally permitted and the street meets the minimum requirements of this Title 11 to permit parking. (Ord. 2007-35, 12-04-2007)

E. SHARED PARKING. When two (2) or more non-residential uses are located on the same zoning lot and their respective hours of operation do not overlap, the Development Administrator may authorize a reduction in the total number of required parking spaces subject to the following conditions:

1. Not more than fifty-percent (50%) of the parking spaces required for a building or use may be supplied by the parking facilities required for any other building or use on the same zoning lot.
2. The number of shared parking spaces for two (2) or more distinguishable land uses shall be determined by the following procedure:
  - a. Multiply the minimum parking required for each individual use, as set forth in Section 6.7.5(H), Table of Parking Requirements, by the appropriate percentage indicated in Section 6.7.5(E)2(d), Schedule of Shared Parking, for each of the six (6) designated time periods therein.
  - b. Sum the required parking for each of the six (6) columns.
  - c. The minimum parking requirement shall be the largest sum among the six (6) columns resulting from the above calculations.

d. SCHEDULE OF SHARED PARKING

LAND USE	WEEKDAYS			WEEKENDS		
	Midnight to 7 a.m.	7 a.m. to 6 p.m.	6 p.m. to Midnight	Midnight to 7 a.m.	7 a.m. to 6 p.m.	6 p.m. to Midnight
Office	5%	100%	5%	0	100%	10%
Industrial	5%	100%	5%	0	100%	10%
Retail	0	100%	80%	0	100%	60%
Restaurant	50%	70%	100%	70%	45%	100%
Hotel	100%	65%	100%	100%	65%	100%

3. If one or all of the land uses for which shared parking facilities is proposed do(es) not conform to one of the general land use classifications in the shared parking schedule as determined by the Development Administrator, then the

applicant, owner or developer shall submit sufficient data to indicate that there is not substantial conflict in the principal hours of operation of the uses. The property owner(s) involved in the shared use of off-street parking facilities shall submit a legal agreement, approved by the City Attorney, guaranteeing that the parking spaces shall be maintained so long as the uses requiring parking are in existence or unless the required parking spaces are provided elsewhere in accordance with this Article. Such instrument shall be recorded by the property owner with the County Recorder of Deeds, and a copy filed with the Development Administrator.

F. **CBC DISTRICT EXCEPTIONS.** For all non-residential uses in the CBC commercial district the number of required parking spaces shall be fifty percent (50%) of the number otherwise required in Section 6.7.5(H) Table of Parking Requirements. For example, if a use required twelve (12) parking spaces, the same use would be required to provide only six (6) spaces if it were located in the CBC District.

G. **CASH IN-LIEU-OF OFF-STREET PARKING SPACES.**

1. **AUTHORIZATION.** If it is found impossible to provide the required number of off-street parking spaces on a lot in the CBC District, the City Council may authorize the provision of less than the required number of off-street parking spaces on a lot in the CBC District and require the lot owner to contribute cash in lieu of parking spaces.
2. **CASH IN-LIEU-OF PARKING SPACES REQUESTS.** The Owner of the property desiring to make a cash payment in lieu of required off-street parking spaces shall submit a request for cash in-lieu-of parking spaces agreement for review and approval by the City Council. The request shall indicate the number of off-street parking spaces required by this Ordinance and the number of spaces for which the lot owner desires to make payment, and such other information as may be deemed necessary by the City Council.
3. **DECISIONS.** The City Council shall have the right in its sole and absolute discretion to approve such request, considering the types of adjacent uses, the peak hours of parking demand for the proposed use and adjacent uses, the location of the subject property, existing demand and utilization of parking spaces in the neighborhood, and other factors.
4. **AGREEMENT REQUIRED.** If the City Council approves a request for payment of cash in lieu of parking spaces, City and the lot owner shall execute an agreement specifying the terms and conditions of the cash in lieu of parking payment. Such agreement shall be adopted by ordinance by the City Council.
5. **CASH IN-LIEU-OF PARKING SPACES PAYMENT.** If a request for cash in-lieu-of parking spaces agreement is approved by the City Council, the owner of a lot requesting payment of cash in lieu of parking spaces shall pay to the City a sum of one thousand five hundred dollars (\$1,500.00) for each parking space not provided.
6. **DISPOSITION OF CASH IN-LIEU-OF PARKING SPACE PAYMENTS.** Any such sums collected by the City shall be held in a separate account and are to be used only for the acquisition, improvement, or maintenance of public off-street parking spaces in the Central Business and Civic District.

H. **TABLE OF PARKING REQUIREMENTS.**

NFA is defined as net floor area.

**1. AGRICULTURE USES**, as follows:

Adult-Use Cannabis Cultivation Center	3 spaces, plus 1 space for each employee
Adult-Use Cannabis Craft Grower	3 spaces, plus 1 space for each employee
Agriculture Implement Sales, Rental, Service	1 space per 800 square feet of showroom area
Animal Shelter	3 spaces, plus 1 space for each employee
Aquaculture	Exempt
Breeding, Raising Cattle, Horses, Pigs or Poultry	Exempt
Dairy Farming	Exempt
Dog Grooming	3 spaces, plus 1 space for each employee
Equestrian School	3 spaces, plus 1 space for each 3 animals stabled
Farms	Exempt
Farm Supply Store	1 space per 200 square feet NFA
Fish Hatchery	Exempt
Floriculture	Exempt
Fruit & Vegetable Store	1 space per 200 square feet NFA
Garden Center	1 space per 200 square feet NFA
Grain Storage, accessory to farming operations	Exempt
Greenhouses, Retail	1 space per 200 square feet NFA
Greenhouses, Wholesale	1 space per 200 square feet NFA
Guard Dog Service	3 spaces, plus 1 space for each employee
Horticulture	Exempt
Kennel, Cattery for five or more animals	3 spaces, plus 1 space for each employee
Lawn and Garden Services	3 spaces, plus 1 space for each employee
Nursery, Sod, Tree	Exempt
Research or Experimental Farms	Exempt
Sale of Agricultural Products Produced on the Premises	Exempt
Stable, Private	3 spaces, plus 1 space for each 3 animals stabled
Veterinary Clinic	1 space per employee, but no less than 3
Viticulture	3 spaces, plus 1 space for each employee

**2. CONSTRUCTION USES**, shall provide 1 parking space per 800 square feet NFA

**3. FINANCE, INSURANCE, REAL ESTATE USES** shall provide 1 parking space for each 300 square feet NFA

**4. FOOD SERVICE USES** shall provide 1 parking space per 200 square feet of NFA, unless indicated otherwise, as follows:

Banquet Halls	12 spaces, plus 1 space per 125 square feet NFA
Bar,	1 space per 50 square feet NFA
Cocktail Lounge	1 space per 75 square feet NFA
Food Locker-Rental	1 space per 450 square feet NFA
Outdoor Dining Areas, accessory to a restaurant on the premises	1 space per 100 square feet of outdoor dining area
Restaurant, On-Site Brewery ("Brew-Pub")	1 space per 75 square feet NFA
Restaurants (100% Consumption On Premises)	1 space per 100 square feet NFA
Restaurants (100% Carry-out)	1 space per 85 square feet NFA
Restaurants (100% Carry-out, with Drive-Up)	1 space per 150 square feet NFA
Restaurants (Combination)	1 space per 90 square feet NFA
Restaurants (Combination, with Drive-Up)	1 space per 150 square feet NFA
Tavern, Pub	1 space per 75 square feet NFA

5. **MANUFACTURING & PROCESSING USES** shall provide 1 parking space per 800 square feet NFA unless indicated otherwise, as follows:

Adult-Use Cannabis Cultivation Center	3 spaces, plus 1 space for each employee
Adult-Use Cannabis Craft Grower	3 spaces, plus 1 space for each employee
Adult-Use Cannabis Infuser Organization	3 spaces, plus 1 space for each employee
Adult-Use Cannabis Processing Organization	3 spaces, plus 1 space for each employee
Laboratory, Commercial	1 space per 1,000 square feet NFA
Laboratory, Research	1 space per 1,000 square feet NFA
Lumber Yard	1 space per 2,000 square feet gross area of yard area
Non-Commercial Research Facilities	1 space per 1,000 square feet NFA
Self-Service Storage Facility	3 spaces , plus .2 spaces per storage unit
Warehouse	1 space per 5,000 square feet NFA



**6. MOTOR VEHICLE USES** shall provide 1 space per 200 square feet NFA, unless indicated otherwise as follows:

Automobile Body Shop	2 spaces, plus 4 spaces per service bay
Automobile Rental/ Leasing Office	1 space per 350 square feet NFA
Automobile Repair Shop	2 spaces, plus 4 spaces per service bay
Automobile Sales and Rental, New and/or Used	1 space per 600 square feet of showroom area
Automobile Service Station	2 spaces, plus 4 spaces per service bay
Boat Sales, Rental	1 space per 600 square feet of showroom area
Boat Service, Repair	2 spaces, plus 1 space per service bay
Car Wash, Automatic/Mechanical	2 spaces, plus 1 space for each employee, plus 10 queuing spaces per wash bay or conveyor line
Car Wash, Manual	1 space, plus 2 queuing spaces per wash bay
Gas Station	2 spaces
Motorcycle Sales, Rental	1 space per 600 square feet of showroom area
Motorcycle Sales, Service, Repair, Rental	2 spaces, plus 1 space per service bay
Recreational Vehicle/Camper Sales, Rental	1 space per 600 square feet of showroom area
Recreational Vehicle/Camper Service, Repair	2 spaces, plus 1 space per service bay
Tire, Battery & Accessory Store	1 space per 200 square feet NFA
Truck Sales, Rental	1 space per 600 square feet of showroom area
Truck Service, Repair	2 spaces, plus 2 spaces per service bay
Truck and Trailer Rental	1 space per 400 square feet NFA

**7. MUNICIPAL USES**, as follows:

Athletic Fields	1 space per 4,000 square feet of athletic field area
Day Care Center	1 space per 10 students, plus one space for each instructor/staff member
Fire Station	1.25 spaces per bed
Government Offices	1 space per 300 square feet NFA
Helipad, Helistop	Exempt
Library	1 space per 300 square feet NFA
Parks, playgrounds	Exempt
Police Station, Substation	1 space per 300 square feet NFA
Post Office	1 space per 300 square feet NFA
Public Works garages, maintenance shops, yards	15 spaces
Pumping stations, water storage tanks	Exempt
School, Commercial	1 space per 200 square feet NFA, plus 1 space per faculty/staff member
School, Elementary (Public or Private)	1 space per classroom, plus 1 space per faculty and staff member
School, Middle (Public or Private)	1.5 spaces per classroom, plus 1 space per faculty and staff member
School, Secondary (Public or Private)	4 spaces per classroom, plus 1 space per faculty and staff member
School, Vocational	1 space per 200 square feet NFA, plus 1 space per faculty/staff member
Sewerage Treatment Facilities	Exempt
Utility Substations	Exempt
Water Filtration Treatment Facilities	Exempt

**8. PERSONAL AND BUSINESS SERVICE USES** shall provide 1 parking space per 300 square feet NFA, unless otherwise indicated, below:

Offices:

Less than 50,000 square feet NFA	1 space per 300 square feet NFA
50,000-99,999 square feet NFA	1 space per 325 square feet NFA
100,000 square feet or more NFA	1 space per 350 square feet NFA
Automated Teller Machines	Exempt
Banquet Halls	12 spaces, plus 1 space per 125 square feet NFA
Barber Shops	1 per 100 square feet NFA
Beauty Parlor	1 per 100 square feet NFA
Chiropracist's Office	1 space per 175 square feet NFA
Clinic, Medical, Dental	1 space per 175 square feet NFA
Dentist's Office/Clinic	1 space per 175 square feet NFA
Detective Agency, Guard Services	1 per 300 square feet NFA
Doctor's, Surgeon's, Physician's Office/Clinic	1 space per 175 square feet NFA
Fraternal Organization	1 space per 140 square feet NFA
Funeral Home	20 spaces per chapel, plus 1 for the caretaker
Labor Organization Offices, Meeting Halls	1 space per 140 square feet NFA
Optician's Office/Clinic	1 space per 175 square feet NFA
Osteopath's Office/Clinic	1 space per 175 square feet NFA
Private Clinic	1 space per 175 square feet NFA
Private Clinic, Second Floor or Higher	1 space per 175 square feet NFA
Professional Office	1 space per 175 square feet NFA
Professional Office, Second Floor or Higher	1 space per 175 square feet NFA
Tailor Shop	1 space per 100 square feet NFA
Tattoo Parlor	1 space per 50 square feet NFA

**9. RECREATION AND ENTERTAINMENT USES**, as follows:

Amusement Center	1 space per 200 square feet NFA
Amusement Park	1 space per each 1% of gross leasable area
Ballroom/Dance Hall	1 space per 100 square feet NFA
Billiard/Pool Hall	2.5 spaces per table
Bowling Alley	4 spaces per alley
Commercial Recreation/Indoor Amusements	1 space per 200 square feet NFA
Dance Hall	1 space per 75 square feet NFA
Golf Course, Public/Private	60 spaces for each 9 holes
Health Club, Public/Private	1 space per 200 square feet NFA
Membership Sport and Recreation Clubs	1 space per each 3 members
Movie Theater (sole use on zoning lot)	1 space per 2.5 seats
Movie Theater (use in a shopping center)	1 space per 4 seats
Natatorium/Swimming Pool	1 space per 5 persons of capacity
Performance Theater	1 space per 3 seats
Physical Fitness Facilities	1 space per 200 square feet NFA
Recreation Equipment Sales, Service, Rental	1 space per 200 square feet NFA
Restaurants with Entertainment	1 space per 100 square feet
Rinks, Ice, Roller Skating	1 space per 200 square feet NFA

**10. RESIDENTIAL USES**, as follows:

Apartment Hotels & Efficiency Apartments	1 space per guestroom
Bed & Breakfast Lodge, Inn	1 space per guestroom, plus 3 spaces for the innkeeper's residence
Convalescent, Nursing Home, Rest Home	1 space per 3 residents, plus 1 space per employee
Convents, Rectories, Parish Houses	4 spaces per unit
Day Care Home, Licensed by IL DCFS	Exempt
Development Sales Office	1 space per 300 square feet NFA, or 4 spaces per model home, whichever is greater
Duplex Dwellings	4 spaces per dwelling unit
Dwelling Units for Watchmen & Caretakers located on the premises	1 space per dwelling
Dwelling Units when Business uses occupy the ground floor	2.5 spaces per dwelling
Home Occupations	Exempt
Hotel	6 spaces, plus 1 space per guestroom
Motel	6 spaces, plus 1 space per guestroom
Multiple Family Dwelling Units	3 spaces per dwelling unit
Rooming House	1 space per guestroom
Single Family Attached Dwelling Units	4 spaces per dwelling unit
Single Family Detached Dwelling Units	4 spaces per dwelling unit
Two Family Dwelling Units	4 spaces per dwelling unit

**11. RETAIL TRADE USES** shall provide 1 parking space per 200 square feet NFA, unless indicated otherwise, below:

Adult-Use Cannabis Dispensing Organization	1 space per 200 square feet NFA plus 1 per 2 employees on maximum shift
Equipment Rental Store	1 space per 400 square feet NFA
Hardware Store	1 space per 200 square feet NFA, excluding outdoor display areas
Home Improvement Center	1 space per 200 square feet NFA, excluding outdoor display areas
Shopping Centers:	
Less than 100,000 square feet GFA	1 space per 200 square feet NFA
100,000 - 300,000 square feet GFA	1 space per 225 square feet NFA
More than 300,000 square feet GFA	1 space per 300 square feet NFA
Swimming Pool Sales and Service	1 space per 800 square feet NFA

**12. TRANSPORTATION, COMMUNICATION & UTILITY USES**, as follows:

Adult-Use Cannabis Transporting Organization	3 spaces, plus 1 space for each employee
Bus Charter Services	3 spaces, plus 1 space per employee
Cartage Services	1 space per 300 square feet NFA
Commercial, Radio, Microwave Antenna Towers	Exempt
Freight Forwarding Service	1 space per 300 square feet NFA
Livery Service Operator's Office/Dispatch	1 space per 300 square feet NFA
Livery Service Garage	3 spaces, plus 1 space per employee
Radio & TV Broadcasting Studio	1 space per 300 square feet NFA
Recording Studios	1 space per 300 square feet NFA
Taxicab Operator Office w/garage	3 spaces, plus 1 space per employee
Taxicab Operator Offices	1 space per 300 square feet NFA
Taxicab Stand	Exempt
Telegraph Office	1 space per 300 square feet NFA
Telephone Exchange, Answering Service	1 space per 300 square feet NFA
Ticket Office	1 space per 300 square feet NFA
Towing Service, with on-site vehicle impoundment	3 spaces, plus .5 spaces for each impounded vehicle
Towing Service, without on-site vehicle impoundment	3 spaces, plus 1 space per employee

Travel Agency	1 space per 300 square feet NFA
Truck Terminal	1.1 spaces per vehicle based at terminal

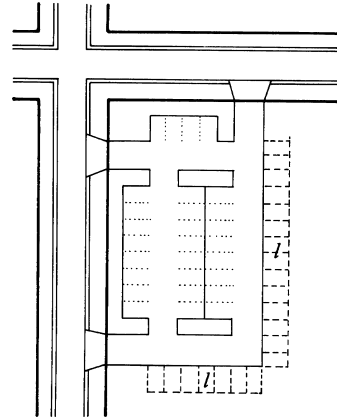
13. **WHOLESALE TRADE USES** shall provide 1 parking space per 5,000 square feet NFA.

14. **MISCELLANEOUS USES**, as follows:

Auditorium, Arena	1 space per 4 seats
Boat Launch	Exempt
Burial Buildings	Exempt
Cemetary, Mausoleum, Cremetorium, Columbarium	20 spaces
Church	1 space per 3 seats
Drive-up Facilities	4 queuing spaces for the first drive-up window, plus 4 additional queuing spaces for each additional drive-up service window
Hospital	1 space per bed, plus 1 space per employee
Museum	1 space per 600 square feet NFA
Parking Garage/Lot, Commercial	Exempt
Temporary Uses, Structures	Exempt
Train Station	Exempt

### 6.7.6. Land Banked Parking Facilities

- A. **LAND BANKING AUTHORIZED.** Notwithstanding any other provision of this Article, the City Council may authorize not more than fifty-percent 50% of the off-street parking spaces required by this Article in a commercial or industrial zoning district, or for a non-residential use in a residential district to be left as open space which can be readily converted to parking facilities (“Land Bank”). The parking facilities to be constructed and the Land Bank, if converted to parking spaces, must comply with the off-street parking facility requirements of this Article at the time the parking Land Bank Plan is approved.



*Land Banking (I)*

- C. **LAND BANK PLANS REQUIRED.** The Owner of the property making a land bank request shall submit a detailed Parking Land Bank Plan for review and approval by the City Council and an application fee of fifty dollars (\$50.00) for each parking space to be land banked. The Parking Land Bank Plan shall show both the full compliance with the parking regulations of this Article and the land bank area showing the reduced number of parking spaces and interim use of the land banked area.
- C. **TERMINATION OF THE LAND BANK.** The City Council shall have the right in its sole and absolute discretion to require the property owner or successor, at any time to construct all or a portion of the land banked parking facilities, with the Development Administrator providing notice to the Owner that the land banked parking facilities must be constructed and completed within two-hundred forty (240) days from the date of said notice.
- D. **LAND BANKED PARKING COVENANT.** As a condition of approving a Land Bank request, the property owner shall file with the Development Administrator his unconditional agreement and covenant in a form and substance satisfactory to the City Attorney. The agreement and covenant after approval by the City Council shall be recorded with the DeKalb County Recorder of Deeds.

**6.7.7. Additional Off- Street Loading Regulations.**

- A. **LOCATION.** All required off-street loading berth shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons capacity shall be closer than twenty (20) feet to any property in a residence district unless completely enclosed by building walls, or a uniformly solid fence or wall, or any combination thereof, not less than six (6) feet in height. No permitted or required portion of a loading berth shall be located within twenty-five (25) feet of the nearest point of intersection of any two (2) streets.

- B. **SIZE.** Unless otherwise specified, a required loading berth shall be at least twelve (12) feet in width, at least sixty-five (65) feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.

- C. **DESIGN AND MAINTENANCE.**

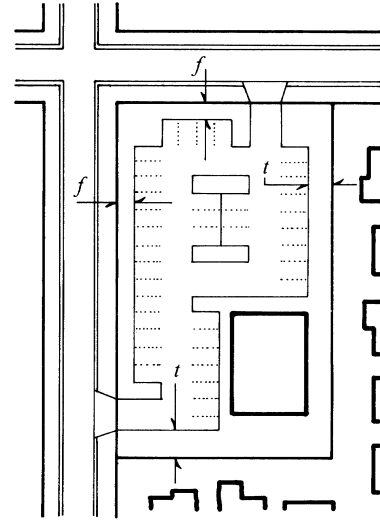
1. **CONSTRUCTION AND SURFACING.** The construction design of all off-street loading berths, and access thereto, shall be reviewed by the City Engineer to determine that such are constructed in accordance with a minimum structural number of 3.25. A concrete surface shall be required for each loading berth which serves a dock, ramp or elevator.
2. **CIRCULATION AND ACCESS.** Off-street loading areas shall be so designed as to not require the use of any arterial or collector street for maneuvering space into or out of the loading berth. Adequate space to accommodate the turning radii of trucks and trailers, exclusive of any parking spaces and landscaping shall be provided.

- D. **USE OF OFF-STREET LOADING FACILITIES.** Space allocated to any off-street loading berth shall not also be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

- E. **CENTRAL LOADING.** Off-street loading berths for separate uses, different buildings, structures or uses, or for mixed uses, may be provided collectively in any zoning district in which separate loading berths for each constituent use would be required, provided that the total number of loading berth so located together shall not be less than the sum of the separate requirements for each use.

- F. **COMPUTATION.** When determination of the number of off-street loading berths required by this Ordinance results in a requirement of a fractional berth, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one loading berth.

- G. **YARDS.** Off-street loading berths in industrial, business or office Districts may be located in required rear, side or transition yards, except no loading berth may be located within twenty (20) feet of adjacent residence districts. No off-street loading berth in any zoning district may be located within a required front or corner side yard.



**Off-Street Parking and Loading Setbacks**  
Where, front and corner side yards ( $f$ )  $\geq 10$  feet,  
and transition yards ( $t$ )  $\geq 20$  feet

**6.7.8. Schedule of Loading Requirements.** Off-street loading berths shall be provided on the basis of gross floor area of buildings or portions thereof devoted to such uses in the amounts shown herein.

- A. For special exceptions other than prescribed for hereinafter, loading berth adequate in number and size to serve such uses shall be provided as determined by the Development Administrator.
- B. Uses for which off-street loading berth are required herein, but which are located in buildings of less floor area than the minimum prescribed for such required berth, shall be provided with adequate off-street receiving facilities, accessible by motor vehicle off any abutting street, driveway, or service drive on the same zoning lot.
- C. EXEMPTIONS. No off-street loading is required for free-standing buildings that have less than five thousand (5,000) square feet in gross floor area and are located in a business, office or industrial zoning district.
- D. SCHEDULE. Unless otherwise indicated, in the business, office and industrial zoning districts, the loading requirements shall be based on the floor area of the building(s) as shown herein:

5,000- 10,000 square feet	1 loading berth
10,001- 35,000 square feet	2 loading berths
35,001- 70,000 square feet	3 loading berths
70,001-100,000 square feet	4 loading berths

Each additional one hundred thousand (100,000) square feet or fraction thereof in excess of the first one hundred thousand (100,000) square feet shall require one additional loading berth.

- E. LOADING BERTH BASIS. Loading berths required for floor areas shall be based upon the maximum net floor area, herein defined, devoted to such use.



## Article 6.8

### SIGNS

**6.8.1. Purpose.** The regulation of signs by this Article is intended to promote and protect the public health, safety and welfare by:

- A. Reducing the depreciation of property values caused by signs that are incompatible with surrounding land uses;
- B. Creating a viable economic and business climate within the commercial and industrial areas of the City;
- C. Enhancing and protecting the physical appearance of all areas of the City; and
- D. Reducing the distraction, obstructions and hazards to pedestrians and vehicular traffic caused by the indiscriminate placement and use of signs.

**6.8.2. Scope.** The regulations of this section shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation and removal of all signs within the City and any sign not expressly permitted by these regulations shall be prohibited.

The regulations of this Chapter related to the location of signs, by function and type, within zoning districts and shall be in addition to provisions of the Genoa Building Code and the Genoa Electrical Code.

For the purposes of this Article, a sign shall mean any object, device, display, or structure or part thereof situated outdoors or, when situated indoors, intended to be seen from the out-of-doors 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, figures, designs, symbols, fixtures, colors, motion, illumination, or projected images.

**6.8.3. Prohibited Signs.** The following signs shall not be permitted in any zoning district:

- A. Flashing signs, except electronic message boards which show temperature, time, business or public service messages for not less than two (2) second intervals.
- B. Signs which are wholly dependent upon a building for support or mounted on the roof, which project more than six (6) inches above the highest point of a building or roof to which they are attached, unless permitted otherwise, herein.

**Roof Signs--UNACCEPTABLE**



Where  $h$  = height of sign, and  
 $r$  = height of building wall or roof, and  
 $h > r$

**Roof Signs--ACCEPTABLE**



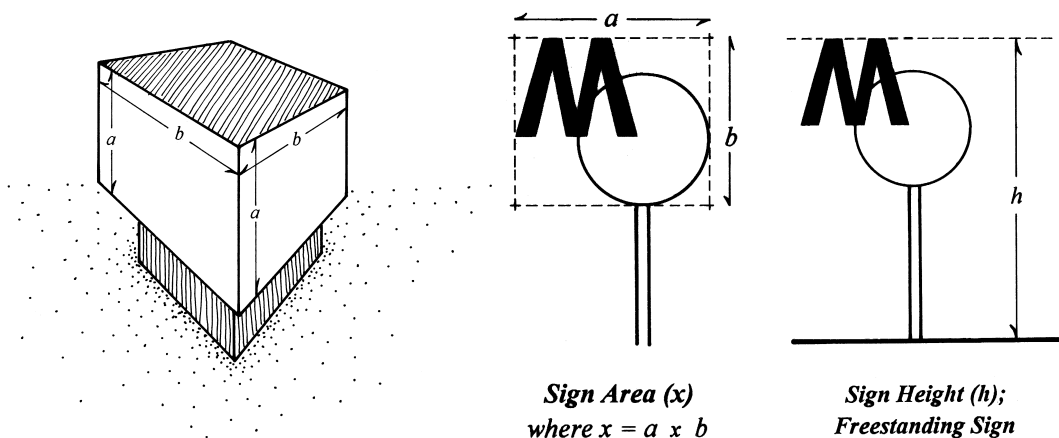
Where  $h$  = height of sign, and  
 $r$  = height of building wall or roof, and  
 $h < r$

- C. Signs which constitute a hazard to public health or safety.
- D. Signs displaying obscene, indecent or immoral matter.

- E. Signs mounted on trailers or motor vehicles, provided that signs containing the name, address or business identification of the owner or user and displayed on a motor vehicle in use and portable signs defined herein are exempt from this Section.
- F. Attention-getting devices including, but not limited to, inflatable, moving, rotating or undulating signs, or light beams except as otherwise permitted with a special events permit only once annually per establishment.
- G. Signs which, by reason of size, location, content, color, or manner of illumination, obstruct the vision of motorists or interfere with the visibility or effectiveness of any traffic sign or control device on public streets.
- H. Signs which make use of words such as "Stop," "Look," "One-Way," "Danger," "Yield," or any similar word, phrase, symbol or light so as to interfere with or confuse pedestrian or vehicular traffic.
- I. Signs displayed within or extended over public right-of-way, except those erected or authorized by a government authority.
- J. Signs which obstruct ingress or egress from any fire escape, door, window, or other exit or entrance
- K. Advertising, business, or identification signs on light poles of establishments.
- L. Signs painted directly on trees, rocks and fences and other structures or objects, except walls.
- M. Festoon lighting.

#### 6.8.4. General Provisions.

- A. **SIGN AREA.** The area of a sign shall be the smallest rectangle which encloses the entire perimeter of a sign, but excluding the supporting structure which does not form part of the sign proper or of the display. Where a sign is designed with more than one surface, the area computed shall include only the largest single display surface which is visible from any one side or position.

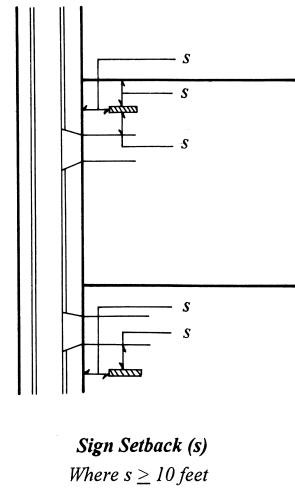


- B. **SIGN HEIGHT.** The height of sign shall be the distance measured between the top of the nearest public street curb and the highest point of the sign for freestanding signs. For other signs, the distance measured between finished grade adjoining the wall on which a wall, projecting, awning, window sign is attached and the highest point of said sign.

- C. **ILLUMINATION.** An illuminated sign is any sign from which artificial light emanates either by means of exposed lighting on the surface of the sign or through transparent or translucent material from a source within the sign, or a sign which reflects artificial light from a source intentionally directed upon it.

1. Illuminated signs permitted in Residential Districts or within one hundred (100) feet of a Residential District shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m., unless the use to which the sign pertains is open.

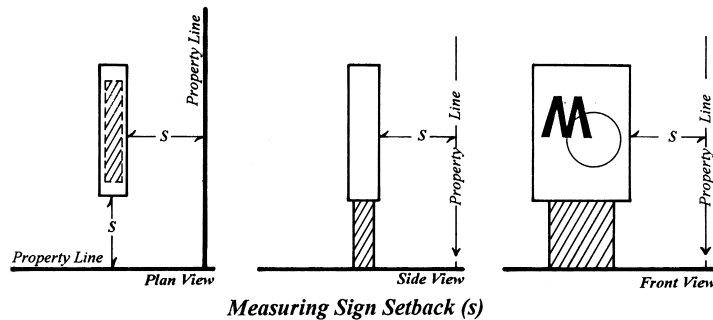
2. No illuminated sign shall be positioned or maintained so as to permit the beams and illumination therefrom to be directed or beamed upon any adjacent property nor to cause glare or reflection that may constitute a nuisance or traffic hazard.



- D. **YARDS.** Except as otherwise provided herein, freestanding signs shall be located at least ten (10) feet from any driveway and lot line.

- E. **SIGN MAINTENANCE.** The owner of a sign or the premises on which such sign is located shall be liable for maintenance of such sign, including its source(s) of illumination, in neat and orderly condition and in good working order at all times, and for preventing deterioration of the physical appearance or safety of such sign. Message board signs must be designed in such a manner that the message area is resistant to damage by wind and vandalism.

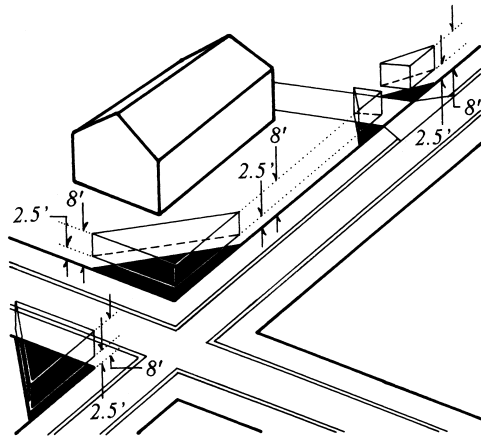
- F. **DISTANCE MEASUREMENT.** The location of a sign shall be measured as the distance between the point of reference specified and the closest point on the sign.



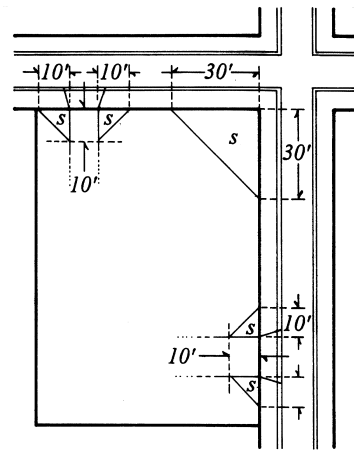
- G. **ELECTRICAL ELEMENTS.** All wiring, fittings, and materials used in the construction, connection and operation of electrically illuminated signs shall be in accordance with the provisions of the Genoa Electrical Code and shall be contained in rigid conduit or enclosed in poles or raceways. No wiring may be exposed on the surface of any element of the sign.

- H. **STRUCTURAL ELEMENTS.** The construction and structural components of all signs shall be in accordance with the standards and regulations of the Genoa Building Code.

- I. **SIGHT TRIANGLE.** Signs, and any concealed support elements supporting a sign, shall not be located within any sight triangle as defined herein.

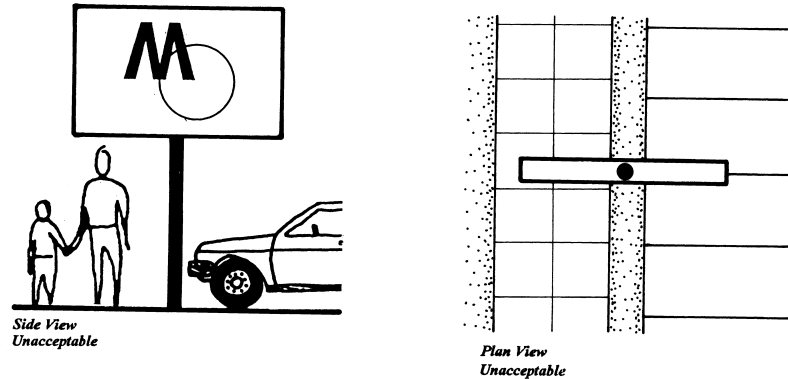


*Sight Triangle*



*Sight Triangle (s)*  
*Plan View*

- J. **OVERHANG.** Except awning, canopy and projecting signs, no sign may overhang any part of a structure, sidewalk, parking or loading space, driveway or maneuvering aisle.

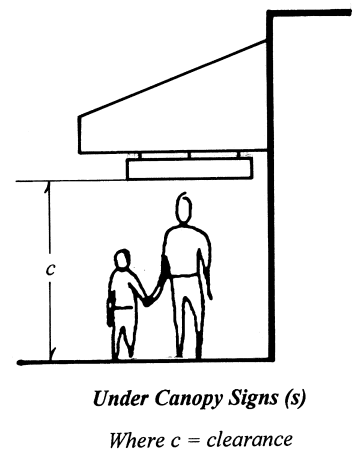


*Sign Overhang*

**6.8.5. Signs Exempted from this Chapter.** Nothing in this Section shall be construed as exempting the following signs from the provisions of Section 6.8.3 and Section 6.8.4 or from any provisions of the Building Code or those portions of the Municipal Code applicable to signs. The following signs are otherwise exempt from regulations of this Title.

- A. Flags, symbols or crests of nations, states, cities or political, fraternal, religious or civic organizations, provided the number of such flags does not exceed four (4). One flag displaying the name or logo of a company or business shall be allowed provided that it is flown along with the American flag and shall not be larger than said flag. These flags shall be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes.
- B. Decorations customarily and commonly associated with a national, local or religious holiday, or recognized local special event, provided that such decorations shall not be displayed for more than sixty (60) days.
- C. Signs which direct or regulate the movement of pedestrians or vehicles into or within a site, provided that:
  1. No more than one such sign is displayed per driveway;
  2. The sign does not exceed six (6) square feet in area or three (3) feet in height from finished grade for freestanding signs or eight (8) feet in height from finished grade for wall signs; and
  3. No more than ten percent (10%) of the area of the sign is used to advertise any business, product or service provided on the lot.
- D. Signs which identify only the names and locations of occupants or uses within a building(s) on a lot provided that such signs shall not exceed twenty (20) square feet in area or eight (8) feet in height from finished grade, and shall not be located closer than fifty (50) feet to any property line.
- E. Signs not exceeding two (2) square feet in area bearing only the name or logo of the occupant, or address of the lot, or indicating building entrances or exits. Such signs may be illuminated.
- F. Legal notices, identification, informational, directional, traffic or other sign erected or required by governmental authority under the law, statute or ordinance.

- G. Signs no greater than sixteen (16) square feet in area announcing candidates for political office or political issues.
- H. Memorial signs or tablets containing the names of a building and the date of construction, when cut into any masonry surface so as to be part of the building or when constructed of bronze or some other non-combustible material and permanently attached to a building.
- I. Non-illuminated signs displayed on windows provided the area of all window signs occupy no more than forty-percent (40%) of the window surface area.
- J. Real estate signs not more than six (6) square feet in area, provided that no more than one (1) such sign shall be permitted in each yard abutting a street. Real estate signs shall be freestanding signs and setback not less than ten (10) feet from any lot line and shall not exceed six (6) feet in height and shall not be illuminated. Real estate signs must be removed within two (2) days of closing or lease transaction.
- K. Signs attached to the underside of a canopy provided such signs do not exceed six (6) square feet in area and are mounted at right angles to the building facade and provided a minimum clearance of seven (7) feet above the sidewalk is maintained and that no portion of such sign is within one (1) foot of the edge of the canopy.
- L. Public telephone, gasoline pump and vending machine graphics, logos and instructions.
- M. Signs not exceeding three (3) square feet in area, not closer to any property line than ten (10) feet, and legible to a person of average eyesight standing on the nearest property line.
- N. One sign not exceeding thirty-two (32) square feet in area, and eight (8) feet in height erected on a lot on which construction is taking place, indicating the name of the architects, engineers, landscape architects, contractors, and similar artisans, and the owners, financial supporters, sponsors and similar persons or firms having a role or interest with respect to the structure or project. Said sign shall be erected only so long as construction is occurring on the lot. Said sign shall be a wall or freestanding sign.
- O. Works of art that do not include a commercial message, graphic or logo.
- P. One menu board sign for a drive-in window operation provided such sign does not exceed thirty two (32) square feet in area or six (6) feet in height.
- Q. Signs no greater than two (2) square feet in area giving warning, e.g. beware of dog, no trespassing, and no dumping, and not to exceed four (4) per lot, except that the Development Administrator may permit additional such signs under proven special circumstances.
- R. Religious symbols, identification emblems of religious orders, or commemorative plaques or recognized historical agencies, no greater than sixteen (16) square feet in area.
- S. When located on agricultural property used for agricultural purposes, signs no greater than two (2) square feet in area pertaining to seed or hybrid products used, produced or cultivated on the property, and signs no greater than thirty-two (32) square feet in area



pertaining to the sale in season of agricultural products grown or produced on the property.

- T. Signs no greater than four (4) square feet in area which provide the hours of operation or business or indicate whether the premises is open for business or inspection.
- U. Portable signs no larger than ten (10) square feet in area when displayed on a sidewalk along the façade of a tenant space or a building occupied by a commercial use, provided such sign is displayed only during the hours of operation of the commercial use, and the sign does not interfere with pedestrian movement. Such signs are intended to benefit and to attract the attention of pedestrians.
- V. In the CBC District only, a “Section V” directional sign may be displayed on the side wall of a building, only if the building is located fronting on the north side of Main Street (Illinois Route 72), and only for buildings located within the area from and including North Genoa Street up to and including Monroe Street, if such signage meets all of the following conditions and restrictions:
  - 1. Section V sign shall only advertise a qualifying business, which qualifying businesses are limited to any business located north of Main Street, south of the Canadian Pacific (I.C.E) Rail line right of way, and only for properties fronting the north/south streets in the area from and including Monroe Street to North Genoa Street.
  - 2. Only two Section V signs per business, and only one per building, may be displayed providing direction to any qualifying business on the north/south side street. A qualifying business may have a total of two signs, one on a building providing direction to eastbound traffic and one to westbound traffic on Main Street/Route 72, but only one shall be on any building. Such sign shall only be permitted as a wall sign and shall only be displayed on the side wall of a building fronting on Main Street which also has frontage on the same side street as does the qualifying business which will be advertised on a Section V sign. The Section V sign must be only for a separate existing business located on the north/south oriented street, and not for any business or tenant in the building where the sign is affixed.
  - 3. Each qualifying business individual sign shall be displayed within a contiguous rectangle that is not larger than the defined sign display area indicated in 6.8.5 (V) 7 as listed below, and individual signs shall not exceed 1 foot, 6 inches in height, and 6 feet in width, no more than 6 inches in depth, displaying only the name, the name and symbol, or the symbol, designating a business located on a Street north of Main Street, south of the Canadian Pacific (I.C.E.) Rail line right of way, only for the area from and including Monroe Street to and including North Genoa Street.
  - 4. Individual business signs shall be of identical lettering style and color, and the same background color, as are the other individual signs within the Section V signage display area. On each building, all individual Section V business signs on that structure shall be of consistent size and depth with each other.
  - 5. A Section V sign may only be located on the elevation of the building with street frontage which is located on a north/south oriented street, and no Section V sign or signs may be placed on the elevation of the building fronting on Main Street.

6. If the separate offsite business with a Section V sign on the north/south side street moves or is discontinued, the Section V sign must be removed within 10 days.
7. All individual signs on a single building wall must be arranged within one larger rectangle. A single directional arrow shall also be allowed in an additional 1.5 feet x 8 feet rectangle at the top of section V sign display area. The total sign display area for Section V signage on any building shall not exceed 7.5 feet in height and 8 feet in width for a total maximum of 60 square feet, and the signage shall not extend beyond the roof line or side wall corners of the building to which it is affixed.
8. Only one sign for eastbound traffic direction, and one for westbound traffic direction, may be displayed for any business on the side street, and only one sign display area for Section V signage may be displayed on the side street elevation for a building fronting on Main Street between North Genoa Street and Monroe Street.
9. Section V signs must have the approval of the building owner where the sign will be placed.
10. Section V signs shall not be illuminated.
11. Section V signs shall only be wall signs.  
(Ord. 2012-19, 08-22-2013)

**6.8.6. Classifications of Signs.** For purpose of this Article, signs shall be classified according to their function and structural type, defined as follows:

A. FUNCTIONAL TYPES.

1. **ADVERTISING SIGN.** A sign, commonly known as a billboard, which directs attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the lot on which the sign is located; or, a sign which directs attention to a business that is no longer conducted or to a product that is no longer sold on the lot on which the sign is located. An advertising sign shall be a freestanding sign.
2. **BUSINESS SIGN.** A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located or to which it is affixed.
3. **DEVELOPMENT SIGN.** A sign designating the name and/or address of the development. A development for the purpose of this Article shall mean a building or buildings located on a lot not less than one hundred (100) feet in width at the front property line and under unified ownership or control. A development sign may be used for the identification of residential or non-residential subdivisions. A development sign shall be a freestanding sign and may or may not include the following:
  - a. **TENANT IDENTIFICATION SIGNS.** A sign giving the name of a tenant on a lot on which two (2) or more tenants or businesses are located. Said sign shall only indicate the name of the tenant or business establishment or a logo or symbolic representation of the type of

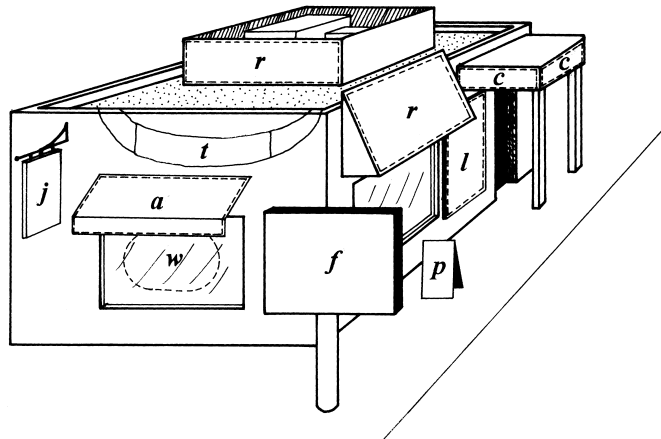


business. Tenant identification signs shall be uniform in size and shape and be designed for maximum legibility; and/or

- b. **MESSAGE BOARD SIGN.** A sign designed so that characters, letters, or illustrations can be changed or rearranged electronically, electrically, or manually without altering the face or surface of the sign.
4. **GRAND OPENING SIGN.** Any sign used for the purpose of advertising a grand-opening or grand re-opening of a new business. A grand opening sign may be displayed only within one (1) year of issuance of an occupancy certificate. A grand opening sign may be an awning, canopy, freestanding, portable, roof, temporary, wall or window sign. Grand opening signs shall not be used for promotions, special sales, seasonal sales, or going out-of-business sales.
5. **IDENTIFICATION SIGN.** A sign giving the name and address of a residential building, business, development, industry, or other building or establishment. Such signs may be wholly or partly devoted to a readily recognized symbol. An identification sign shall be an awning, canopy, freestanding, projecting, roof, wall, or window sign.
6. **REAL ESTATE SIGN.** A sign indicating the sale, rental, lease, or development of a building or lot, or a portion thereof, on which the sign is located. A real estate sign shall be a freestanding, wall or window sign.

**B. STRUCTURAL TYPES.**

1. **AWNING SIGN.** A sign that is mounted on or attached to an awning that is otherwise permitted by this Article. An awning may be fixed or retractable and shall be securely attached to and supported by the building. No posts or columns shall be permitted to support the awning. Awnings shall be designed to provide unobstructed flow of pedestrian traffic along any sidewalk. The construction materials and the manner of construction of all awnings shall be in accordance with the Genoa Building Code.
2. **CANOPY SIGN.** A sign that is mounted on or attached to a canopy that is otherwise permitted by this Article. A canopy shall not encroach upon the required building line on a lot. The construction materials and the manner of construction of all canopies shall be in accordance with the Genoa Building Code.



*Sign Types (by Structural Classification)*

Where *a* = Awning Sign; *c* = Canopy Sign; *f* = Freestanding Sign;  
*j* = Projecting Sign; *l* = Wall Sign; *p* = Portable Sign; *r* = Roof Sign;  
*t* = Temporary Sign; and *w* = Window Sign

3. **FREESTANDING SIGN.** A sign supported independently of any structure. Such sign may be referred to as a ground or pole sign.
4. **PORTABLE SIGN.** A freestanding sign, no face of which shall exceed fifty (50) square feet, attached to or mounted upon a frame intended to be moved from place to place. Such sign may be used as a grand opening sign and may or may not include moveable lettering and/or electrical equipment for use as illuminated signs. All illuminated portable signs shall be wired with a UL approved ground fault interrupter, and all service connections shall be approved by a Genoa electrical inspector. No flashing lights or other moving displays shall be permitted on such sign, and all illumination shall be of an indirect or diffused nature.
5. **PROJECTING SIGN.** A sign attached perpendicular to a wall of a building, supported solely by the building, and having not more than two faces which may be no more than twelve (12) inches apart.
6. **TEMPORARY SIGNS.** Any sign, banner, pennant, streamer, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, or other light-weight material without a frame. A temporary sign shall be a wall, window, awning or canopy sign.
7. **WALL SIGN.** A sign painted on or fastened to the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than twelve (12) inches from such building or structure. No sign shall extend beyond the width of the facade of the building to which it is attached.
8. **WINDOW SIGN.** A sign which is painted, applied, or attached to, or located within three (3) feet of the interior of a window, which sign may be seen through the window from the exterior of the structure.

C. **SIGN CLASSIFICATION TABLE.** For purposes of convenience, the following table is provided to clarify which sign structural types may be used for particular types of sign functions. An “X” shall indicate the only permitted use of various sign structural types for various types of sign functions.

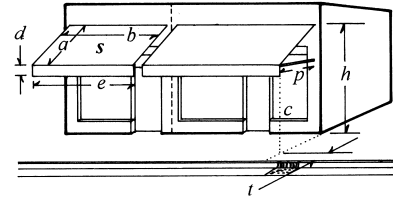
FUNCTION AL TYPE	STRUCTURAL TYPE							
	Awning	Canopy	Free-standing	Portable	Projecting	Roof	Wall	Window
ADVERTISING			X					
BUSINESS	X	X	X			X	X	X
DEVELOPMENT			X					
GRAND OPENING	X	X	X	X		X	X	X

IDENTIFICATION	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
MESSAGE BOARD		<b>X</b>	<b>X</b>			<b>X</b>	<b>X</b>	
REAL ESTATE		<b>X</b>	<b>X</b>				<b>X</b>	<b>X</b>
TIME/ TEMPERATURE		<b>X</b>	<b>X</b>			<b>X</b>	<b>X</b>	

**6.8.7. Permitted Signs.** The following signs shall be permitted in the City as accessory structures, subject to all applicable standards:

A. **AWNING SIGNS.** Where permitted in Section 6.8.8, Table of Sign Requirements, business and identification awning signs shall be permitted subject to the following:

1. **NUMBER.** Not more than one awning sign shall be permitted on each awning.
2. **LOCATION.** Individual letters, words or symbols may be affixed or applied to any awning surface facing a public street or mounted over a public entrance to an establishment.
3. **HEIGHT.** The maximum height of an awning sign shall be the highest point of the awning to which the sign is attached or sixteen (16) feet, whichever is less.



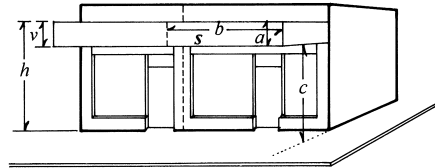
**Awning Sign Display Area (s)**  
 Where  $s = (a \times b) + (d \times e)$  and,  
 projection (p) ≤ 6 feet,  
 curb setback (t) ≥ 2 feet,  
 sign height (h) ≤ 16 feet,  
 clearance (c) ≥ 7 feet,  
 and maximum vertical dimension of s (v) = 6 feet

4. **SIGN DISPLAY AREA.** Each awning sign shall be located within a selected sign display area. The awning sign display area shall be the exterior area of the permitted awning. The awning sign display area may be computed using a combination of two (2) adjoining geometric shapes (circles, squares, rectangles, triangles only). The vertical dimensions of the awning sign display area shall not exceed six (6) feet.
5. **SIGN DISPLAY AREA LIMITS.** The awning sign display area shall not extend beyond the awning surface on which the sign is located, nor beyond the premises of a particular establishment.
6. **SIGN AREA.** The area of an awning sign shall not exceed the maximum percentage of sign display area as defined in this Section and as specified in Section 6.8.8, Table of Sign Requirements.
7. **ILLUMINATION.** Awning signs may be illuminated subject to the standards in Section 6.8.4 herein.
8. **CLEARANCE.** A minimum clearance of seven (7) feet shall be provided between finished grade and the lowest point of an awning sign, but in no instance shall an awning sign extend below the lowest point of the awning to which the sign is attached.
9. **PROJECTION.** No awning sign and the awning to which it is affixed shall project more than eight (8) feet from the building wall, but shall not project into or over the roadway of any street or driveway.
10. **SETBACK FROM CURB.** No awning sign and the awning to which it is affixed shall project within two (2) feet of the curb of a street or driveway.

B. CANOPY SIGNS. Where permitted in Section 6.8.8, Table of Sign Requirements, business and identification canopy signs shall be permitted subject to the following:

1. NUMBER. Not more than one canopy sign shall be permitted per street frontage per building or tenant space having an exterior public entrance.
2. LOCATION. Canopy signs shall be mounted on the face of a canopy provided no wall or roof signs are directed to the same street frontage.
3. HEIGHT. The maximum height of a canopy sign shall be the highest point of the canopy to which said sign is attached or sixteen (16) feet, whichever is less.
4. SIGN DISPLAY AREA. Each canopy sign shall be located within a selected sign display area. The canopy sign display area shall be the area of the permitted canopy. The canopy sign display area may be computed using a combination of two (2) adjoining geometric shapes (circles, squares, rectangles, triangles only). The vertical dimensions of the canopy sign display area shall not exceed six (6) feet, except that the Development Administrator may authorize additional vertical dimensions if the area of the canopy sign is less than fifteen-percent (15%) of the total area of the canopy and is located more than three hundred (300) feet from a public right-of-way.

5. SIGN DISPLAY AREA LIMITS. The canopy sign display area shall not extend beyond the canopy face on which the sign is located, nor beyond the premises of a particular establishment.



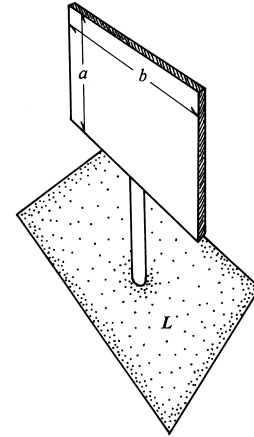
*Canopy Sign Display Area (s)*

*Where  $s = a \times b$  and,  
clearance ( $c$ )  $\geq 7$  feet,  
sign height ( $h$ )  $\leq 16$  feet,  
and maximum vertical dimension of  $s$  ( $v$ ) = 6 feet*

6. SIGN AREA. The area of a canopy sign shall not exceed the maximum percentage of sign display area as defined in this Section and as specified in Section 6.8.8, Table of Sign Requirements.
7. ILLUMINATION. Canopy signs may be illuminated subject to the standards in Section 6.8.4 herein.
8. CLEARANCE. A minimum clearance of seven (7) feet shall be provided between finished grade to the lowest point of a canopy sign, but in no instance shall a canopy sign extend below the lowest point of the canopy on which the sign is attached.
9. PROJECTION. No canopy sign shall project more than twelve (12) inches from the canopy to which it is attached.
10. TIME AND TEMPERATURE DISPLAYS. Time and temperature displays may be incorporated into a canopy sign provided location, area and other technical requirements herein are satisfied.
11. MESSAGE BOARD SIGN. Message board signs shall be permitted when incorporated into a permitted canopy sign subject to all applicable standards, and the following conditions:

- a. No more than fifty-percent (50%) of the wall sign area shall be used as a message board sign.
  - b. Lettering used on manual changeable copy signs directed to local or collector streets shall be at least three (3) inches in height.
  - c. Lettering used on manual changeable copy signs directed to secondary or major arterial streets shall be at least six (6) inches in height.
  - d. Lettering used on manual changeable copy signs directed to pedestrians shall be at least one inch in height.
- C. **FREESTANDING SIGNS.** Where permitted in the Table of Sign Requirements, freestanding development and identification signs shall be permitted subject to the following:
  1. **NUMBER.** No more than one freestanding sign per street frontage per lot shall be permitted on a lot.
  2. **LOCATION.** No freestanding signs shall be located closer than ten (10) feet to a front property line, and shall be located as far as possible from any transition side property line:
  3. **HEIGHT.** No freestanding sign shall exceed fifteen (15) feet in height.
  4. **SIGN AREA.** No freestanding sign shall exceed the maximum area as specified in Section 6.8.8, the Table of Sign Requirements.
  5. **ILLUMINATION.** Freestanding signs may be illuminated subject to the standards in Section 6.8.4 herein.
  6. **TIME AND TEMPERATURE DISPLAYS.** Time and temperature displays may be incorporated into a freestanding sign provided location, area and other technical requirements herein are satisfied.
  7. **MESSAGE BOARD SIGN.** Message board signs shall be permitted when incorporated into a free-standing sign subject to all applicable standards herein, and the following conditions:
    - a. No more than fifty-percent (50%) of the freestanding sign area provided shall be used as a message board sign.
    - b. Lettering used on manual changeable copy signs directed to local or collector streets shall be at least three (3) inches in height.
    - c. Lettering used on manual changeable copy signs directed to secondary or major arterial streets shall be at least six (6) inches in height.
    - d. Lettering used on manual changeable copy signs directed to pedestrians shall be at least one (1) inch in height.
  8. **DISTANCE FROM BUILDING.** No freestanding sign shall be located closer than ten (10) feet to a building, provided that a freestanding sign four (4) feet in height or less may be located as close as three (3) feet from a building.
  9. **SIGN LANDSCAPING.** All freestanding signs shall be located in a landscaped area separated and protected from vehicular circulation and parking areas. A mini-

imum of two (2) square feet of landscaping area shall be required for every one square foot of sign face provided, but no freestanding sign landscape area shall be less than fifty (50) square feet in area. Said landscape area shall be landscaped appropriately.

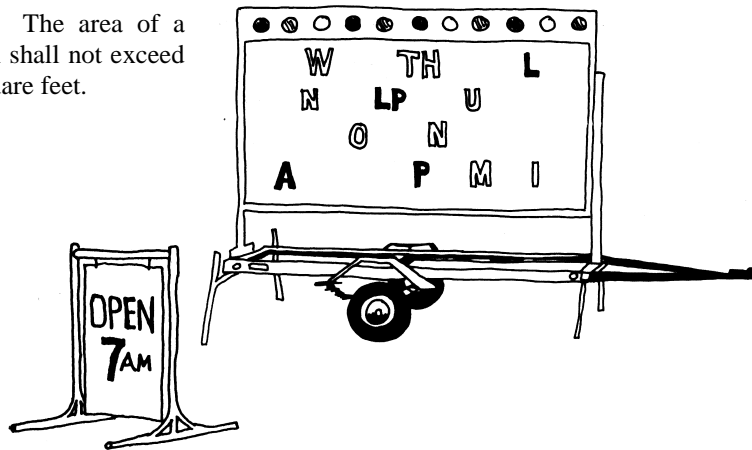


**Freestanding Sign Landscape Area (L)**

Where  $L = 2(a \times b)$ ,  
and  $L > 50 \text{ sqft}$

**D. PORTABLE SIGNS.** Where permitted in Section 6.8.8, Table of Sign Requirements portable signs shall be permitted subject to the following:

1. **NUMBER.** No more than one portable sign shall be permitted on a lot at any one time.
2. **LOCATION.** Portable signs shall comply with all location requirements for free-standing signs, with the exception that portable signs may be located closer than one hundred (100) feet from a freestanding sign.
3. **SIGN AREA.** The area of a portable sign shall not exceed fifty (50) square feet.



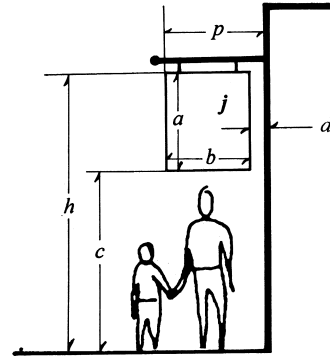
**Portable Signs**

4. **DURATION OF DISPLAY:**
  - a. No portable sign shall be displayed for more than thirty (30) consecutive days within one year of occupancy of a building or tenant space.
  - b. Portable signs may be displayed only for grand-(re)opening sales or celebrations.

**E. PROJECTING SIGNS.** Where permitted in Section 6.8.8, Table of Sign Requirements, projecting identification signs shall be permitted subject to the following:

1. **NUMBER.** Not more than one projecting sign per street frontage per establishment or building wall having a public entrance shall be permitted, provided no canopy or roof sign for the establishment are located on the same building wall.
2. **LOCATION.** Projecting signs shall be affixed to the wall having the establishment's public entrance and shall not be located beyond the premises of a particular establishment.

3. **HEIGHT.** No projecting sign shall extend above the roof line or the highest point of the wall of the building on which it is located or fourteen (14) feet from finished grade, whichever is less.
4. **SIGN AREA.** The area of a projecting sign shall not exceed sixteen (16) square feet.
5. **ILLUMINATION.** Projecting signs may be illuminated subject to the standards in Section 6.8.4 herein.
6. **CLEARANCE.** Projecting signs shall provide a minimum clearance of seven (7) feet between the finished grade below the sign to the lowest edge of the sign.
7. **PROJECTION.** No projecting sign shall project from the building wall more than six (6) feet. The innermost edge of the projecting sign shall be no more than one (1) foot from the wall of the building to which it is attached. Projecting signs may swing, but all projecting signs shall be permanently attached to the building.
8. **SETBACK FROM CURB.** No projecting sign shall project within two (2) feet of the curb of a street or driveway.



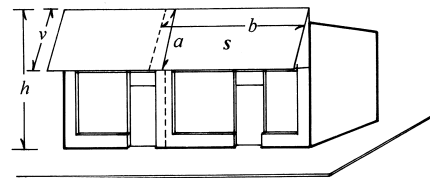
**Projecting Sign (j)**

Where  $p$  = projection from building wall,  
 $h$  = height of sign  
 $c$  = clearance of sign  
 $j$  = area of sign ( $a \times b$ ) and  
 $d \leq 1$  foot

**F. ROOF SIGNS.** Where permitted in Section 6.8.8, Table of Sign Requirements, business and identification roof signs shall be permitted subject to the following:

1. **NUMBER.** Not more than one business and identification roof sign per street frontage per establishment shall be permitted, provided no wall or canopy sign for the same establishment is directed to the same street frontage, except that:
  - a. No roof sign shall face a residential lot and shall be at least fifty (50) feet from a public street.
  - b. No roof sign shall be allowed for individual tenants in a multi-tenant building or a multi-story building.

2. **LOCATION.** A roof sign shall be located on a decorative mansard, penthouse or other architectural element of a building which extends vertically beyond the roof line, and shall be single-faced and be mounted directly vertical as a wall sign, with no visible angle-iron, guy wires, braces or secondary supports and all hardware concealed. A roof sign shall be displayed parallel to the eave line of the roof to which it is attached, or parallel to the penthouse or architectural element above the roof line to which it is attached, and shall face a public street.



**Roof Sign Display Area (s)**

Where  $s = a \times b$  and, maximum sign height ( $h$ ) = 30 feet,  
 and maximum vertical dimension of  $s$  ( $v$ ) = 6 feet

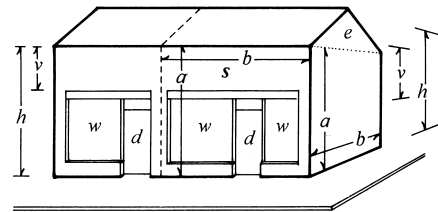


3. HEIGHT. The maximum height of a roof sign shall be thirty (30) feet from finished grade or two (2) stories, whichever is less.
  4. SIGN DISPLAY AREA. Each roof sign shall be located within a selected sign display area. The roof sign display area shall be the area of the permitted roof, mansard, penthouse or other architectural element of a building that extends vertically above the roof line. The roof sign display area may be computed using a combination of two (2) adjoining geometric shapes (circles, squares, rectangles, triangles only). The vertical dimensions of the roof sign display area shall not exceed six (6) feet, except that the Development Administrator may authorize additional vertical dimensions if the area of the roof sign is less than fifteen-percent (15%) of the total area of the roof and is located more than three hundred (300) feet from a public right-of-way.
  5. SIGN DISPLAY AREA LIMITS. The roof sign display area shall not extend beyond the dimensions of the mansard, penthouse or architectural element on which the sign is located, or beyond the premises of a particular establishment.
  6. SIGN AREA. The area of a roof sign shall not exceed the maximum percentage of sign display area as defined in this Section and as specified in Section 6.8.8, Table of Sign Requirements.
  7. ILLUMINATION. Projecting signs may be illuminated subject to the standards in Section 6.8.4 herein.
- G. TEMPORARY SIGNS. Where permitted in Section 6.8.8, Table of Sign Requirements, awning, canopy, roof and wall temporary signs shall be permitted subject to the following:
1. NUMBER. Except for grand openings provided in Section 6.8.9(D), not more than one temporary sign shall be permitted per street frontage.
  2. LOCATION. Temporary signs shall comply with all location requirements for awning, canopy, roof and wall signs.
  3. HEIGHT. Temporary signs shall comply with the height requirements for awning, canopy, roof and wall signs.
  4. SIGN AREA. No freestanding temporary sign shall exceed thirty-two (32) square feet in area and eight (8) feet in height. No temporary sign attached to an awning, canopy, roof or wall shall exceed sixty (60) square feet in area.
  5. ILLUMINATION. Temporary signs shall not be illuminated.
  6. DURATION OF DISPLAY:
    - a. Except for grand openings provided in Section 6.8.9(D), temporary signs shall be permitted for no more than fourteen (14) consecutive days, provided that temporary signs displayed in connection with a grand opening may be displayed for no more than thirty (30) consecutive days.
    - b. Temporary signs shall not be displayed more than four (4) times in any one calendar year by an establishment on a lot.

H. **WALL SIGNS.** Where permitted in Section 6.8.8, Table of Sign Requirements, business and identification wall signs shall be permitted subject to the following:

1. **NUMBER.** Not more than one business and identification wall sign per street frontage or per building wall having a public entrance per establishment shall be permitted, provided no canopy or roof sign for the same establishment is directed to the same street frontage, except that:
  - a. Not more than one business or identification wall sign may be permitted on walls not facing a street or having a public entrance, provided the wall does not face a residential lot and is at least fifty (50) feet from the nearest property line or another building on the lot.
  - b. No wall signs shall be allowed for individual tenants in a multi-story or a multi-tenant building having no exterior building entrance for each tenant.
2. **LOCATION.** Wall signs shall be affixed only to a wall having the establishment's public entrance or a wall facing a public street.
3. **HEIGHT.** The maximum height of a wall sign shall be thirty (30) feet from finished grade or two (2) stories, whichever is less.

4. **SIGN DISPLAY AREA.** Each wall sign shall be located within a selected sign display area. The sign display area shall be the area of the permitted wall or walls less the area of said wall occupied by windows, doors, canopies, awnings and roofs. The wall sign display area may be computed using a combination of two (2) adjoining geometric shapes (circles, squares, rectangles, triangles only). The vertical dimensions of the wall sign display area shall not exceed six (6) feet except that the Development Administrator may authorize additional vertical dimensions if the area of the wall sign is less than fifteen-percent (15%) of the total area of the wall and is located more than three hundred (300) feet from a public right-of-way.



**Wall Sign Display Area (s)**

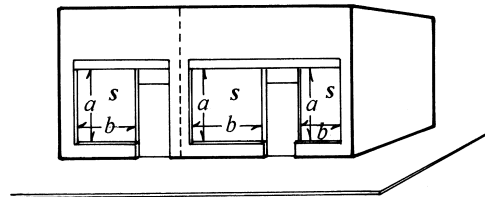
Where  $s = ((a \times b) + (\text{area of } e)) - (\text{area of all } w + d)$   
 on each permitted wall, and  $w$  = windows,  $d$  = doors  
 maximum height of sign ( $h$ ) = 30 feet,  
 maximum vertical dimension of  $s$  ( $v$ ) = 6 feet

5. **SIGN DISPLAY AREA LIMITS.** The wall sign display area shall not extend above the roof line or the wall of a building or beyond the premises of a particular establishment in the building.
6. **SIGN AREA.** The total area of all wall signs per wall shall not exceed the maximum percentage of sign display area as defined in this Section and as specified in Section 6.8.8, Table of Sign Requirements. The sign area is in addition to any other sign types on the premises.
7. **ILLUMINATION.** Wall signs may be illuminated subject to the standards in Section 6.8.4 herein.
8. **TIME AND TEMPERATURE DISPLAYS.** Time and temperature displays may be incorporated into a wall sign if location, area and other technical requirements herein are satisfied.

9. **MESSAGE BOARD SIGN.** Message board signs may be displayed when incorporated into a wall sign subject to all applicable standards herein, and the following conditions:
  - a. No more than fifty-percent (50%) of the area of the wall sign displayed shall be used as a message board sign.
  - b. Lettering used on manual changeable copy signs directed to local or collector streets shall be at least three (3) inches in height.
  - c. Lettering used on manual changeable copy signs directed to secondary or major arterial streets shall be at least six (6) inches in height.
  - d. Lettering used on manual changeable copy signs directed to pedestrians shall be at least one inch in height.

I. **WINDOW SIGNS.** Where permitted in Section 6.8.8, Table of Sign Requirements, business and identification signs may be painted, affixed or applied to the interior of window glass, shall be subject to the following:

1. **LOCATION.** Window signs may be displayed only in windows facing a public street, or in windows in a wall having a public entrance.
2. **SIGN DISPLAY AREA.** Each window sign shall be located within a selected sign display area. The window sign display area shall be the exterior glass surface area of all permitted windows, but excluding doors and superficial borders or trim.
3. **SIGN DISPLAY AREA LIMITS.** The sign display area for window signs shall not extend beyond the window surface on which the sign is located, nor beyond the premises of a particular establishment.
3. **SIGN AREA.** The area of an window sign shall not exceed the maximum percentage of sign display area as specified in Section 6.8.8, Table of Sign Requirements.
5. **ILLUMINATION.** Window signs may be illuminated subject to the standards in Section 6.8.4 herein.



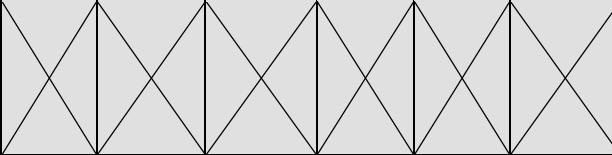
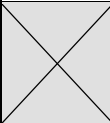
*Window Sign Display Area (s)*

*Where  $s = a \times b$*

**6.8.8. Table of Sign Requirements.** All signs permitted in the City shall be erected in accordance with the specifications set forth in Section 6.8.8, Table of Sign Requirements by street classification and proximity to residential zoning districts.

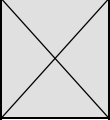
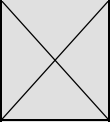
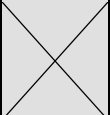
- A. Signs located in or within one hundred (100) feet of a residential zoning district shall conform to the standards specified in Table 1.
- B. All other signs shall conform to the standards specified in Table 2.

**Table 1. Signs Located 100 Feet or Less from a Residential Zoning District**

Zoning District In Which Sign Is Located	Street Classification	SIGN STRUCTURAL TYPE								
		FREESTANDING		WALL	ROOF	CANOPY	PROJECTING	AWNING	WINDOW	TEMPORARY
		Area (SQFT)	Height (FEET)	PERCENTAGE (%) OF SIGN DISPLAY AREA (MAXIMUM)						
AG, ER, SR, CR, HR	Local or Collector	25	6	20%						
	Arterial	35	15	20%						
CBC	Local or Collector	30	6	30%	30%	30%	16 SQFT	15%	40%	P
	Arterial	50	15	30%	30%	30%	16 SQFT	15%	40%	P
SC, HC, CC	Local or Collector	40	10	30%	30%	30%	16 SQFT	15%	40%	P
	Arterial	50	15	30%	30%	30%	16 SQFT	15%	40%	P
SI, CI, HI	Local or Collector	40	10	40%	40%	40%		15%	40%	P
	Arterial	50	15	40%	40%	40%		15%	40%	P

Where, P = Permitted. Consult regulations for Temporary Signs for specific maximum area requirements.

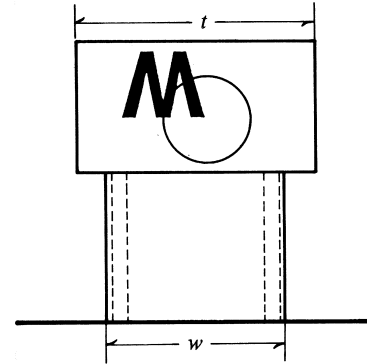
**Table 2. Signs Located More Than 100 Feet from a Residential Zoning District**

Zoning District in Which Sign is Located	Street Classification	SIGN STRUCTURAL TYPE								
		FREESTANDING		WALL	ROOF	CANOPY	PROJECTING	AWNING	WINDOW	TEMPORARY
		Area (SQFT)	Height (FEET)	PERCENTAGE (%) OF SIGN DISPLAY AREA (MAXIMUM)						
HC, CC	Local or Collector	35	6	50%	50%	50%		15%	40%	P
	Arterial	50	15	50%	50%	50%		15%	40%	P
CBC	Local or Collector	35	6	50%	50%	50%	16 SQFT	15%	40%	P
	Arterial	50	15	50%	50%	50%	16 SQFT	15%	40%	P
SC	Local or Collector	50	15	50%	50%	50%		15%	40%	P
	Arterial	75	15	50%	50%	50%		15%	40%	P
SI, CI, HI	Local or Collector	40	15	40%	40%	40%		15%	40%	P
	Arterial	50	15	40%	40%	40%		15%	40%	P

Where, P = Permitted. Consult regulations for Temporary Signs for maximum area requirements.

- C. **SIGN AREA BONUSES.** To encourage higher quality of design and increased effectiveness of graphics in the City of Genoa, the City will reward the use of certain design features and criteria by permitting the property owner to increase the area of a sign if any of the following design features and criteria are employed. Such bonuses shall be granted cumulatively for compliance with each of the criteria, up to a maximum of fifty-percent (50%). The percentage increase shall be based on the original permitted maximum sign area.

1. Twenty-five percent (25%) bonus for preparation of a Master Sign Plan for a lot having more than one principal building or more than one tenant in the principal building. The Master Sign Plan shall specify the standards for consistency among all signs on the lot with regard to color, lettering or graphic style, illumination, decorative lighting, materials, location of signs on the building(s) and on the lot, and dimensions of signs.
2. Twenty-percent (20%) bonus for any freestanding identification or development sign which is the only such freestanding sign on a lot on which more than one such sign would otherwise be permitted.
3. Fifteen-percent (15%) bonus for any wall sign which consists of individual letters, characters or logos mounted directly on the building surface.
4. Fifteen-percent (15%) bonus for any freestanding sign which conceals the pole(s) to which it is attached with a decorative metal, masonry or wood base equal to or at least seventy-five percent (75%) of the width of the sign face.
5. Fifteen-percent (15%) bonus for any sign using natural material in the construction of the sign surface area.
6. Fifteen-percent (15%) bonus for any freestanding sign which utilizes an opaque or non-illuminated background sign surface.
7. Ten-percent (10%) bonus for any wall sign if the background color matches the color of the building frieze.



**Sign Bonus: Concealed Structural Elements**

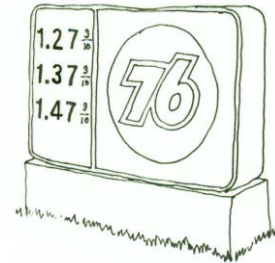
Where  $w \geq .75t$

- D. Any signs erected under the bonus provisions contained in this Section shall be adequately and continuously maintained, including landscaping as provided herein, by the owner and such successors and assign as benefit from the bonus provisions in this Section.

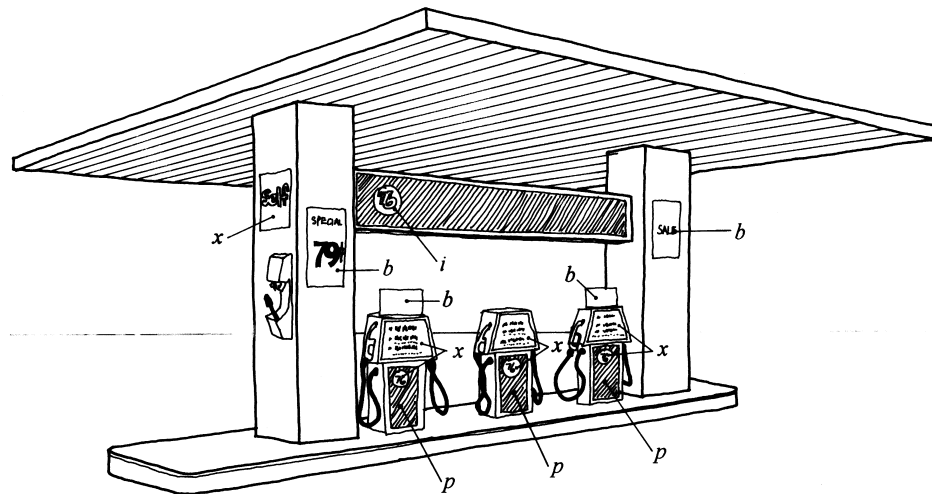
**6.8.9. Special Signs.** In addition to the foregoing, the following signs shall be permitted subject to the following:

A. **GASOLINE STATIONS, SERVICE STATIONS AND MINI-MARTS.** Each gasoline station, service station or mini-mart shall be allowed:

1. One freestanding sign per street frontage. Gasoline price signs shall be integrated into the freestanding sign.
2. Business signs at each pump island, the total area of which at each pump island shall not exceed four (4) square feet per gasoline pump. No such sign may be located more than eight (8) feet above grade and each such sign shall not exceed three (3) square feet in area. For the purposes of this Section, a pump is the above ground equipment used to dispense and measure multiple grades of gasoline for full-service or self-service use of the customer and may have one or more pump nozzles attached thereto for dispensing fuel to up to two cars at one time.
3. Identification signs at each pump island, the total area of which shall not exceed six (6) feet square feet per gasoline pump at said pump island, and no such sign shall exceed fourteen (14) square feet.



*Gasoline Station  
Identification/Price Sign*



*Gasoline Pump Island*

**Gasoline Pump Island Signs**

Where *p* = Gasoline Pump,  
*i* = Identification Signs,  
*b* = Business Signs,  
and *x* = Exempt Signs

4. Business and identification signs located at the pump island shall not be illuminated.
5. For the purpose of this section, a pump island shall mean one or more pumps arranged in a row. More than one pump island may be located under a protective canopy or other roof-like structure.

B. AUTOMOBILE/TRUCK DEALERSHIP.

1. Each dealership shall be allowed a second freestanding development sign only if the lot is used for both new and pre-owned vehicles, or if two (2) or more makes are offered for sale on the same lot. No more than two such signs shall be allowed: one identifying the new vehicle product line, and one identifying pre-owned vehicles or the sale of a second vehicle product line. Each sign shall otherwise conform with the height, area and location requirements, herein.
2. Notwithstanding the provisions of Section 6.8.3(B), each automobile/truck dealership may display pennants or streamers on the lot provided same are kept in good appearance.

C. OVERSIZED REAL ESTATE SIGNS. Real estate signs exceeding the standards in Section 6.8.5(J) and located on a lot having a minimum one hundred twenty-five (125) foot frontage and having an area of five (5) acres or more shall be permitted subject to the following:

1. NUMBER. Not more than one freestanding oversized real estate sign per street frontage shall be permitted, or not more than one roof, wall or window real estate sign shall be permitted per street frontage per building or tenant space having an exterior public entrance.
2. LOCATION. No freestanding oversized real estate sign shall be located closer than ten (10) feet to any property line. No roof, wall or window real estate sign shall be located beyond the premises of a particular establishment.
3. SIGN AREA. No oversized real estate sign shall exceed thirty-two (32) square feet in area.
4. HEIGHT. The maximum height for an oversized real estate sign complying with this Section shall be eight (8) feet in height.
5. ILLUMINATION. Oversized real estate signs shall not be illuminated.

D. GRAND OPENING SIGNS. Portable and temporary signs shall be permitted for grand opening promotions and business anniversaries, subject to the following:

1. PORTABLE SIGNS:
  - a. NUMBER. No more than one portable sign shall be permitted on a lot at any one time.
  - b. LOCATION. Portable signs shall comply with all location requirements for freestanding signs, with the exception that portable signs may be located closer than one hundred (100) feet from a freestanding sign.

- c. SIGN AREA. The area of a portable sign shall not exceed fifty (50) square feet.
    - d. ILLUMINATION. Portable signs may be illuminated subject to the standards in Section 6.8.4 herein.
  - 2. TEMPORARY SIGNS:
    - a. NUMBER. Except flags, pennants and streamers, the maximum number of temporary signs shall not exceed the number of awning, canopy, freestanding, roof, and wall signs displayed on the premises.
    - b. SIGN AREA. No temporary sign attached to a freestanding sign shall exceed thirty-two (32) square feet in area and eight (8) feet in height. No temporary sign attached to a wall, canopy, or awning shall exceed sixty (60) square feet in area and shall conform to the sign display area limits for such awning, canopy and/or wall signs.
    - c. LOCATION. Temporary signs shall comply with all location requirements for awning, canopy, freestanding, roof, and wall signs.
    - d. ILLUMINATION. Temporary signs may not be illuminated.
  - 3. DURATION OF DISPLAY:
    - a. No portable and/or temporary sign(s) used for advertising a grand opening of a new business shall be displayed for more than one period of time not exceeding thirty (30) consecutive days within a calendar year and shall be displayed only within one (1) year of new occupancy of a building or tenant space.
    - b. All portable and temporary signs used for advertising a grand opening of a new business or a business anniversary shall be displayed simultaneously.
    - c. Portable signs may be displayed only for grand-(re)opening promotions or business anniversaries.
  - 4. SEARCH LIGHTS. Search lights may be used in connection with a grand opening display provided the light beacons are directed more than forty-five (45) degrees skyward and are not operated between the hours of 11 p.m. and 7 a.m.
- E. MOVIE AND LIVE PERFORMANCE THEATERS.
- 1. NUMBER. One freestanding development or identification sign per street frontage and wall signs in accordance with the requirements of Section 6.8.7(C).
  - 2. SIGN AREA. The area of a canopy, freestanding, roof, or wall theater sign shall not exceed the maximum percentage of sign display area as specified in Section 6.8.8, Table of Sign Requirements.
  - 3. If the theater is located on a lot having more than one use, a freestanding theater sign shall be permitted in addition to any other freestanding development or identification sign permitted on the lot.



4. Message board signs may be displayed when incorporated into a canopy, freestanding, roof, and wall sign subject to all applicable standards herein, and the following conditions:
  - a. No more than ninety-percent (90%) of the area of the canopy, freestanding, roof, or wall sign displayed shall be used as a message board sign.
  - b. Lettering used on manual changeable copy signs directed to local or collector streets shall be at least three (3) inches in height.
  - c. Lettering used on manual changeable copy signs directed to secondary or major arterial streets shall be at least six (6) inches in height.

F. MODEL HOME SALES AREA SIGNS.

1. DEFINITION. For the purpose of this Section, a model home sales area shall mean one or more lots or dwellings arranged, developed and displayed in such a manner as to showcase on a temporary basis various dwelling styles, features, exteriors, and other design options to the general public, and at least one such model home or a temporary structure may be used for sales presentations, consultations and displays for prospective purchasers. A model home sales area shall provide accessory off-street parking, and may include model homes for sale by more than one builder. A model home sales area is usually located in the same recorded subdivision as the lot(s) on which the dwellings are to be constructed. Model homes may be furnished and decorated.
2. MASTER SIGN PLAN REQUIRED. A Master Sign Plan for model home sales areas shall be provided by the builder and/or subdivider. The Master Sign Plan shall specify the standards for consistency among all signs in the model home sales area and subdivision, if applicable, with regard to color, lettering or graphic style, illumination, decorative lighting, materials, location of signs on the building(s) and in the model home sales area and subdivision, and dimensions of all signs, subject to the following:
  - a. MODEL HOME SALES AREA IDENTIFICATION SIGN.
    1. NUMBER. One freestanding sign identifying the model home sales area shall be permitted.
    2. LOCATION. The freestanding model home sales area identification sign shall be located in the model home area it is identifying.
    3. HEIGHT. The freestanding model home sales area identification sign shall not exceed fifteen (15) feet in height.
    4. SIGN AREA. The maximum area of the model home area identification sign shall be sixty-four (64) square feet, provided that if the model home sales area consists of two (2) or less adjacent lots or buildings, or the recorded subdivision has a development gateway sign(s), said freestanding sign shall not exceed thirty-two (32) square feet in area.
  - b. TEMPORARY SIGNS. Temporary signs may be displayed in a model home sales area subject to the requirements of this Article. In addition,

flags, banners, pennants and streamers may be displayed in a model home sales area provided same are kept in good appearance.

- c. **ADDITIONAL MODEL HOME SALES AREA SIGNS.** Signs identifying individual model homes, manufacturers, builders or sponsors shall be permitted provided the total area of such signs shall not exceed sixteen (16) square feet per model home and no individual sign shall exceed six (6) square feet in area and six (6) feet in height. Said signs shall be freestanding or wall signs.
3. **ILLUMINATION.** Model home sales area signs may be illuminated subject to the standards in Section 6.8.4 herein.
4. **DURATION OF DISPLAY.** The model home sales area sign shall be displayed as long as the model home(s) is(are) open to the general public and are actively marketed. In no instance shall such signs be displayed continuously for more than two (2) years. The City Council may grant extensions of time for no more than one (1) year for each request by the subdivider.

**6.8.10. Special Use.** The following signs may be allowed only by Special Use Permit issued in accordance with the general objectives and procedures outlined in Article 4.6 herein.

A. **ADVERTISING SIGNS.**

1. **NUMBER.** Not more than one advertising sign per street frontage per lot shall be permitted.
2. **AREA AND HEIGHT.** The area and height of advertising signs shall not exceed the maximum specified for undeveloped land in Section 6.8.8, Table of Sign Requirements.
3. **DISTANCE TO RESIDENTIAL LOTS.** No advertising sign shall be located closer than one hundred (100) yards to a residential zoning lot.
4. **DISTANCE BETWEEN SIGNS.** No advertising sign shall be located closer than one hundred (100) feet to another freestanding sign on the same lot.
5. **SETBACK.** No advertising signs shall be located closer than ten (10) feet to any right-of-way line, nor closer than seventy-five (75) feet to any side property line.
6. Advertising signs shall be permitted only on unimproved property.
7. Advertising signs shall be removed at such time the lot on which they are located is improved.
8. Advertising signs shall not be illuminated.

B. **ELECTRONIC MESSAGE CENTER SIGN.** For the purpose of this Section, an electronic message center shall mean a message board comprised of electrical circuitry, wiring and lights designed, arranged and operated in a manner to display messages programmed from a remote location.

1. The sign message shall periodically include public service information such as time, temperature, date, weather, traffic conditions, or other messages of interest to the traveling public.

2. The electronic message center shall be designed and located such that the entire sign message will be legible to motorists viewing the sign.
3. The sign structure shall conform to all applicable regulations as specified in this Article.
4. The sign message shall not consist of flashing, scintillating, chasing or animated lights, and shall not change more frequently than once every two (2) seconds.
5. The sign message shall not consist of video or animation type displays.

C. MARQUEE SIGN.

1. Marquees shall be designed and specified by a registered structural engineer or registered architect and shall be subject to approval by the Genoa building official.
2. Marquees shall be supported solely by the building to which they are attached, no columns or posts shall be permitted as supports. Marquees shall be designed to provide unobstructed flow of pedestrian traffic along any sidewalk.
3. No marquee shall project within two (2) feet of the curb of any street or driveway. (Ord. 2007-35, 12-04-2007)

**6.8.11. Special Areas of Control.** The City Council may designate geographic areas within the City as a "special area of control" for purposes of these regulations. A special area of control is an area in which special standards are drafted in order to incorporate a wider variety of sign design, or to address unique communication needs.

**6.8.12. Non-Conforming Signs**

- A. **AUTHORITY TO CONTINUE.** Subject to the elimination and termination provisions hereinafter set forth, any sign lawfully existing upon the effective date of this Title may be continued so long as it complies with the applicable provisions of the Genoa Municipal Code.
- B. **REPAIRS, ALTERATION, EXPANSION, MOVING.** The owner or beneficial user of any non-conforming sign shall maintain such sign in good condition and repair provided that such sign shall not be changed or altered in any manner which would increase the degree of its non-conformity; shall not be changed to another non-conforming sign; shall not be expanded; shall not be structurally altered to prolong its useful life; or shall not be moved in whole or part in any other location where it would remain non-conforming.
- C. **EXCEPTION FOR REPAIRS PURSUANT TO PUBLIC ORDER.** Nothing in this Section shall be deemed to prevent the strengthening or complying with a reasonable order of a public official who is charged with protecting the public safety and who declares such a sign to be unsafe and orders its restoration to a safe condition, provided such restoration is not otherwise in violation of the various provisions of this Section prohibiting the repair or restoration of partially damaged or destroyed structures.
- D. **TERMINATION OF NON-CONFORMING SIGNS.**
  1. **IMMEDIATE TERMINATION.** Any sign or sign feature prohibited by Section 6.8.3 shall be terminated within thirty (30) days after the effective date of this

Ordinance by removal of the sign or by alteration of the sign to eliminate the specified non-conforming feature.

2. **TERMINATION BY ABANDONMENT.** Any non-conforming sign, the use of which is discontinued for a period of sixty (60) days, shall be presumed abandoned and shall not thereafter be reestablished. Any period of such discontinuance caused by government actions, strikes, material shortages or acts of God, and without any contributing fault by the non-conforming user shall not be considered in calculating the length of discontinuance for purpose of this Section.
3. **TERMINATION BY CHANGE OF BUSINESS.** Any non-conforming sign advertising or relating to a business on the premises on which it is located shall be terminated upon any change in the nature, ownership or control of the business; provided, however, such termination shall not be required if there is no change in the name or manner in which the business is conducted and such change, ownership or control does not require the modification or alteration of any existing sign.
4. **TERMINATION BY DAMAGE OR DESTRUCTION.** Any non-conforming sign damaged or destroyed, by any means, to the extent of thirty-five percent (35%) of its replacement cost new shall not be restored but shall be terminated.

#### **6.8.13. Zoning Certificate Requirements**

- A. **ZONING CERTIFICATE REQUIRED.** Except for those signs enumerated in Section 6.8.5, no sign shall be erected, enlarged, expanded, altered or relocated unless a zoning certificate evidencing the compliance of such sign with the provisions of this Article and other applicable provisions of this Title shall have been first issued in accordance with the provisions of Section 6.8.13(B) of this Article.

Routine sign maintenance, changing of parts designed for change or changing the content of a sign in any manner which does not change the functional classification of the sign shall not, standing alone, be considered an alteration of the sign requiring issuance of a zoning certificate, unless such change of parts or content relates to or is occasioned by a change in the ownership or nature of the activity to which the sign relates or to the nature of the activity which is conducted on the premises on which the sign is located.

- B. **ZONING CERTIFICATE APPLICATION REQUIREMENTS.** Application for a Zoning Certificate for a sign shall be filed with the Development Administrator upon forms provided by the City. Every application for zoning certificate for a sign shall be accompanied by the following, as needed:
  1. A copy of plans and specifications showing the method of construction, illumination, if any, and support of such sign. Calculations showing the sign is designed for dead load and wind pressure in any direction in the amount required by other applicable laws and ordinances of the City may be required.
  2. An accurate plan showing the location of the sign(s) on the lot and a drawing indicating the location of the sign(s) on any building or structure on the lot.
  3. A sketch, drawn to scale, showing sign faces, exposed surface areas and the proposed message and design, accurately represented as to size, area, proportion and color.
  4. The written consent of the owner(s) or agent of the building, structure, or land on which the sign is erected.

- C. PERMIT FEES. The fee to be charged for permits for the construction or erection of any sign, except those enumerated in Section 6.8.5 shall be as determined by the City Council and amended from time to time.
- D. REVOCATION OF PERMIT. All rights and privileges acquired under the provisions of this Article, or any amendments thereto, are mere licenses revocable at any time by the majority of the Mayor and City Council, and all such permits shall contain this provision.

## Article 6.9

### PUBLIC OPEN SPACE, SCHOOL AND CIVIC CONTRIBUTION REQUIREMENTS

- 6.9.1. Public Open Space Design Standards and Requirements.** Public open space provides an orientation hierarchy and communal structure to a neighborhood. The series of specialized open spaces described herein are integral to the neighborhood environment. Open space is defined as all areas not covered by buildings or parking lots, streets, required setbacks, easements or golf courses.

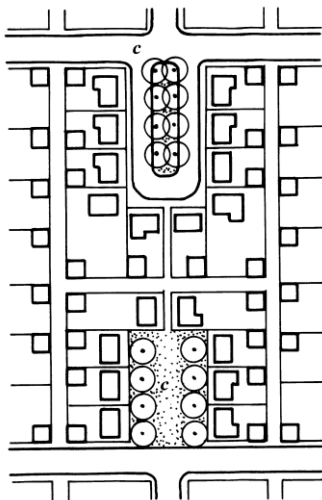
Open space shall be planned and improved, accessible and usable by persons living nearby. Improved shall mean cleared of underbrush and debris, graded, landscaped, and may contain one or more of the following improvements: gazebos, benches, walls, fences, fountains, statues, memorials, ball fields, and/or play equipment. Walls and fences shall be made of stone, masonry, wrought iron, or wood and shall not exceed four (4) feet in height, except that fences used in conjunction with ball fields may be of chain link constructions and may exceed four (4) feet in height. Playground equipment, statues, memorials and fountains should be located towards the center of squares and parks.

Except for greenways and parkways, required open space shall be located at or adjacent the higher residential densities in the neighborhood.

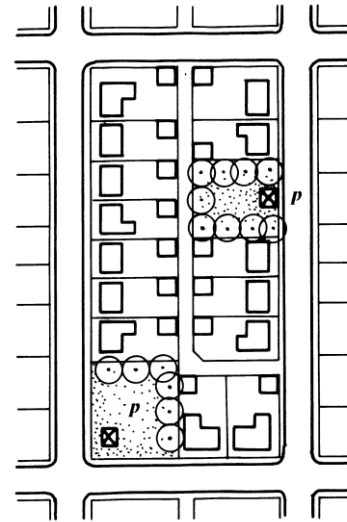
- 6.9.2. Open Space Types.** The open spaces in Genoa fall into eight types that are defined as follows:

- A. **PLAYGROUND.** Playgrounds provide sunny and shaded play areas for children as well as open shelter with benches for adults. Playgrounds may be built within Squares and Parks or may stand alone within a residential block. Playgrounds shall be fenced, securable and illuminated if not part of a Square or Park. The minimum size for a playground shall be eight thousand (8,000) square feet; the maximum size for a playground shall be fifteen thousand (15,000) square feet. There should be a playground within six hundred (600) feet of every residence. Playgrounds may be covered in sand,

crushed stone or other surface approved by the City. Trees shall be planted along the perimeter of a playground. Trees shall be between fifteen (15) and forty (40) feet on center. Trees shall limb up to a minimum of fifteen (15) feet at maturity. Tree planting required along the perimeter of a playground is in addition to trees required to be planted in the adjacent public right-of-way.



*Close (c)*

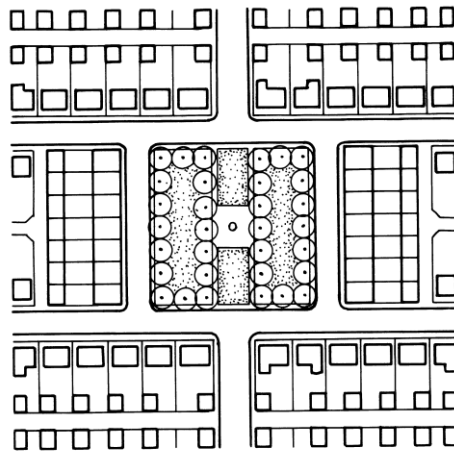


*Playground (p)*

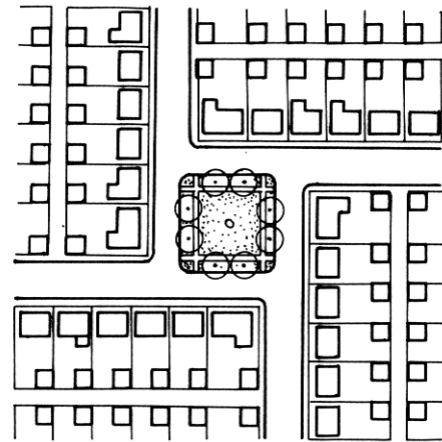
- B. **CLOSE.** A close is a front space for buildings interior to the block. It may be pedestrian or it may have a roadway loop around a green area within the roadway. Its minimum width must coincide with emergency vehicle turning standards. Trees shall be planted along the perimeter of a close. Trees shall be spaced between fifteen (15) and forty (40) feet on center. Trees shall limb up to a minimum of fifteen (15) feet at maturity. Tree planting required along the perimeter of a close is in addition to trees required to be planted in the adjacent public right-of-way.

ion to trees required to be planted in the adjacent public right-of-way.

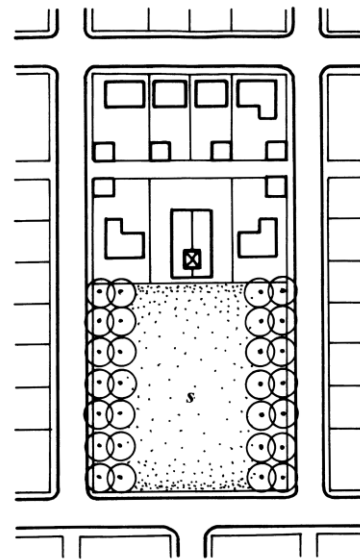
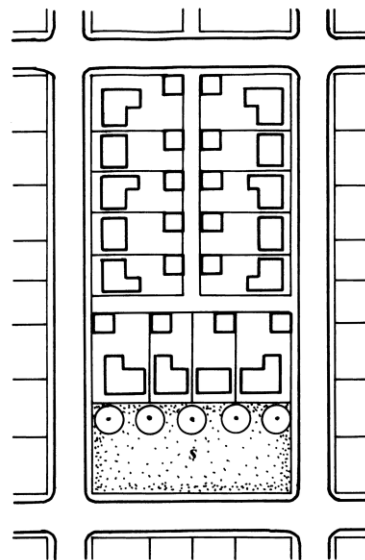
- C. **SQUARE.** Squares are green spaces which are inherently civic in nature. They are the setting for civic buildings and monuments, located either at their centers or edges. Formal tree planting maintains spatial definition of the square. Squares should be maintained to a higher standard than playgrounds and parks. Squares are areas for passive recreational use. Attached squares shall be bounded by streets on a minimum of three sides or seventy-five percent (75%) of their perimeter. Detached squares are entirely bounded by streets. The recommended minimum size of a Square shall be twenty thousand (20,000) square feet; the recommended maximum size shall be two (2) acres. Squares may be entirely paved in crushed gravel, brick paver, or similar material, or partially paved. Areas not landscaped shall be landscaped. Squares shall have trees planted parallel to all right-of-ways with not less than two (2) tree species a minimum of ten (10) feet and maximum of thirty (30) feet on center. Trees shall limb up to a minimum of fifteen (15) feet at maturity. Tree planting required along the perimeter of a close is in addition to trees required to be planted in the adjacent public right-of-way.



*Detached Square*

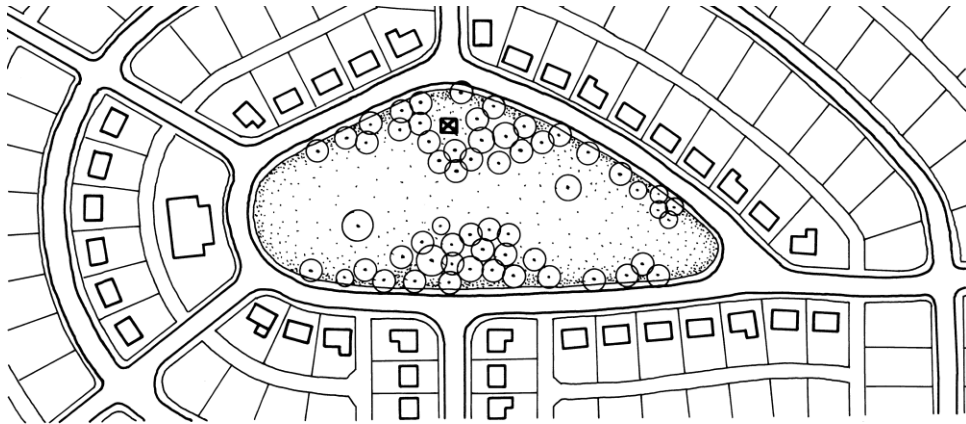


*Detached Square*



*Attached Square (s)*

- D. **PARKS.** Parks may be designed for passive and/or active recreational use. Parks shall be bounded by public streets on a minimum of fifty-percent (50%) of their perimeter. Parks are encouraged to be entirely bounded by streets. The minimum size shall be one (1) acre; the maximum size shall be five (5) acres. The maximum park size may exceed five acres if through design, the park creates a central open space which serves an entire neighborhood or group of neighborhoods, or incorporates physical features which are an asset to the community, e.g. lake or river frontage, high ground, significant stand of trees. Trees shall be planted along all right-of-ways with not less than two (2) tree species a minimum of ten (10) feet and maximum of thirty (30) feet on center. Interior areas shall remain natural and any additional plantings shall be informal in design. Tree planting required along the perimeter of a Park is in addition to tree planting required in the adjacent public right-of-way. Promenades and esplanades within a Park may be formally planted with trees parallel to the walkway. Interior portions of the Park are encouraged to be kept free of plantings. Areas for active use and any facilities which accompany such use shall have a tree planting design which integrates the structures into the Park and defines the areas set aside for active recreation use from areas of passive use. Plantings in the interior portions of the Park are encouraged to follow topographical lines. There shall be no area within a park of undergrowth or limbs lower than twelve (12) feet from the ground.
- E. **GREEN.** Like the Square, it is small, civic, and surrounded by buildings. Unlike the Square, it is informally planted and may have an irregular topography. Greens are usually landscaped with trees at the edges and sunny lawns at the center. Greens should contain no structures other than benches, pavilions and memorials. Paths are optional. Tree planting required in the public right-of-way along a Green shall be provided as required.



*Green*

- F. **PARKWAY.** Parkways are open spaces designed to incorporate natural settings such as creeks and significant stands of trees within neighborhoods. Parkway are to be entirely bounded by streets or pedestrian right-of-ways within developed areas. Parkway differ from Parks and Squares in that their detailing is natural, i.e. informally planted, except along right-of-ways, and may contain irregular topography. Parkway may be used for certain active recreational uses such as walking, jogging, or bicycling. Trees shall be planted along all right-of-ways with not less than two (2) tree species a minimum of ten (10) feet and maximum of thirty (30) feet on center. Interior areas shall remain natural and any additional plantings shall be informal in design. Tree planting required along the perimeter of a parkway is in addition to required tree planting in the adjacent public right-of-way.



- G. **GREENBELT.** Greenbelts run along the Kishwaukee River, Deer Creek or other unnamed waterways, or along the perimeter of a neighborhood or the City, and serve to buffer a neighborhood from surrounding non-compatible uses such as a highway corridor or industrial district, or a neighborhood from agricultural areas or adjacent neighborhoods. Greenbelts are left in a natural state and are not for recreational purposes. There is no tree planting requirement along the perimeter of greenbelts. Tree planting required in the public right-of-way along greenbelts shall be provided as required.
- H. **BUFFER.** The Buffer has the basic elements of a Green with the added purpose of buffering the impact of traffic from a highway or boulevard. Shown is a small lot development fronting the green and larger lots on the opposite side where houses are placed farther back from the roadway edge as another buffer technique.

### **6.9.3 Dedication of School Sites or for Cash Contributions in Lieu Thereof**

- A. **LEGISLATIVE INTENT.** As a condition of approval of a final plat of subdivision or of a final plat of a planned development, each subdivider or developer shall be required to dedicate land for school purposes to serve the immediate and future needs of the residents of the development, or shall be required to make a cash contribution in lieu of actual land dedication, or a combination of both, at the option of the City with the concurrence of the affected school district or districts, which concurrence shall be obtained in writing. However, the City shall have the final decision making power in this regard. The dedications and cash contributions required hereunder shall be made in accordance with the criteria and formulas herein.
- B. **CRITERIA FOR REQUIRING SCHOOL SITE DEDICATIONS.**
  - 1. **Requirement and Population Ratio.** The ultimate number of students to be generated by a subdivision or planned development shall bear directly on the amount of land required to be dedicated for school sites. The land dedication requirement shall be determined by obtaining the ratio of (a) estimated children to be served in each such school classification over the (b) maximum recommended number of students to be served in each such school classification as stated herein, and then applying such ratio to (c) the appropriate number of acres for a school site of each such school classification as stated herein. The product thereof shall be the acres of land deemed needed to have sufficient land for school sites to serve the estimated increase in number of students for each such school classification.
  - 2. **School Classifications and Size of School Site.** These requirements for acreage are based upon a review of available data studies and literature on the subject, including but not limited to information provided by the State Superintendent of Education and the unique characteristics of DeKalb County, including its generally rural character and open spaces, and the desire of the residents to maintain this character and open space in future school sites. These requirements for acreage shall be presumed as the appropriate acreage requirements and shall be used in calculating any cash in lieu of land dedication herein unless timely objected to as provided herein. Objections to these acreage requirements for any particular development shall be made in accordance with Section 6.9.3-M herein to the Plan Commission. Failure to timely object to these acreage requirements in accordance with Section 6.9.3-M herein shall thereafter waive any right to raise an objection at a later time.

School classifications and size of school sites within the City shall be determined in accordance with the following criteria:

School Classification by Grades	Maximum Number of Students for Each Such School Classification	Appropriate Number of Acres of Land for Each School Site of Such Classification
Elementary Schools, Grades kindergarten through 5 <sup>th</sup> or 6 <sup>th</sup>	500 students	25 acres
Junior high schools, grades 6 <sup>th</sup> through 8 <sup>th</sup> or 7 <sup>th</sup> and 8 <sup>th</sup>	750 students	40 acres
High schools, grades 9 <sup>th</sup> through 12 <sup>th</sup>	1,500 students	85 acres

3. Location. The Comprehensive School Plan and/or the standards adopted by the school district shall be used as a guideline in locating sites. School sites shall be located in the City in accordance with plans heretofore or hereafter adopted by the school district. If the school district has not planned a school site within the City or the proposed subdivision or planned development, or in the neighborhood in which such subdivision or planned development is located, the school site shall be so located as to be readily accessible to the greatest number of children projected for such neighborhood.

C. **CRITERIA FOR REQUIRING A CASH CONTRIBUTION IN LIEU OF DEDICATION OF SCHOOL SITES.** When the development is small and the resulting site is too small to be practical, or when the available land is inappropriate for a school site or is in conflict with the approved Comprehensive School Plan, the City, with the concurrence of the school district, shall require the subdivider or developer to pay a cash contribution in lieu of the land dedication.

The cash contribution in lieu of dedication of school sites, shall be held in trust by the City or other public body designated by the City and shall be used solely for the acquisition of land for school sites to serve the immediate or future needs of children from that subdivision or development or for the improvement to any existing school site that already serves such needs, but not for the construction of school buildings or additions thereto unless agreed to otherwise by the subdivider or developer at the time of platting. If any portion of a cash contribution in lieu of dedication of school sites is not expended for the purposes set forth herein within 13 years from the date of receipt, it shall be refunded by the entity holding the contribution to the record owner of the subdivided land at the time of the refund. If there is more than one record owner of the subdivided land or of the land that comprises the planned development, as applicable, such record owners shall share in the refund pro-rata based on the cash contributions originally paid by each property.

1. Fair Market Value. The cash contributions in lieu of land shall be based on the "fair market value" of the acres of land in the area that otherwise would have been dedicated as school sites. The fair market value, on a per acre basis, shall assume, unless determined otherwise pursuant to Section 6.9.3-M herein, that the land is zoned in a single-family residential zoning district, subdivided with appropriate frontage on a dedicated street or road, stubbed with City sewer and water, has all appropriate utilities available, is improved as set forth in Sections 6.9.3-F and 6.9.3-G herein, and is otherwise property capable of being used for residential development. Based upon a study of real estate transactions in the City for the past three years, it has been determined that the present "fair market value" of such improved land in and surrounding the City is, as of the effective date of this Ordinance (insert date after passage), \$96,463.72 per acre. This figure shall be adjusted by the City Council from time to time with appropriate study and documentation. The "fair market value" as defined above shall be used in calculating any cash in lieu of land dedication herein unless timely objected to as provided in Section 6.9.3-M herein. Objections to the fair market value as defined above shall be made in accordance with Section 6.9.3-M to the Plan Commission. Failure to timely object to the

"fair market value" as defined above in accordance with Section 6.9.3-M herein shall thereafter waive any right to raise an objection at a later time.

2. Criteria for Requiring Dedication and a Contribution. There will be situations in subdivisions or planned developments when a combination of land dedication and a cash contribution in lieu of land are both necessary. These occasions will arise when (a) only a portion of the land to be developed is proposed as the location for a school site (that portion of the land within the subdivision falling within the school location shall be dedicated as a site as stated above, and a cash contribution in lieu thereof shall be required for any additional land that would have been required to be dedicated); or (b) a major part of the school site has already been acquired by the particular district and only a small portion of land is needed from the development to complete the site (the remaining portion shall be required by dedication, and a cash contribution in lieu thereof for the rest of the required land shall be required).
3. Consumer Price Index. The fair market value identified in Section 6.9.3-C1 above shall be subject to a "CPI Adjustment" which shall be calculated on January 1, 2002 and on the first day of January in each year thereafter. Annually, the fixed charge shall be adjusted to an amount equal to the fixed charge multiplied by a fraction, the numerator of which is the "All Items" Consumer Price Index for Urban Consumers (1982-84 = 100) for Chicago, Illinois, published by the United States Department of Labor's Bureau of Labor Statistics ("CPI") for the month of December preceding the year of adjustment and the denominator of which is the CPI for the month of December preceding the month of adjustment. If any index is calculated from a base different from the base period 1982-84 = 100, such index shall be converted to a base period of 1982-84 = 100 by use of a conversion factor supplied by said Bureau of Labor Statistics. If the CPI is discontinued or replaced, such other governmental Cost of Living Index or computation which replaces the CPI shall be used in order to obtain substantially the same result as would be obtained if the CPI had not been discontinued or replaced.

- D. Density Formula. The *Table of Estimated Ultimate Population Per Dwelling Unit*, found at the end of this Section 6.9.3, prepared by Illinois School Consulting Service/Associated Municipal Consultants, Inc., Naperville, Illinois, and as updated from time to time by the consulting firm, is generally indicative of current and short-range projected trends in family size for new construction and shall be used in calculating the amount of required dedication of acres of land or the cash contributions in lieu thereof unless a written objection is filed thereto by the subdivider or developer.

A bedroom as used in this Section 6.9.3 shall include any room which may be used for bedroom purposes, such as a den, study, loft or extra room located on any floor in a dwelling unit which is not clearly identified for some other specific purpose such as a kitchen (one per unit), dining room (one per unit), living room (one per unit), bathroom(s) and family room (one per unit).

This *Table of Estimated Ultimate Population Per Dwelling Unit* shall be used in calculating any cash in lieu of land dedication herein unless objected to as provided in Section 6.9.3-M herein. Objections to the *Table of Estimated Ultimate Population Per Dwelling Unit* shall be made in accordance with Section 6.9.3-M to the Plan Commission. Failure to object to the *Table of Estimated Ultimate Population Per Dwelling Unit* in accordance with Section 6.9.3-M shall thereafter waive any right to raise an objection at a later time.

In the event a subdivider or developer files a written objection to the *Table of Estimated Ultimate Population Per Dwelling Unit* listed above, he shall submit his own demographic study showing the estimated additional population to be generated from the subdivision or planned development, and in that event final determination of the density formula shall be made in accordance with Section 6.9.3-M herein.

- E. Reservation of Additional Land. When the Comprehensive Plan or the standards of the City call for a larger school site in a particular subdivision or planned development than the developer is required to dedicate pursuant to this Section 6.9.3, the land needed beyond the developer's dedication shall be set aside and reserved by the developer for subsequent purchase by the City (at a price determined at the time of reservation) or other public body designated by the City, provided that such acquisition is made within five years from the date of approval of the final plat.
- F. Combining with Adjoining Developments. Where appropriate, a school site that is to be dedicated should, if possible, be combined with dedications from adjoining developments in order to produce usable school sites without undue hardship on a particular developer.
- G. Topography and Grading. The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purpose. Wetlands, flood plains, detention areas, retention areas and areas of steep slope shall not be accepted as school sites and shall not serve as a credit toward the required school site cash contribution in lieu of land dedication.

In addition, the following site conditions and preparation standards shall be met:

- 1. Slope:
  - a. Should not vary greatly in appearance from existing and adjacent slopes;
  - b. Optimum slopes range from two percent minimum to five percent maximum. No less than two percent slope is acceptable under any circumstances;
  - c. Maximum allowable slope is 10 percent, except under special conditions where greater slopes are desirable to enhance the use of the site; and
  - d. On-site drainage patterns shall be designated and constructed to:
    - i. Ensure flow toward swales; and
    - ii. Ensure drainage away from active areas.
- 2. Grading:
  - a. Rough grading shall be completed at time of rough grading of adjacent contiguous area;
  - b. Grading shall comply with City approved plans;
  - c. Subgrade shall be graded and compacted so it will parallel finished grade;
  - d. Subgrade material shall be loosened and fine graded to a depth of two to four inches. All stones over four inches in size, sticks, debris, rubbish and other foreign substances shall be removed; and
  - e. Finished grades shall be uniform in slope between points for which elevations have been established.
- 3. Soils:
  - a. Soils shall not differ from those naturally occurring;
  - b. Soils shall not offer any restriction to the ultimate use of the property;

- c. Topsoil shall be spread evenly and lightly compacted to a minimum depth of six inches over the entire site;
- d. Topsoil must be good, friable soils with good tillage and shall be without any admixture of subsoil, clay, gravel, stones, debris, refuse, sand or other subsurface elements;
- e. Topsoil shall not be placed in a muddy or frozen condition;
- f. Topsoil shall contain no toxic substances which may be harmful to plant growth; and
- g. Topsoil shall be spread no later than the placement of topsoil on the first lot adjacent to the site.

4. Seeding:

- a. All proposed school sites shall be seeded and an acceptable stand of grass or vegetation established prior to dedication of the area to the City;
- b. Seeding shall be completed during the fall or spring planting times, depending upon the recommended seed planting specifications;
- c. Seeding shall be on moderately dry soil on a seed bed which will easily accept and nurture germination of seeds;
- d. Seeding shall be watered sufficiently so that the vegetation becomes reasonably established; and
- e. The developer shall be responsible for making necessary reparations to the site caused by erosion or other damage. Reparations shall be completed prior to acceptance of the site.

H. Improved Sites. All sites shall be dedicated in a condition ready for full service of electricity, natural gas, telephone and cable television, water, sewer and streets (including enclosed drainage and curb and gutter, where applicable), as applicable to the location of the site, and shall otherwise comply with the requirements of the Genoa Municipal Code. The landscaping normally included within the definition of "improved" sites under the Genoa Municipal Code may be deleted due to the delay time between dedication of any such school site and the construction of school facilities thereon, except for groundcover as required in Subsection 6.9.3-G4a. The site shall have direct access to a fully improved street across at least 20 percent of the distance of its perimeter. At least two access routes or easements shall be provided for a school site. Any pedestrian access route shall be at least 30-feet wide and any vehicular route or easement shall be at least 66 feet wide.

I. Environmental Risk Audit. Prior to the conveyance of any land to the school district the intended grantee shall be furnished with an environmental risk audit prepared by an environmental professional meeting the minimum requirements of 415 ILCS 5/22.2(j)(6)(E)(iii), certified to and acceptable to the grantee, assuring the grantee that there are no hazardous substance(s) (as defined hereinafter) on, under, to or from the land. Said environmental audit shall be what is commonly referred to as a Phase I Environmental Audit, which shall meet the minimum requirements for a pre-acquisition audit as set for in 415 ILCS 5/22.2(j)(6)(E)(v).

In the event the Phase I Environmental Audit does not conclude there is no presence or likely presence of a release of substantial threat of a release of hazardous substance(s) or pesticide on, under, to or from the land, the grantee shall furnish a Phase II Environmental Audit as set forth in 415 ILCS 5/22.2(j)(6)(E)(vi), including a soil toxicity analysis and recommendation from said

environmental professional, meeting the minimum requirements of 415 ILCS 5/22.2(j)(6)(E)(iii), which concludes that there is no presence or likely presence of a release or substantial threat of a release of hazardous substance(s) on, under, to or from the land, and certifying that, in the judgement of said environmental professional, there is no reasonable probability that the land contains any hazardous substance(s) in violation of any federal or state environmental standards.

In the event said Phase II Environmental Audit and/or soil toxicity analysis discloses the presence or likely presence of a release or a substantial threat of a release of any hazardous substance(s) at, on, under, to or from the land to the conveyed, the grantor shall first cause all such hazardous substance(s) to be removed at its sole cost and expense in accordance with all federal, state and local environmental laws, rules and regulations and furnish the intended grantee with a “No Further Remediation Letter” from the governmental agencies having jurisdiction over the clean up prior to conveyance of any of the land to the intended grantee.

Prior to the conveyance of the land, the subdivider or developer, as the case may be, and the owner of the land to be conveyed, shall execute and deliver to the intended grantee an Environmental Indemnification Agreement, which form has been approved by the City Attorney, agreeing to defend, indemnify and hold the City, its corporate authorities, officers, officials, employees, agents, successors and assigns, and the school district, as the case may be, and its respective officers, officials, employees, agents, successors and assigns, harmless from and against any and all liability, claims, damages, causes of action and expenses arising out of the presence of any hazardous substance(s) in, under or upon said land to be conveyed prior to the date of conveyance.

Hazardous substance(s) includes without limitation:

1. Those substances included in the definitions of hazardous substances, extremely hazardous substances, hazardous materials, toxic substances, toxic chemicals, toxic wastes, hazardous chemicals, hazardous wastes, solid waste and pesticides in CERLA, SARA, RCRA, HSWA, TSCA, OSHA, FWPCE, Illinois Pesticides Act (415 ILCS 60/1 *et seq.*), Illinois Responsible Property Transfer Act (765 ILCS 90/1 *et seq.*) and the Illinois Hazardous Materials Transportation Act (430 ILCS 30/1 *et seq.*), 49 U.S.C. Section 1801 *et seq.*, as amended, and as they may be amended in the future, and in the regulations promulgated pursuant to said laws.
  2. Those substances defined in Section 1003 of the Illinois Environmental Protection Act and in the regulations promulgated pursuant to said act or other Illinois laws pertaining thereto.
  3. Those substances listed in the U.S. Department of Transportation Table (49 CFR 172.101 and amendments thereto) or by the Environmental Protection Agency (or any successor agency) as hazardous substances (40 CFR Part 302 and amendments thereto).
  4. Such other substances, materials and wastes which are to become regulated under applicable local, state or federal law, or which are classified as hazardous or toxic under federal, state or local laws, ordinances or regulations.
  5. Any material waste or substance which is (a) asbestos, (b) polychlorinated biphenols, (c) designated as a hazardous substance pursuant to Section 311 of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* (33 U.S.C. Sec. 1321) or listed pursuant to Section 307 of the Clean Water Act (33 U.S.C. Sec. 1317), (d) explosives, or (e) radioactive materials.
  6. For purposes of this Section 6.9.3, hazardous substances shall include petroleum or its byproducts as regulated under RCRA and any applicable state law or regulations.
- J. Suitability of Soils at Site. The subdivider or developer, at its own cost or expense, shall provide to the school district soil boring data, soil compaction test results and such other engineering

studies, data and information pertaining to the proposed school site, which the school district may request to enable it to determine the suitability of the proposed land dedication for school site purposes. The school district shall have the right to reject any site which the school district determines, in accordance with sound engineering practices, is not suitable for school site purposes.

K. Title Insurance, Survey, Assessment Plats. Each deed or other instrument conveying land to the school district shall be accompanied by:

1. A written commitment issued by a title insurer licensed to do business in the state to insure the grantee's title to such real estate in an amount equal to the value computed pursuant to Section 6.9.3-C herein, with extended coverage over the general exceptions to title and subject only to:
  - a. real estate taxes not yet due and payable,
  - b. covenants, conditions and restrictions which do not prohibit the use of the subject property for school use,
  - c. utility easements located within 20 feet of the boundary lines of the subject real estate (except where approved on the final engineering plans approved by the City Engineer),
  - d. drainage ditches, feeders and laterals.
  - e. underground pipe or other conduit, and
  - f. acts done or suffered by or judgements against the grantees.
2. A current ALTA boundary line survey, certified to the grantee by a licensed Illinois Land Surveyor to be in compliance with the American Land Survey Standards, showing no encroachments; and
3. Except in instances where the real estate is to be conveyed is a lot in a recorded subdivision, an assessment plat and tax division petition in a form acceptable to the appropriate county authorities so the land to be conveyed can be assigned its own permanent real estate index number (PIN) for exemption purposes.

In addition, monuments must be established and the land staked immediately prior to dedication of the property. The subdivider or developer shall pay for the cost of the owner's title insurance in said amount, the ALTA survey, the assessment plat and any and all costs in connection with the tax division.

L. Real Estate Tax Escrow. The developer shall pay the general real estate taxes on the land not yet due and payable as of the date of transfer, and shall deposit a sum of money in escrow with the intended grantee's attorney or a title company licensed to do business in the State of Illinois, which is prorated as of the date of transfer on the basis of 110 percent of the tax assessor's latest assessed valuation, the latest known equalization factors and the latest known tax rate on the land. In the event the previous tax information or the previous tax bill includes other property, then the amount to be deposited in escrow shall be adjusted ratably based on the net acreage of the land compared to the net acreage of the other parcels covered by said tax bills. After the land has been divided for real estate tax purposes and has been conveyed to the intended grantee, the grantee shall proceed with due diligence to apply for a real estate tax exemption on the land.

M. Objections. All objections relating to acreage requirements, presumptions as to fair market value, the *Table of Estimated Ultimate Population Per Dwelling Unit* or any other application of this

Section 6.9.3 to a particular subdivision or planned development, shall first be referred to the Plan Commission for a hearing. An objection must be made, if at all, prior to the approval of the final plat of subdivision by the City. A failure to object by such time shall constitute a waiver of the right to object to the provisions of this Section 6.9.3. The procedure for a hearing before the Plan Commission shall be as follows:

1. Duties of the Plan Commission. The Plan Commission shall serve in an advisory capacity and shall have the following duties:
  - a. Advise and assist the City in resolving objections regarding the *Table of Estimated Ultimate Population Per Dwelling Unit* in Section 6.9.3-D, the size of the school site in Section 6.9.3-B, the fair market value of the land used to calculate the cash contribution in Section 6.9.3-C, or any other application of this Section 6.9.3 to a particular subdivision or planned development.
  - b. The City shall adopt procedural rules to be used by the Plan Commission in carrying out the duties imposed by this Section 6.9.3.
2. Information and Services to be Used. The City shall make available to the Plan Commission all professional reports relating to the *Table of Estimated Ultimate Population Per Dwelling Unit*, the size of the school site and the fair market value of land used in calculating these cash contributions. The Plan Commission may also retain the services of professionals (attorneys, appraisers, statisticians, etc.) to assist in its review of issues raised by any objection.
3. Procedure for Resolving an Objection.
  - a. Upon receipt of an objection, the City Clerk shall place the same on the next regular meeting agenda of the City Council. Thereafter the City Council shall refer the objection to the Plan Commission and by resolution establish a hearing date.
  - b. The Plan Commission shall provide public notice of the hearing date to consider the objection and shall notify affected school district by certified mail, return receipt requested, of the filing of the objection and of any hearing regarding same.
  - c. The Objector shall publish notice of the hearing date once each week for three consecutive weeks, at least 30 days before but no more than 60 days before the scheduled date of the hearing. Notice shall be published in a newspaper of general circulation within the corporate limits of the City. The notice of public hearing shall not appear in the part of the paper where legal notices or classified ads appear. The notice shall not be smaller than one-quarter page of a standard size or tabloid-size newspaper. The objector shall send a copy of said notice to any person who has requested said notice by certified mail (stamped at a U.S. Postal Service facility showing the date of mailing) at least 30 days prior to the hearing date.
  - d. The notice shall contain all of the following information:
    - i. The headline shall read: "NOTICE OF PUBLIC HEARING ON OBJECTION TO APPLICATION OF ORDINANCE REQUIRING THE DEDICATION OF SCHOOL SITES OR PAYMENT OF THE CASH CONTRIBUTIONS IN LIEU THEREOF".
    - ii. The date, time and location of the public hearing.



- iii. A statement that the purpose of the hearing is to consider the objection to a component of the application of the ordinance requiring the dedication of school sites or calculation of cash in lieu thereof.
  - iv. A general description of the parcel(s), service area or areas within the City that are the subject of the hearing.
  - v. A statement that the City shall make available to the public, upon request, an easily understandable and detailed map of the parcel(s), service area or areas to which the ordinance applies, and any other available information about the objection.
  - vi. A statement that any member of the public affected by the ordinance or the parcel(s) or service area shall have the right to appear at the public hearing and present testimony and/or evidence in support of or against the objection.
- e. A public hearing shall be held for the consideration of the objection. In addition to the City, the affected school district shall be allowed to participate in such hearing as a party thereto to present evidence, cross-examine witnesses and make arguments to the Plan Commission regarding the issues raised in the objection. The Plan Commission shall make a recommendation to adopt, reject in whole or in part, or modify the objection presented at the hearing, by written report to the City, within 60 days after the hearing. The City shall then have at least 60 but not more than 120 days to approve, disapprove or modify, by ordinance or resolution, the findings in this ordinance as it pertains to the development in question.
- 4. Costs and Fees. The objector shall bear all costs of the hearing before the Plan Commission, including, but not limited to attendance fees paid the Plan Commission members, publication costs, professional consultants and any other expenses of the City, including reasonable attorney fees. Before a hearing date is set the objector shall deposit with the City a \$10,000 escrow to cover these costs which shall be replenished when the balance reaches \$2,000, by the Objector after payment of any outstanding expenses incurred by the City. Failure to promptly replenish the escrow shall be cause to stay or defer any hearings, meetings or actions by the City.
- N. CONDITION TO ANNEXATION. The dedications of land or cash contributions in lieu thereof required by this Section 6.9.3 shall also be required as a condition to the annexation of any land to the City, and provisions therefor shall at a minimum be incorporated in any annexation or pre-annexation agreement governing such land. However, the City reserves the right to negotiate dedications of land or cash contributions in lieu of land or a combination thereof greater than those set forth herein.
- O. INDEMNIFICATION. As a condition to the City distributing school dedications and/or cash contributions in lieu thereof, the school district shall execute an indemnification agreement in the form set forth in Exhibit A of this Section 6.9.3.
- P. DISTRIBUTION. The cash contributions in lieu of land dedications imposed by this Section 6.9.3 shall be collected and held by the City to be distributed in accordance with the standards in this Section 6.9.3 to the school district to be used for the purposes set forth in this Section 6.9.3. Such distributions shall be made only after the City has received a formal written request for release of the accumulated funds.

As a condition of distribution of these land dedications and/or cash contributions in lieu of land dedications, the City shall require that the school district benefitting from such land dedications and/or cash contributions conduct a needs assessment and adopt a plan for acquisition of land and capital facilities needed to accommodate growth.

- Q. **TIME OF PAYMENT.** All land dedications and cash contributions imposed by this Section 6.9.3 shall be due and payable upon final plat approval. However, the City may agree that the payment of the cash contributions may be made at the time a building permit is issued in consideration of which the subdivider or developer shall execute an agreement, which is Exhibit B of this Section 6.9.3, agreeing that the cash contributions payable will be adjusted in accordance with the requirements herein and further agreeing that the cash contributions may be expended for the purposes described in Exhibit B. If property that would otherwise be subject to this Section 6.9.3 is being annexed into the City, nothing contained herein shall prohibit the City and the subdivider or developer from negotiating an annexation agreement which contains different terms regarding the amount of land dedications or cash in lieu thereof, or the purposes for which the cash contribution may be expended.
- R. **MISCELLANEOUS.** In calculating any cash contributions in lieu of land dedication payable at time of issuance of building permit as provided in Section 6.9.3-Q herein, the City shall use the fair market value as set forth in Section 6.9.3-C1 or any amendment thereto and in effect at the time of the contribution and building permit issuance.

**6.9.4. School Capital Improvement Fee.** The City Council may require each subdivider and developer of land to donate cash in addition to land or cash in-lieu-of land donations required in Section 6.9.3 expressly for the purpose of school building construction.

Type of Dwelling	Number of Bedrooms	Capital Improvement Fee
Detached Single Family	5	\$1,200.00
Detached Single Family	4	\$1,725.00
Detached Single Family	3	\$1,065.00
Detached Single Family	2	\$ 327.00
Detached Single Family	1	\$ 224.00
Attached Single Family	3	\$ 575.00
Attached Single Family	2	\$ 327.00

**6.9.5. Fire Protection, Library and City Cash Contributions.** The City may require cash contributions for fire protection, library, and city purposes on the basis of demographic and fiscal analyses of the proposed subdivision or development.

## FLOOD CONTROL REGULATIONS

**6.10.1 Purpose.** This Article is enacted pursuant to the police powers granted to the City by Illinois Compiled Statutes, Chapter 65, Sections 5/1-2-1, 5/11-12-12, 5/11-30-2, 5/11-30-8 and 5/11-31-2, and in order to accomplish the purpose and intent of this Title (Article 1.2).

**6.10.2 Definitions.** As used in this Article 6.10, the following words and terms shall have the meanings set forth herein.

**Base Flood:** shall mean the flood having a one percent (1%) probability of being equated or exceeded in any given year. The base flood is also known as the 100-year flood. The base flood elevation at any location is as defined in Section 6.10.3 of this Article.

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

1. Construction, reconstruction or placement of a building or any addition to a building valued at more than one thousand dollars (\$1,000.00);
2. Installing a manufactured home on a site, preparing a site for a manufactured home or installing travel trailer on a site for more than one hundred eighty (180) days;
3. Installing utilities, construction or roads or similar projects;
4. Construction or erection of levees, walls, fences, bridges or culverts;
5. Storage of materials, or
6. Any other activity that might change the direction, heights or velocity of flood or surface waters.

**Flood Protection Elevation (FPE):** shall mean the elevation of the base flood plus one (1) foot at any given location in the SFHA.

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

**Floodway:** shall mean that portion of the SFHA required to store and convey the base flood. The floodway for each of the SFHAs of the City shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository.

**Riverine SFHA:** shall mean any SFHA subject to flooding from a river, creek, intermittent stream, ditch or any other identified channel. This term does not include areas subject to flooding from lakes (except public bodies of water), ponding areas, areas of sheet flow or other areas not subject to overbank flooding.

**Special Flood Hazard Area (SFHA):** shall mean those lands within the jurisdiction of the City that are subject to inundation by the base flood. The SFHAs of the City are generally identified as such on the Flood Insurance Rate Map of the City prepared by the Federal Insurance Administration and dated September 1, 2000. The SFHAs of those parts of unincorporated DeKalb County that are within the extraterritorial jurisdiction of the City of that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map prepared for DeKalb County by the Federal Emergency Management Agency and dated September 21, 2000. (1978 Code 24.06.02; Ord. 2007-03, 02-20-2007)

**6.10.3 Base Flood Elevation.** This Article's protection standard is the base flood. The best available base flood data are listed below. Whenever a party disagrees with the best available data, the party may finance the detailed engineering study needed to replace existing data with better data and submit it to the State Water Survey and the Federal Emergency Management Agency.

- A. The base flood elevation for the SFHAs delineated as an unnumbered “A Zone” on the Flood Insurance Rate Map of the City shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository. When no base flood elevation exists, the base flood elevation shall be the 100-year flood depth calculated according to the formulas presented in Depth and Frequency of Flooding in Illinois published by the U.S. Geological Survey, 1976.
- B. The base flood elevation for the SFHAs of those parts of unincorporated DeKalb County that are within the extraterritorial jurisdiction of the City or that may be annexed into the city shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository. (1978 Code 24.06.04)

**6.10.4. Development Permit.**

- A. **PERMIT REQUIRED:** No person or governmental body not exempted by State law shall commence any development in the SFHA without first obtaining a development permit from the building inspector for the City. The building inspector for the City shall not issue a development permit if the proposed development does not meet the requirements of this Chapter.
- B. **APPLICATION FOR PERMIT:** Application for a development permit shall be accompanied by:
  - 1. Drawings of the site, drawn to scale, showing property line dimensions, existing grade elevations and all changes in grade resulting from excavation or filling.
  - 2. The location and dimensions of all buildings and additions to buildings.
  - 3. The elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 6.10.6 of this Title.
- C. **DETERMINATION OF APPLICABLE DEVELOPMENT REQUIREMENTS:** Upon receipt of an application for a development permit, the building inspector for the City shall compare the elevation of the site to the base flood elevation. Any development located on land that can be shown to have been higher than the base flood elevation as of September 21, 2000, is not located in the SFHA and, therefore, not subject to the requirements of this Section. The building inspector for the City shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to September 21, 2000. (Ord. 2007-03, 02-20-2007)
- D. **OTHER REQUIRED PERMITS:** The building inspector for the City shall inform the applicant of any and all other local, State and Federal permits that may be required for this type of development activity. The building inspector for the City shall not issue the development permit unless all required Federal and State permits have been obtained. (1978 Code 24.06.05)

**6.10.5. Preventing Increased Damages.** No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

- A. **STANDARDS IN RIVERINES:** Within all riverine SFHAs, the following standards shall apply:
  - 1. In addition to the other requirements of this Section, a development permit for a site located in a floodway (or in a riverine SFHA where no floodway has been identified) shall not be issued, unless the applicant first obtains a permit or

written documentation that a permit is not required from the Illinois Department of Transportation, Division of Water Resources, issued pursuant to 65 Illinois Compiled Statutes 5/5 et seq.

2. The following activities may be constructed without the individual permit required in subsection (A)1 above in accordance with statewide permits issued by the Illinois Department of Transportation, Division of Water Resources, provided the activities do not involve placement of fill, change of grade or construction in the normal channel. Such activities must still meet the other requirements of this Chapter.
  - a. The construction of wells, septic tanks and underground utility lines not crossing a lake or stream.
  - b. The construction of light poles, sign posts and similar structures.
  - c. The construction of sidewalks, driveways, athletic fields (excluding fences), patios and similar surfaces which are built at grade.
  - d. The construction of properly anchored, unwall, open structures such as playground equipment, pavilions and carports.
  - e. The placement of properly anchored building not exceeding seventy (70) square feet in size nor ten (10) feet in any dimension (e.g. animal shelters and tool sheds).
  - f. The construction of additions to existing buildings which do not increase the first floor area by more than twenty percent (20%), which are located on the upstream or downstream side of the existing building and which do not extend beyond the sides of the existing building that are parallel to the flow of flood water.
3. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the base flood elevation more than one (1.0) foot for the affected hydraulic reach of the stream and will not increase the flood damage or potential flood damage.
4. **Compensatory Storage for Development in a Floodplain:** Compensatory storage shall be provided for any regulatory floodplain storage lost due to the proposed work from the volume of fill or structures placed and the impact of any related flood control projects. Compensatory storage or fill or structures shall be equal to at least 1.10 times the volume of flood plain storage lost. Artificially created storage lost due to a reduction in head loss behind a bridge shall not be required to be replaced. The compensatory regulatory floodway storage shall be placed between the proposed normal water elevation and the proposed 100-year flood elevation. All regulatory floodway storage lost below the existing 10-year flood elevation. All regulatory floodway storage lost above the existing 10-year flood elevation shall be replaced above the proposed 10-year flood elevation. All such excavations shall be constructed to drain freely and openly to the watercourse. If the compensatory storage will not be placed at the location of the proposed construction, the applicant's engineer will not be placed at the location of the proposed construction, the applicant's engineer shall demonstrate through a determination of flood discharges and water surface elevations that the compensatory storage is hydraulically equivalent. (Ord. 2007-03, 02-20-2007)

B. PUBLIC HEALTH STANDARDS IN ALL SFHAS:

1. No development in the SFHA shall include located or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the FPE unless such materials are stored in a storage tank of floodproofed building constructed according to the requirements or subsection 6.10.6(B)4 of this Title.
2. New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings located below the FPE are watertight. (1978 Code 24.06.06)

#### **6.10.6. Protecting Buildings.**

- A. **APPLICABLE SITUATIONS:** In addition to the damage prevention requirements of Section 6.10.5 of this Title, all buildings to be located in the SFHA shall be protected from flood damage below the FPE. This building protection requirement applies to the following situations:
1. Construction or placement of a new building valued at more than one thousand dollars (\$1,000.00).
  2. Structural alterations made to an existing buildings that increase the floor area by more than twenty percent (20%) or the market value of the building by more than fifty percent (50%).
  3. Reconstruction or repairs made to a damaged building that are valued at more than fifty percent (50%) of the market value of the building before the damage occurred.
  4. Installing a manufactured home on a new site or a new manufactured home on an existing site. This Section does not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage.
  5. Installing a travel trailer on a site for more than one hundred eighty (180) days.
- B. **METHOD OF COMPLIANCE:** This building protection requirement may be met by one of the following methods. The building inspector of the City shall maintain a record of compliance with these building protection standards as required in Section 9-5-9 of the Chapter.
1. A residential or nonresidential building may be constructed on permanent land fill in accordance with the following:
    - a. The fill shall be placed in layer not greater than one (1) foot deep before compaction.
    - b. The lowest floor (including basement) shall be at or above the FPE. The fill should extend at least ten (10) feet beyond the foundation of the building before sloping below the FPE.
    - c. The fill shall be protected against erosion and scour during flooding by vegetative cover, rip rap or bulkheading. If vegetative cover is used, the slopes shall be no steeper than three horizontal to one vertical (3:1).
    - d. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
  2. A residential or nonresidential building may be elevated in accordance with the following:
    - a. The building or improvements shall be elevated on crawl space, walls, stilts, piles or other foundation, provided:
      - (1) The walls have permanent openings no more than one (1) foot above grade.

- (2) The walls and floor are not subject to damage by hydrostatic pressures associated with the base flood.
  - b. The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjacent structures so as to minimize exposure to known hydrodynamic forces such as currents, waves, ice and floating debris.
  - c. All areas below the FPE shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing and air-conditioning equipment and utility meters shall be located at or above the FPE. Water and sewer pipes, electrical and telephone lines, submersible pumps and other waterproofed service facilities may be located below the FPE.
3. Manufactured homes and travel trailers to be installed on a site for more than one hundred eighty (180) days shall be:
- a. Elevated at or above the FPE in accordance with subsections (B)1 and (B)2 hereof.
  - b. Anchored to resist flotation, collapse or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 210 Illinois Compiled Statutes 120/1 through 120/6.
4. Only a nonresidential building may be flood-proofed in accordance with following:
- a. A registered professional engineer shall certify that the building has been designed so that below the FPE, the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood. The building design shall take into account flood velocities, duration, rate or rise, hydrostatic and hydrodynamic forces, the effects of buoyancy and impacts from debris or ice.
  - b. Floodproofing measures shall be operable without human intervention and without an outside source of electricity. (1978 Code 24.06.07)

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

- A. New subdivision, manufactured home parks, travel trailer parks, annexation agreements, planned developments and additions to manufactured home parks and subdivisions shall meet the requirements of Section 6.10.5 and 6.10.6 of this Title. Plats or plans for new subdivisions, manufactured home parks and planned unit development (PUDs) shall include a signed statement by a registered professional engineer that the plat or plans account for changes in the drainage or surface waters in accordance with the Plat Act.
- B. Proposals for new subdivisions, manufactured home parks, travel trailer parks, planned developments and additions to manufactured home parks and subdivision shall include base food elevation data and floodway delineations. Where this information is not available form an existing study filed with the Illinois State Water Survey, the applicant shall be responsible for calculating the base flood elevation and the floodway delineation



and submitting it to the State Water Survey for review and approval as best available regulatory data. (1978 Code 24.06.08)

**6.10.8 Variances.** Whenever the standards of this Article place undue hardship on a specific development proposal, the applicant may apply to the Plan Commission for a variance. The Plan Commission shall review the applicant's request for a variance and shall submit its recommendation to the City Council. The City Council may attach such conditions to granting of a variance as it deems necessary to further the intent of this Article.

A. **CONDITIONS FOR VARIANCE:** No variance shall be granted unless the applicant demonstrates that:

1. The development activity cannot be located outside the SFHA.
2. An exceptional hardship would result if the variance were not granted.
3. The relief requested is the minimum necessary.
4. There will be not additional threat to public health or safety or creation of a nuisance.
5. There will be no additional public expense for flood protection, rescue or relief operations, policing or repairs to roads, utilities or other public facilities.
6. The provisions of Section 6.10.4(D) of this Article are met.
7. The provisions of Section 6.10.5(A) of this Article are met.

B. **NOTICE TO APPLICANT OF LIABILITIES:** The building inspector for the City shall notify an applicant, in writing, that a variance from the requirements of Section 6.10.6 of this Article that would lessen the degree of protection to a building will:

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

C. **BUILDINGS ON NATIONAL REGISTER:** Variances to the building protection requirements of Section 6.10.6 of this Article requested in connection with the reconstruction, repair or alteration of a site or building included on the National Register or Historic Places or the Illinois Register of Historic Places may be granted using criteria more permissive than the requirements of subsections (A)1 through (A)5 hereof. (1978 Code 24.06.09)

**6.10.9. Administration and Enforcement.** The building inspector for the City shall be responsible for the general administration and enforcement of this Article including but not limited to the following duties:

- A. Ensure that all development activities within the SFHAs of the jurisdiction of the City meet the requirements of this Article.
- B. Provide information and assistance to citizens upon request about permit procedures and flood plain construction techniques.

- C. Ensure that construction authorization has been granted by the Illinois Department of Transportation, Division of Water Resources for all development projects subject to Section 6.10.6 of this Article and maintain a record of such authorization.
- D. Maintain a record of the “as built” elevation of the lowest floor (including basement) of all buildings subject to Section 6.10.6 of this Article.
- E. Maintain a record of the engineer’s certification and the “as built” floodproofed elevation of all buildings subject to subsection 6.10.6(B)4 of this Article.
- F. Inspect all development projects to ensure they comply with the provisions of this Article.
- G. Cooperate with State and Federal flood plain management agencies to improve base flood and floodway data and to improve the administration of this Article; submit reports as required for the National Flood Insurance Program.
- H. Maintain for public inspection and furnish upon request base flood data, SFHA maps, copies of Federal or State permit documents and “as built” elevation and floodproofing data for all buildings constructed subject to this Article. (1978 Code 24.06.03)

**6.10.10. Disclaimer of Liability.** The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This Article does not create liability on the part of the City or any officer or employee thereof for any flood damage that results from reliance on this Article or any administration decision made lawfully thereunder. (1978 Code 24.06.10)

**6.10.11. Violation and Penalties.**

- A. **PROCEDURE:** Failure to obtain a permit for development in the SFHA or failure to comply with the requirements of a permit or conditions of a variance resolution shall be deemed to be a violation of this Article. Upon due investigation, the City Attorney may determine that a violation of the minimum standards of this Article exists. The City Attorney shall notify the owner, in writing, of such violation.
- B. **FAILURE TO ABATE; PENALTY:** If such owner fails, after ten (10) days’ notice, to correct the violation:
  - 1. The City may make application to the circuit court for an injunction requiring conformance with this Article or make such other order as the court deems necessary to secure compliance herewith.
  - 2. Any person who violates this Article shall, upon conviction thereof, be fined not less than twenty-five dollars (\$25.00) and no more than five hundred dollars (\$500.00).
  - 3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
- C. **ADDITIONAL REMEDIES:** Nothing herein shall prevent the City from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible. (1978 Code 24.06.11; 1993 Code)

## Article 6.11

### STREETS AND ALLEYS

**6.11.1. Streets Required.** A public street or streets shall be provided to provide access to all lots, parcels and tracts of land in the City. No private street or thoroughfare shall be permitted. Proposed streets shall extend existing adjoining streets, unless the extension would be impractical.

**6.11.2. Standards.** All streets shall comply with the following minimum specifications:

- A. **MAXIMUM GRADE.** The maximum allowable grade for streets shall be five percent (5%) and the minimum allowable grade for all streets shall be four-tenths of one percent (0.4%). Maximum grade for minor streets shall be ten percent (10%).
- B. **CURB AND GUTTER.** Concrete curb and gutter shall be provided along the outside edge of all street pavements and shall comply with the following minimum specifications:
  - 1. **Mountable-type curb and gutter.** A depressed or V-type, such as V-4-1/2.9 Standard #1015, or an equivalent cross-section approved by the City Engineer, on local and residential streets.
  - 2. **Barrier-type curb and gutter.** When barrier type curb and gutter is required by the City Engineer, the cross-section shall be approved by the City Engineer.
- C. **STREET LIGHTING.** Adequate street lighting facilities, in accordance with the requirements of the City, shall be provided by the developer and/or subdivider for all public streets in the subdivision or adjacent the parcel being developed.
- D. **TELEPHONE AND ELECTRIC DISTRIBUTION LINES.** All utilities shall be placed underground in new subdivisions. Such conduits or cables shall be placed within easements or dedicated rights-of-way in a manner which will not conflict with other underground services.
- E. **DRAINAGE.** Storm sewer inlets and catch basins shall be provided at all low points within the roadway improvements and at any additional locations specified by the City Engineer.
- F. **STREET NAME SIGNS.** Permanent signs meeting City specifications shall be provided by the subdivider at each intersection.
- G. **MATERIAL STANDARDS.** All construction of improvements in this Chapter shall be designed and materials used shall be in accordance with the methods and materials required in the appropriate sections of Standard Specifications for Road and Bridge Construction (latest revision) published by the Illinois Department of transportation.
- H. **DESIGN STANDARDS.** Streets shall be designed in accordance with Section 6.11.5 Table of Street Standards.
- I. **CONSTRUCTION STANDARDS.** Streets shall comply with the following construction design standards:

**6.11.3. Alleys.** Alleys may be provided only accordance with the standards in Section 6.11.5 Table of Street Standards. Alleys shall be located on public right-of-way.

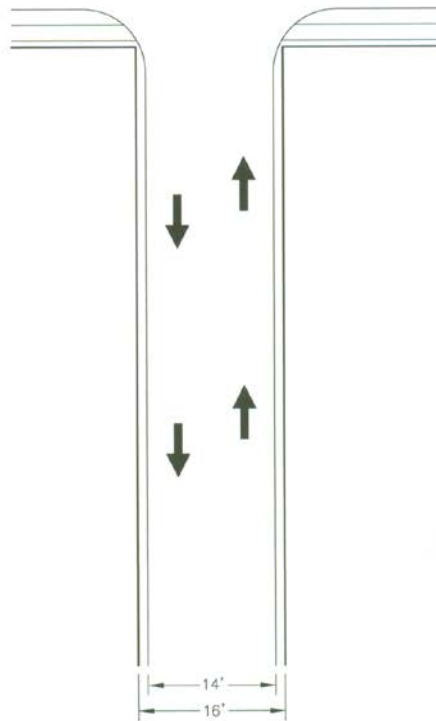
**6.11.4. Standards.** Where alleys are provided, all alleys shall comply with the following minimum specifications:

- A.      **MINIMUM PAVEMENT.** The minimum thickness for alley pavement shall be five (5) inches of aggregate base and one and one-half (1-1/2) inches of bituminous surface course (C1.1).
- B.      **WIDTH.** The paved surface of alleys shall be fourteen (14) feet wide.

**6.11.5. Table of Street Standards.**

## STREET DESIGN STANDARDS

### TYPE 1



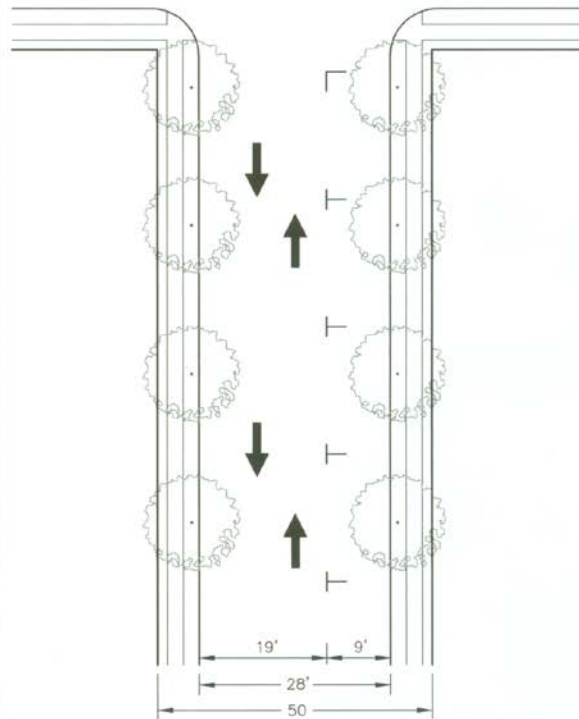
#### DIMENSIONS

DESIGN SPEED (M.P.H.)	10
MIN. CENTERLINE RADIUS (FEET)	100
PAVEMENT WIDTH (FEET)	14
RIGHT-OF-WAY WIDTH (FEET)	16
CURB RADIUS (FEET)	5
PEDESTRIAN CROSSING TIME (SECONDS)	3.8
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	(250
MINIMUM SIDEWALK WIDTH (FEET)	N/A

10
100
14
16
5
3.8
CLOSED
(250
N/A

## STREET DESIGN STANDARDS

### TYPE 2



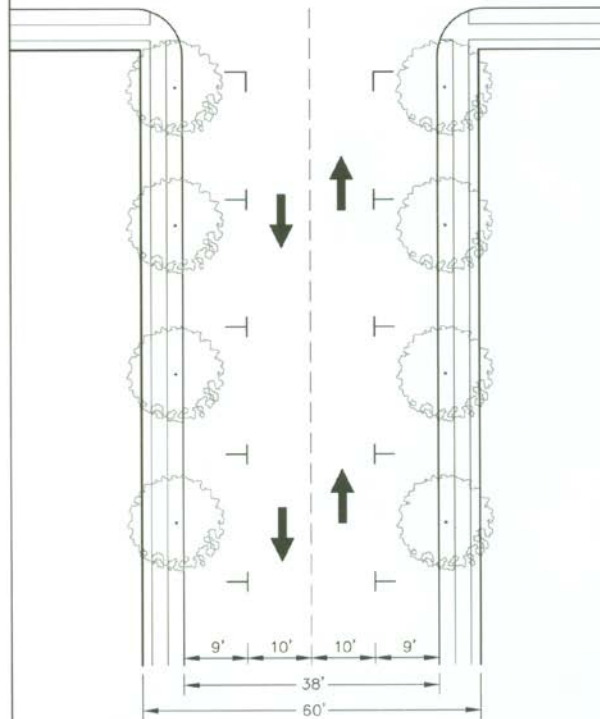
#### DIMENSIONS

DESIGN SPEED (M.P.H.)  
MIN. CENTERLINE RADIUS (FEET)  
PAVEMENT WIDTH (FEET)  
RIGHT-OF-WAY WIDTH (FEET)  
CURB RADIUS (FEET)  
PEDESTRIAN CROSSING TIME (SECONDS)  
DRAINAGE  
AVERAGE DAILY TRAFFIC (A.D.T.)  
MINIMUM SIDEWALK WIDTH (FEET)

DESIGN SPEED (M.P.H.)	20
MIN. CENTERLINE RADIUS (FEET)	100
PAVEMENT WIDTH (FEET)	28
RIGHT-OF-WAY WIDTH (FEET)	50
CURB RADIUS (FEET)	10
PEDESTRIAN CROSSING TIME (SECONDS)	7
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	<500
MINIMUM SIDEWALK WIDTH (FEET)	5

## STREET DESIGN STANDARDS

### TYPE 3



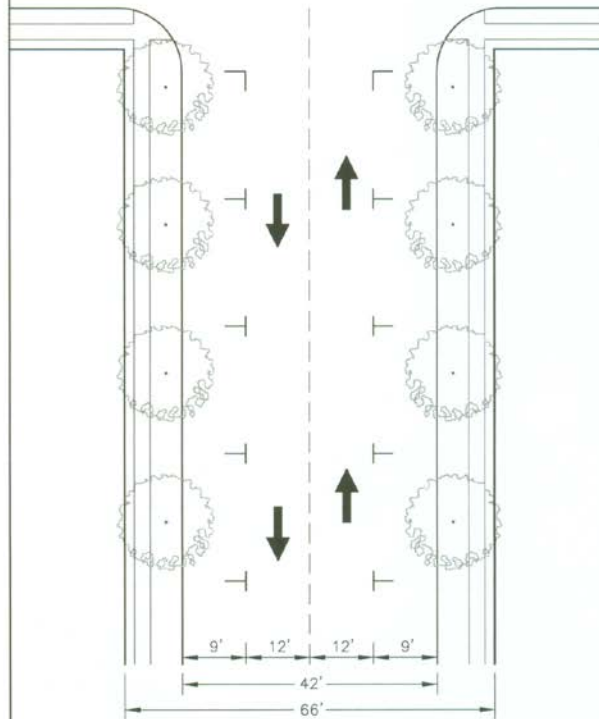
#### DIMENSIONS

DESIGN SPEED (M.P.H.)	20
MIN. CENTERLINE RADIUS (FEET)	100
PAVEMENT WIDTH (FEET)	38
RIGHT-OF-WAY WIDTH (FEET)	60
CURB RADIUS (FEET)	10
PEDESTRIAN CROSSING TIME (SECONDS)	10
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	1,000
MINIMUM SIDEWALK WIDTH (FEET)	5

DESIGN SPEED (M.P.H.)	20
MIN. CENTERLINE RADIUS (FEET)	100
PAVEMENT WIDTH (FEET)	38
RIGHT-OF-WAY WIDTH (FEET)	60
CURB RADIUS (FEET)	10
PEDESTRIAN CROSSING TIME (SECONDS)	10
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	1,000
MINIMUM SIDEWALK WIDTH (FEET)	5

## STREET DESIGN STANDARDS

### TYPE 4



#### DIMENSIONS

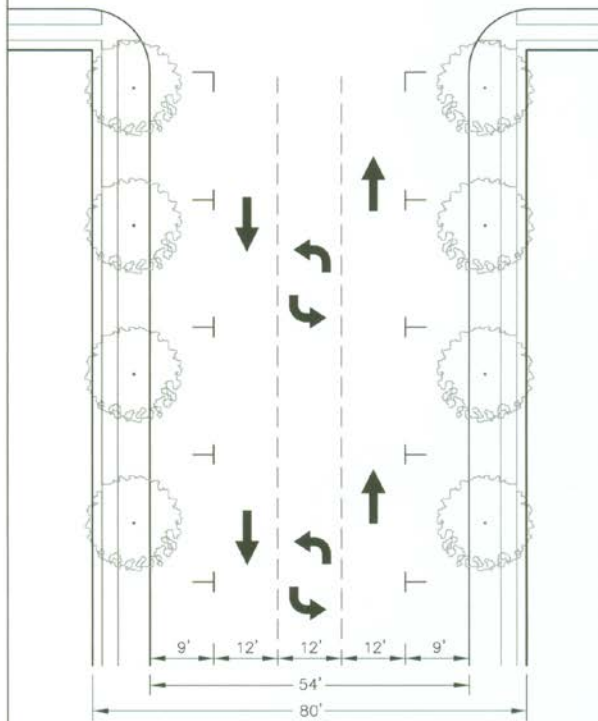
DESIGN SPEED (M.P.H.)	25
MIN. CENTERLINE RADIUS (FEET)	165
PAVEMENT WIDTH (FEET)	42
RIGHT-OF-WAY WIDTH (FEET)	66
CURB RADIUS (FEET)	10
PEDESTRIAN CROSSING TIME (SECONDS)	10.7
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	1,500
MINIMUM SIDEWALK WIDTH (FEET)	5

DESIGN SPEED (M.P.H.)	25
MIN. CENTERLINE RADIUS (FEET)	165
PAVEMENT WIDTH (FEET)	42
RIGHT-OF-WAY WIDTH (FEET)	66
CURB RADIUS (FEET)	10
PEDESTRIAN CROSSING TIME (SECONDS)	10.7
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	1,500
MINIMUM SIDEWALK WIDTH (FEET)	5



## STREET DESIGN STANDARDS

### TYPE 5



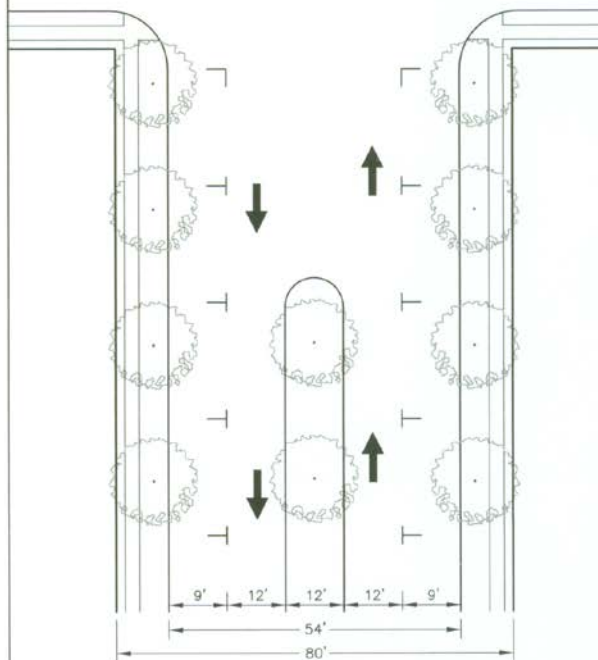
#### DIMENSIONS

DESIGN SPEED (M.P.H.)	25
MIN. CENTERLINE RADIUS (FEET)	165
PAVEMENT WIDTH (FEET)	54
RIGHT-OF-WAY WIDTH (FEET)	80
CURB RADIUS (FEET)	15
PEDESTRIAN CROSSING TIME (SECONDS)	14.6
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	12,000
MINIMUM SIDEWALK WIDTH (FEET)	5

DESIGN SPEED (M.P.H.)	25
MIN. CENTERLINE RADIUS (FEET)	165
PAVEMENT WIDTH (FEET)	54
RIGHT-OF-WAY WIDTH (FEET)	80
CURB RADIUS (FEET)	15
PEDESTRIAN CROSSING TIME (SECONDS)	14.6
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	12,000
MINIMUM SIDEWALK WIDTH (FEET)	5

# STREET DESIGN STANDARDS

## TYPE 6



## DIMENSIONS

DESIGN SPEED (M.P.H.)  
MIN. CENTERLINE RADIUS (FEET)  
PAVEMENT WIDTH (FEET)  
RIGHT-OF-WAY WIDTH (FEET)  
CURB RADIUS (FEET)  
PEDESTRIAN CROSSING TIME (SECONDS)  
DRAINAGE  
AVERAGE DAILY TRAFFIC (A.D.T.)  
MINIMUM SIDEWALK WIDTH (FEET)

25
165
54
80
15
14.6
CLOSED
(2,000
5

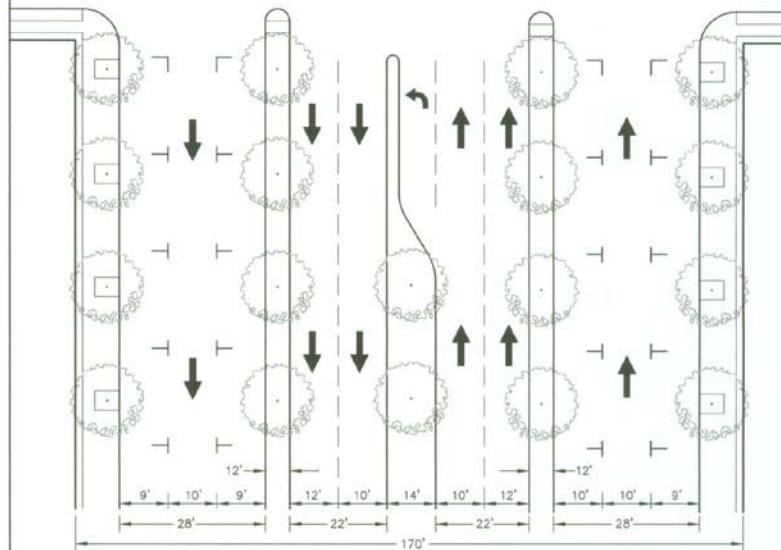
The diagram illustrates a 110-foot wide roadway with four travel lanes. The left side consists of two one-way lanes, each 31 feet wide, with a total width of 62 feet. The right side consists of two two-way lanes, each 31 feet wide, with a total width of 62 feet. A 14-foot wide center divider separates the two sides. The total width is 110 feet. A vehicle is shown in the center lane, with a curved arrow indicating a lane change to the right lane. Arrows indicate traffic flow: left lanes are one-way (downward), and right lanes are two-way (upward).

DESIGN SPEED (M.P.H.)  
MIN. CENTERLINE RADIUS (FEET)  
PAVEMENT WIDTH (FEET)  
RIGHT-OF-WAY WIDTH (FEET)  
CURB RADIUS (FEET)  
PEDESTRIAN CROSSING TIME (SECONDS)  
DRAINAGE  
AVERAGE DAILY TRAFFIC (A.D.T.)  
MINIMUM SIDEWALK WIDTH (FEET)

30
275
62
110
15
12.9
CLOSED
(3,000
12

## STREET DESIGN STANDARDS

### TYPE 8



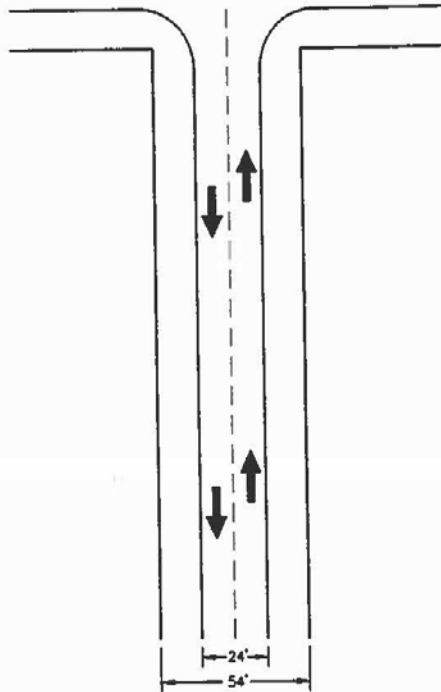
#### DIMENSIONS

DESIGN SPEED (M.P.H.)  
MIN. CENTERLINE RADIUS (FEET)  
PAVEMENT WIDTH (FEET)  
RIGHT-OF-WAY WIDTH (FEET)  
CURB RADIUS (FEET)  
PEDESTRIAN CROSSING TIME (SECONDS)  
DRAINAGE  
AVERAGE DAILY TRAFFIC (A.D.T.)  
MINIMUM SIDEWALK WIDTH (FEET)

DESIGN SPEED (M.P.H.)	30
MIN. CENTERLINE RADIUS (FEET)	300
PAVEMENT WIDTH (FEET)	100
RIGHT-OF-WAY WIDTH (FEET)	170
CURB RADIUS (FEET)	15
PEDESTRIAN CROSSING TIME (SECONDS)	20
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	>3,000
MINIMUM SIDEWALK WIDTH (FEET)	12

# **STREET DESIGN STANDARDS**

## **TYPE 9**



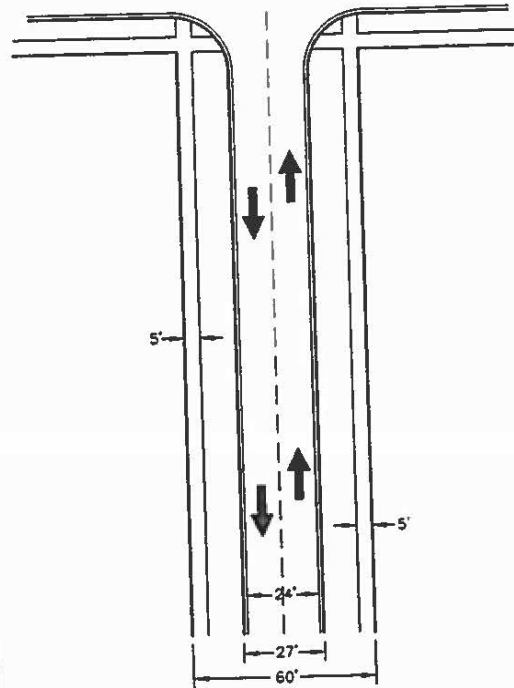
### **DIMENSIONS**

DESIGN SPEED (MPH)  
MIN. CENTERLINE RADIUS (FEET)  
PAVEMENT WIDTH (FEET)  
RIGHT-OF-WAY WIDTH (FEET)  
CURB RADIUS (FEET)  
PEDESTRIAN CROSSING TIME (SECONDS)  
DRAINAGE  
AVERAGE DAILY TRAFFIC (A.D.T.)  
MINIMUM SIDEWALK WIDTH (FEET)

20
100
24'
54'
25
10
OPEN
1,000
N/A

# STREET DESIGN STANDARDS

## TYPE 10



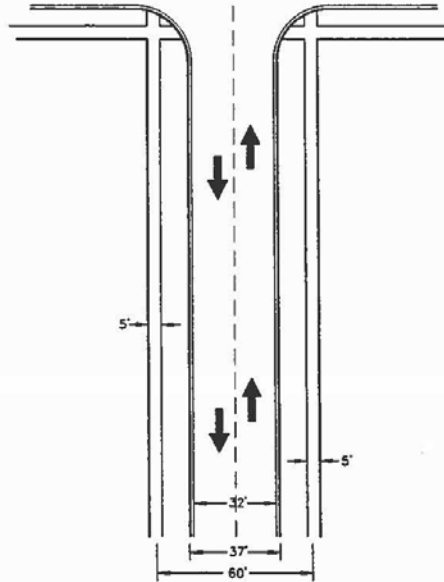
### DIMENSIONS

DESIGN SPEED (M.P.H.)  
 MIN. CENTERLINE RADIUS (FEET)  
 PAVEMENT WIDTH (FEET)  
 RIGHT-OF-WAY WIDTH (FEET)  
 CURB RADIUS (FEET)  
 PEDESTRIAN CROSSING TIME (SECONDS)  
 DRAINAGE  
 AVERAGE DAILY TRAFFIC (A.D.T.)  
 MINIMUM SIDEWALK WIDTH (FEET)

20
200
24
60
25
10.7
CLOSED
1,000
5

**STREET DESIGN  
STANDARDS**

**TYPE 11**



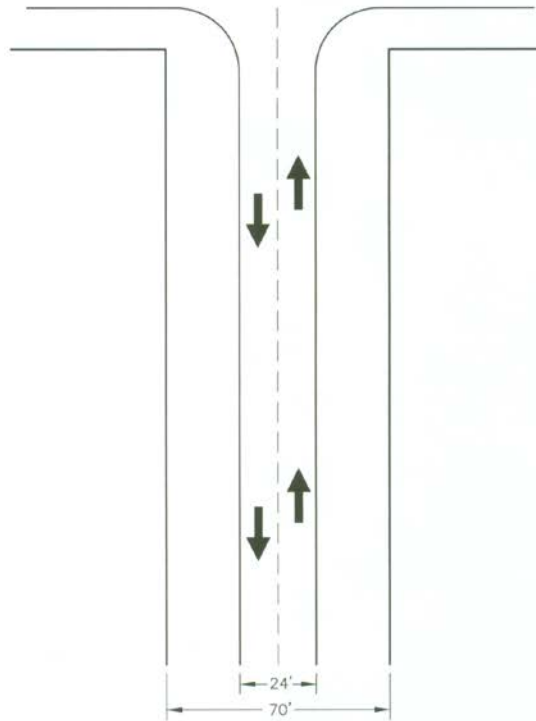
**DIMENSIONS**

DESIGN SPEED (MPH)  
MIN. CENTERLINE RADIUS (FEET)  
PAVEMENT WIDTH (FEET)  
RIGHT-OF-WAY WIDTH (FEET)  
CURB RADIUS (FEET)  
PEDESTRIAN CROSSING TIME (SECONDS)  
DRAINAGE  
AVERAGE DAILY TRAFFIC (A.D.T.)  
MINIMUM SIDEWALK WIDTH (FEET)

20
250
32
60
25
11.0
CLOSED
<1,000
5

# STREET DESIGN STANDARDS

## TYPE 12



### DIMENSIONS

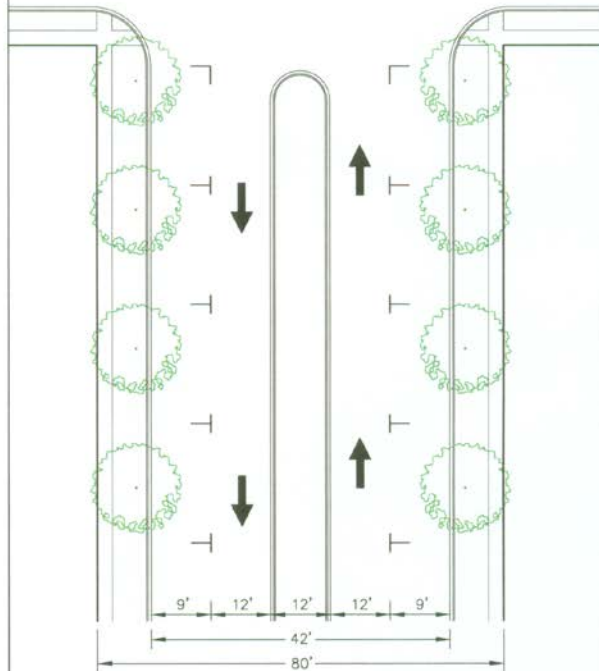
DESIGN SPEED (M.P.H.)	25
MIN. CENTERLINE RADIUS (FEET)	165
PAVEMENT WIDTH (FEET)	24
RIGHT-OF-WAY WIDTH (FEET)	70
CURB RADIUS (FEET)	25
PEDESTRIAN CROSSING TIME (SECONDS)	10.7
DRAINAGE	OPEN
AVERAGE DAILY TRAFFIC (A.D.T.)	<1,500
MINIMUM SIDEWALK WIDTH (FEET)	N/A

DESIGN SPEED (M.P.H.)	25
MIN. CENTERLINE RADIUS (FEET)	165
PAVEMENT WIDTH (FEET)	24
RIGHT-OF-WAY WIDTH (FEET)	70
CURB RADIUS (FEET)	25
PEDESTRIAN CROSSING TIME (SECONDS)	10.7
DRAINAGE	OPEN
AVERAGE DAILY TRAFFIC (A.D.T.)	<1,500
MINIMUM SIDEWALK WIDTH (FEET)	N/A



## STREET DESIGN STANDARDS

### TYPE 13



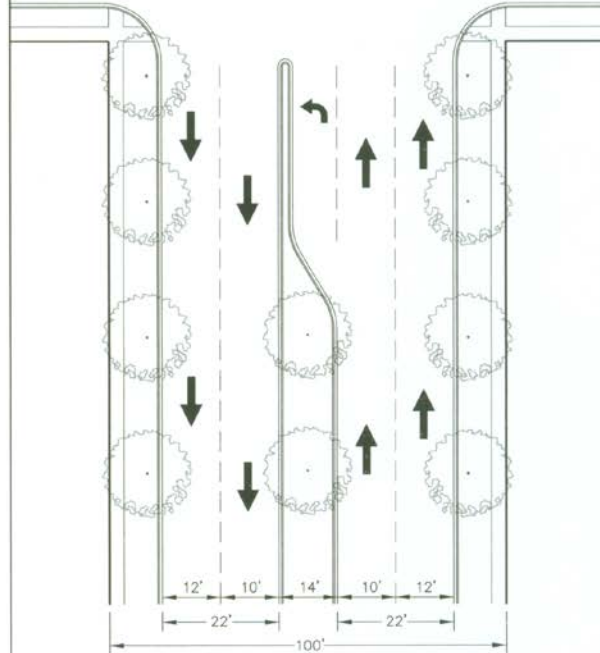
#### DIMENSIONS

DESIGN SPEED (M.P.H.)  
 MIN. CENTERLINE RADIUS (FEET)  
 PAVEMENT WIDTH (FEET)  
 RIGHT-OF-WAY WIDTH (FEET)  
 CURB RADIUS (FEET)  
 PEDESTRIAN CROSSING TIME (SECONDS)  
 DRAINAGE  
 AVERAGE DAILY TRAFFIC (A.D.T.)  
 MINIMUM SIDEWALK WIDTH (FEET)

25
165
42
80
25
15.1
CLOSED OR OPEN
<1,500
5

## STREET DESIGN STANDARDS

### TYPE 14



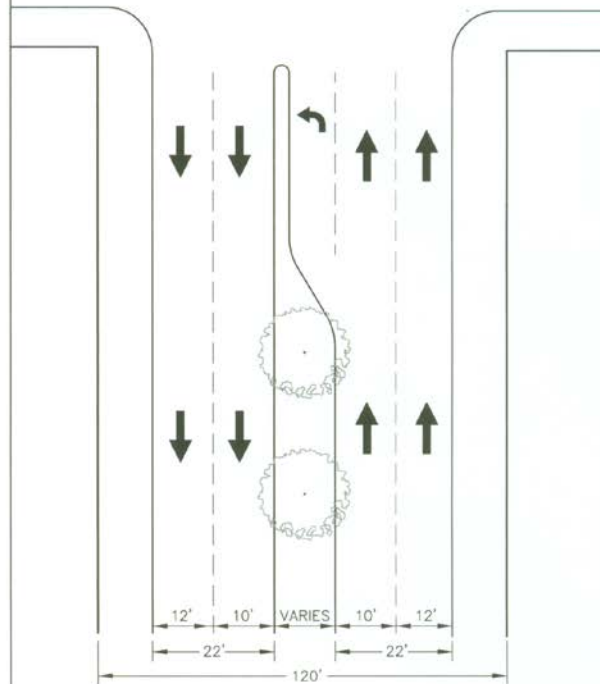
#### DIMENSIONS

DESIGN SPEED (M.P.H.)  
 MIN. CENTERLINE RADIUS (FEET)  
 PAVEMENT WIDTH (FEET)  
 RIGHT-OF-WAY WIDTH (FEET)  
 CURB RADIUS (FEET)  
 PEDESTRIAN CROSSING TIME (SECONDS)  
 DRAINAGE  
 AVERAGE DAILY TRAFFIC (A.D.T.)  
 MINIMUM SIDEWALK WIDTH (FEET)

DESIGN SPEED (M.P.H.)	30
MIN. CENTERLINE RADIUS (FEET)	275
PAVEMENT WIDTH (FEET)	44
RIGHT-OF-WAY WIDTH (FEET)	100
CURB RADIUS (FEET)	25
PEDESTRIAN CROSSING TIME (SECONDS)	13.5
DRAINAGE	CLOSED
AVERAGE DAILY TRAFFIC (A.D.T.)	12,000
MINIMUM SIDEWALK WIDTH (FEET)	5

**STREET DESIGN  
STANDARDS**

**TYPE 15**



**DIMENSIONS**

DESIGN SPEED (M.P.H.)  
MIN. CENTERLINE RADIUS (FEET)  
PAVEMENT WIDTH (FEET)  
RIGHT-OF-WAY WIDTH (FEET)  
CURB RADIUS (FEET)  
PEDESTRIAN CROSSING TIME (SECONDS)  
DRAINAGE  
AVERAGE DAILY TRAFFIC (A.D.T.)  
MINIMUM SIDEWALK WIDTH (FEET)

30
275
44
120
25
16
OPEN
>3,000
N/A

## Article 6.12

### SIDEWALKS

**6.12.1. Sidewalks Required.** A public sidewalk shall be provided to provide access to all lots, parcels and tracts in the City.

**6.12.2. Standards.** Sidewalks shall comply with the following standards:

- A. LOCATION. Sidewalks shall be provided on both sides of a street.
- B. WIDTH.
  - 1. On streets having business frontages, sidewalks shall be a minimum of five (5) feet wide except, where possible in the CBC District, they shall be eight (8) feet wide, and generally be located within the street right-of-way one (1) foot from the property line.
  - 2. On streets having residential frontages, sidewalks shall be a minimum of five (5) feet wide and generally be located within the street right-of-way, one (1) foot from the property line. (Ord. 2006-4a, 02-21-2006)
- C. DEPTH.
  - 1. Sidewalks shall be four (4) inches concrete in depth, except they shall be a minimum of six (6) inches of concrete in depth across alleys and driveways. (ORD 2011-03, 03-15-2011)

## Article 6.13

### WATER DISTRIBUTION SYSTEM

**6.13.1. Water Mains Required.** Water mains and fire hydrants shall be provided to serve all lots, parcels and tracts in the City.

**6.13.2. Water Main Standards.** All water mains shall comply with the following minimum specifications:

- A. SYSTEM DESIGN. Water mains shall be extended to the limits of the subdivided parcel and shall be looped or cross-connected as determined by the City Engineer.
- B. MINIMUM SIZE. No water main shall be less than six (6) inches in diameter.
- C. FIRE HYDRANTS REQUIRED. Fire hydrants with auxiliary valves shall be provided, but in no case shall such fire hydrants be more than four hundred (400) feet apart.
- D. VALVES REQUIRED. Right-hand closing valves shall be provided in such locations as to allow the shutting down of no more than one thousand (1,000) lineal feet of water main.
- E. VALVE VAULTS. Valve vaults shall be provided for all valves, except fire hydrant auxiliary valves.
- F. MATERIAL. Ductile Iron pipe, Class 52, with mechanical push-on joints shall be used.
- G. STUBS REQUIRED. The water mains shall have stubs extending to each lot line.
- H. SERVICE LINES. REQUIRED. All water services shall be constructed of Type K copper pipe having a minimum internal diameter of one (1) inch. Such services shall be equipped with corporation cock, curb stops and other necessary fittings in accordance with current City standards.
- J. MATERIAL STANDARDS. All construction of improvements in this Chapter shall be designed and materials used shall be in accordance with the methods and materials required in the appropriate sections of Standard Specifications for Road and Bridge Construction (latest revision), Standards Specifications for Water and Sewer Main Construction published by the Illinois Department of Transportation, and American Water Works Association Standards..
- K. CONSTRUCTION STANDARDS. The City has on file in the Office of the City Clerk standards of construction for the various public utilities. The standards may be modified or changed with the approval of the City Engineer without amending this Title.

## Article 6.14

### SANITARY SEWER COLLECTION SYSTEM

**6.14.1. Sanitary Sewer Collection System Required.** A public sanitary sewer collection system shall be provided to serve all lots, parcels and tracts in the City.

**6.14.2. Sanitary Sewer System Standards.** All sanitary sewers shall comply with the following minimum specifications:

- A. SYSTEM DESIGN. Sanitary sewers shall be extended to the limits of the subdivided parcel for extension to adjacent areas as indicated on the approved plat.
- B. SIZE AND MATERIAL. Sanitary sewers shall be polyvinylchloride (PVC) pipe or equivalent of not less than eight (8) inches in diameter meeting current City standards. (Ord. 2007-35, 12-04-2007)
- C. INSTALLATION REQUIREMENTS. Pipe shall be laid in the manner prescribed by the City Engineer.
- D. MANHOLES. Manholes shall be provided at all changes in direction or pipe size. Manholes shall be spaced as determined by the City Engineer but need not be less than three hundred (300) feet apart.
- E. LOCATION. Sanitary sewers shall be located in the centerline of the street. (Ord. 2007-35, 12-04-2007)
- F. STUBS REQUIRED. Sanitary sewers shall have stubs of a minimum six (6) inch inside diameter extending to each lot line at the time of construction.
- G. MATERIAL STANDARDS. All construction of improvements in this Chapter shall be designed and materials used shall be in accordance with the methods and materials required in the appropriate sections of Standard Specifications for Road and Bridge Construction (latest revision), Standards Specifications for Water and Sewer Main Construction published by the Illinois Department of Transportation, and American Water Works Association Standards.
- H. CONSTRUCTION STANDARDS. The City has on file in the Office of the City Clerk standards of construction for the various public utilities. The standards may be modified or changed with the approval of the City Engineer without amending this Title.

## Article 6.15

### STORMWATER MANAGEMENT

**6.15.1 StormWater Management Systems, Erosion Control, Wetland Protection, Floodplain Protection and Protection of Riparian Environments.** Every Subdivision/planned development shall be provided with a stormwater management system, erosion control, wetland protection, floodplain protection in accordance with the standards and requirements set forth in this Ordinance.

**6.15.2 The Watershed Plans.** Any watershed, wetland and floodplain protection plan approved by the City Council shall also be considered when reviewing Subdivision/planned development plans.

#### 6.15.3 Definitions

**CHANNEL:** Any river, stream, creek, brook, branch, natural or artificial depression, ponded area, flowage, slough, ditch, conduit, culvert, gully, ravine, wash, or natural or manmade drainage way, which has a defined bed and bank or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

**CONDUIT:** Any channel, pipe, sewer or culvert used for the conveyance or movement of water, whether open or closed.

**DETENTION BASIN:** A facility constructed or modified to provide for the temporary storage of stormwater runoff and the controlled release by gravity of this runoff at a prescribed rate during and after a flood or storm.

**DETENTION TIME:** The mean residence time of stormwater in a detention basin.

**DEVELOPMENT:** Any man-made change to real estate, including:

- a) Preparation of a plat of subdivision;
- b) Construction, reconstruction or placement of a building or any addition to a building;
- c) Installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than 180 days;
- d) Drilling, mining, installation of utilities, construction of roads, bridges, or similar projects;
- e) Filling, dredging, grading, construction of levees, clearing, excavating, paving, or other non-agricultural alterations of the ground surface;
- f) Storage of materials or deposit of solid or liquid waste; and
- g) Any other activity that might alter the magnitude, frequency, deviation, or velocity of stormwater flows from a property.
- h) Individual commercial, industrial and recreational users (Ord. 2007-03, 02-20-2007)

Development does not include maintenance of existing buildings and facilities such as resurfacing of roadways when the road elevation is not increased, or gardening, plowing, and traditional agricultural practices that do not involve filling, grading, or construction of levees. Additionally, development does not include fence installation, pole placement, drilling or other minor auxiliary construction activity which does not affect stormwater runoff rates or volumes.

**DRY DETENTION BASIN:** A detention basin designed to drain completely after temporary storage of stormwater flows and to normally be dry over the majority of its bottom.

**EROSION:** The general process whereby earth is removed by flowing water or wave action.

**EXCESS STORMWATER RUNOFF:** The volume and rate of flow of stormwater discharged from an urbanized area which is or will be in excess of that volume and rate which pertained before urbanization.

**FLOODPLAIN:** That land adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. The floodplain is also known as the Special Flood Hazard Area (SFHA).

**FLOOD RATE INSURANCE MAP (FIRM):** A map prepared by the Federal Emergency Management Agency of HUD that depicts the special flood hazard area (SFHA) within a community. The map includes insurance rate zones and floodplains and may or may not depict Regulatory Floodways.

**FLOODWAY:** The channel and that portion of the floodplain adjacent to a stream or watercourse which is needed to store and convey the anticipated existing and future 100-year frequency flood discharge with no more than a 1.0 foot increase in stage due to any loss of flood conveyance or storage and no more than ten percent (10%) increase in velocities. *Each municipality should reference the FIRMs which include the municipality and the surrounding areas.*

**HYDROGRAPH:** A graph showing the flow with respect to time for a given location on a stream or conduit.

**INFILTRATION:** The passage or movement of water into the soil surfaces.

**MAJOR DRAINAGE SYSTEM:** That portion of a stormwater management system needed to store and convey flows beyond the capacity of the minor drainage system. Where manmade, it is designed to handle stormwater runoff from the 100-year frequency event.

**MINOR DRAINAGE SYSTEM:** That portion of a stormwater management system designed for the convenience of the public. It consists of street gutters, storm sewers, small open channels, and swales. Where manmade, the minor conveyance system is designed to handle stormwater runoff from the 10-year frequency event. It also consists of cross-road culverts which shall be designed to handle stormwater runoff from the 50-year frequency event.

**NATURAL:** Conditions resulting from physical, chemical, and biological processes without intervention by man.

**OVERLAND FLOW ROUTE:** An area of land which conveys stormwater runoff for all events up to and including the base flood event.

**PERSON:** An individual, public or private corporation, government, partnership, or unincorporated association.

**POSITIVE DRAINAGE:** Provision for overland paths for all areas of a property including depressional areas that may also be drained by storm sewers.

**PROPERTY:** A parcel of real estate.

**REDEVELOPMENT:** Any activity, alteration, or change in land use that is undertaken on previously developed land.

**REGISTERED PROFESSIONAL ENGINEER:** An engineer in the State of Illinois, under the Professional Engineer Act of 1989, 225 ILCS 325/1-49.



**RELEASE RATE:** The rate at which stormwater runoff leaves the property.

**RETENTION BASIN:** A facility designed to completely retain a specified amount of stormwater runoff without release except by means of evaporation, infiltration, emergency bypass or pumping.

**STORM SEWER:** A closed conduit for conveying collected stormwater.

**STORMWATER MANAGEMENT PLAN:** A plan, including engineering drawings and supporting calculations, which describes the existing stormwater drainage system and environmental features, as well as the stormwater management system and environmental features which are proposed after development of a property.

**STORMWATER MANAGEMENT SYSTEM:** The collection of natural features and man-made facilities which define the stormwater management for a development. Examples include major and minor drainage systems, stormwater storage facilities, BMPs, etc.

**STORMWATER RUNOFF:** The waters derived from melting snow or rain falling within a tributary drainage basin which are in excess of the infiltration capacity of the soils of that basin, which flow over the surface of the ground or are collected in channels or conduits.

**TRIBUTARY WATERSHED:** All of the land surface area that contributes runoff to a given point.

**WET DETENTION BASIN:** A detention basin designed to maintain a permanent pool of water after the temporary storage of stormwater runoff.

**WETLAND:** An area inundated or saturated by surface water or ground water at a frequency or duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions.

**6.15.4 Stormwater Management Systems.** All subdivisions and planned developments shall be so designed that streets, blocks, lots, parks and other public grounds are so located and laid out as to preserve and utilize natural streams, channels and detention basins, including, whenever possible, locating the largest streams and flood plains within proposed public lands.

**A. Channel and/or Waterway Straightening.** Meandering channels and/or waterways shall not be straightened or changed.

**B. Within-Block Drainage.** At least one continuous easement shall be provided along all rear and side lot lines in each block to accommodate utility lines and drainage. No person or entity shall regrade any portion of any property subject to a drainage easement without written permission from the City Engineer. No accessory buildings may be built or located on any such easement. Such utility-drainage easement shall be at least ten feet wide (typically five feet on each adjoining lot). All lots shall be so graded as to provide positive surface drainage. If proper surface drainage cannot be accomplished by grading, an underground storm sewer must be provided.

**C. Storm Sewer Outfalls.** Outfalls shall be so designed that when the receiving stream is in full flood stage, the storm sewer will continue to drain the service area at its design capacity.

**D. Streets Designed as Channels.** Grades and cross-sections of streets shall be designed and constructed as to convey stormwater runoff in excess of the 10-year rainfall intensity. Streets shall be so designed and constructed as to carry a 100-year intensity rainfall at a depth no greater than six inches at the centerline of the street. The storm sewer system shall be so designed and constructed as to collect and convey 10-year rainfall intensity.

**E. Curb and Gutter Requirements.** Where required, street pavements in Subdivisions shall be provided with integral curbs and gutters. Drainage structures, where required, shall be provided in the curbs and gutters to receive drainage for discharge through the storm sewer system.

**F. Temporary Storage in Streets.** Temporary stormwater storage will be permitted in public streets to accommodate the 100-year rainfall intensity. Such storage shall not exceed six inches in depth at the street centerline.

**G. Street Pavement Crowns.** Crowns shall not be lower than the established 100-year high-water elevation of any stream, flood water runoff channel or detention basin to which its stormwater runoff is tributary, or two feet above in the case of arterial streets.

**6.15.5 Storm Sewer Design Standards.** All storm sewers within Subdivisions and planned developments shall comply with the following minimum design standards.

**A. Method of Calculation.** Minor stormwater systems shall be sized to convey runoff from the tributary watershed under fully developed conditions consistent with the design requirements of the City of Genoa.

1. ILLUDUS
2. Rational Method
3. TR-55 (SCS Method)

**B. Minimum Coefficients.** Coefficients for each method shall be as follows:

1. ILLUDUS

Residential districts by average lot size:

1/8 acre or less	90
1/4 acre	83
1/3 acre	81
1/2 acre	80
1 acre	79
2 acres	77

Multi-family residential, including Townhouses	90
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Commercial, business, office/research, industrial, Institutional and public buildings	94
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2. Rational Method

Single Family => 1 acre	C = 0.30*
Single Family < 1 acre	C = 0.40*
Multiple Family (including townhouses)	C = 0.45*

Commercial, business, office/research, industrial, Institutional and public buildings	C = 0.85*
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\*Precedent rainfall condition not considered

3. TR-55 (SCS Method) (Same as ILLUDUS)

The City Engineer will review coefficients for all drainage areas at the Preliminary Plat/Plan stage.

**C. Minimum Intensities.** The minimum intensity for the design of storm sewers and inlets shall be 10-year rainfall intensity with an initial concentration time of twenty (20) minutes for the rational method or its equivalent. The maximum velocity acceptable through the sewer is eight (8) feet/second. All stormwater management system designs shall be routed through the entire Subdivision/planned development.

**D. Capacity of Drainage Structure Frames and Grates.** Calculations shall be provided as part of the final engineering plans to assure that drainage structure grates have adequate capacity to accommodate the design flows at the designed intensity and runoff coefficients. The design calculations shall be performed and reviewed in accordance with the Civil Engineering Standard C-35 to check grate capacity. The formula used shall be:

$$Q = AC \sqrt{2gh}$$

Q = Calculated Grate Capacity (CFS)  
 A = Area of Frame Opening (Square Feet)  
 c = Entrance coefficient (0.8 for rounded edges) (0.6 for sharp edges)  
 g = 32.2  
 h = depth of water allowed over grate (feet)

The head (h) for calculating grate capacity shall never be considered greater than six (6) inches above the street centerline. At no time shall the water depth over the inlet in a yard or parking area be less than one foot below the lowest opening in an adjoining building where the water may have access to or flood such building.

**6.15.6 Storm Sewer, Pipe culvert and Structure Standards.** Materials permitted for use as storm sewers, pipe culverts and related structures shall meet the following minimum standards for materials and size:

**A. Storm Sewer Materials.** Materials may be either:

1. Reinforced concrete culvert, storm drain and sewer pipe conforming to Article 740.03 of the current Illinois Department of Transportation Standard Specifications for Road and Bridge Construction in ROW, or
2. Polyvinyl chloride pipe (PVC) conforming to Article 740.14 of the current Illinois Department of Transportation Standard Specifications for Road and Bridge construction acceptable in rear yard.
3. Ductile Iron Pipe or other water main quality pipe acceptable, conforming to ANSI/AWWA C 150/A21.50 and A21.51.

The applicable table in Article 542.03 of the referenced specification for the two stated materials shall control the use of such material.

**B. Structure Materials.** Manholes, catch basins, frames, grates, end sections and headwalls shall conform to the following minimum standards and the City of Genoa's Building Department.

1. Manholes and catch basins conforming to Section 602 found in the current Illinois Department of Transportation Standard Specifications for Road and Bridge Construction, shall have offset cones,
2. End sections conforming to Section 542.07 found in the current Illinois Department of Transportation Standard Specifications for Road and Bridge Construction,

3. Frames and grates may be gray iron or ductile iron conforming to Section 604 found in the current Illinois Department of Transportation Standard Specifications for Road and Bridge Construction,

4. Headwalls shall conform to Section 542.07 found in the current Illinois Department of Transportation Standard Specifications for Road and Bridge Construction.

**C. Pipe Culvert Materials.** Pipe culvert materials shall be reinforced concrete culvert pipe conforming to Article 740.03 of the current Illinois Department of Transportation Standard Specifications for Road and Bridge Construction.

**6.15.7 Minimum Sized Storm Sewers.** All storm sewers shall be no less than 12” in diameter regardless of the size of area being served, except when the storm sewer is used as a restrictor to control discharge from a detention/retention facility.

**6.15.8 Minimum Sized Restrictors.** Restrictors for the control of release rates from detention/retention facilities in no case shall the restrictor be less than four (4) inches in diameter.

**6.15.9 Location of Storm Sewer Structures.** Structures receiving stormwater shall be located in accordance with the following minimum standards. Quantities of runoff, slope of surface areas and general configuration of drainage patterns may require additional structures.

**A. Drainage Structures in Streets.** Structures shall be located at all low points and at such other locations as may be required by the street gradient and area to be served. Structures shall be so placed that in no case shall water flow exceed four-hundred (400) feet for streets having a slope of three percent (3%) or less, or three-hundred (300) feet for streets having a slope greater than three percent (3%). Structures, which are not located at low points, shall be equipped with vaned grates.

**B. Drainage Structures in Parking or Non-Grassed Areas.** Structures shall be located so that stormwater runoff shall not service an area greater than 20,000 square feet. Modifications to this requirement may be allowed depending on the configuration of the parking facility.

**C. Drainage Structures in Open Space Grassed Areas.** Structures shall be so located in swales as to capture the stormwater runoff. Such structures shall be so located in non-paved areas that stormwater runoff will not exceed two-hundred (200) feet.

**D. Drainage Structures in Residential Rear Yard Areas.** Structures shall be so located within easements on or adjoining the rear lot lines of lots that stormwater runoff will be intercepted by such drainage structures. Drainage structure locations shall meet the following criteria:

1. For rear lot line grades equal to or greater than one percent (1%) but less than or equal to two and one-half percent (2.5%) – A drainage structure shall be available on every lot within twenty-five (25) feet of one of its rear lot corners.

2. Curb and gutter sections of a street shall be considered the same as a drainage structure regarding the interception of stormwater runoff. The distance that stormwater runoff must flow in the gutter section is not considered as part of the maximum distance between drainage structures for rear lot line drainage configurations.

3. Drainage Structures shall be so located as to discourage rear to front lot drainage configurations.

**6.15.10 Stormwater Detention.** Stormwater detention shall comply with the following requirements:

**A. Areas Which Require Detention.** Stormwater runoff from all new Subdivisions or planned developments shall comply with the site runoff storage requirements provided in this Ordinance.

**B. Existing Detention Facilities.** In the event that a Developed Area is serviced by an existing detention facility, the requirements for onsite detention may be modified by the City Council in accordance with an approved engineering plan. “Developed Area” shall mean the total area of land owned or under the control of the Subdivider/Developer unless the Subdivider/Developer can demonstrate that designated portions of such land will never be developed.

**C. Rainfall Frequency.** Detention requirements shall be calculated on the basis of a 100-year frequency rainfall as defined by the Illinois State Water Survey, Bulletin 70. The detention volume required shall be equal to the runoff for a 100-year frequency rainfall, for the Subdivision/planned development under consideration and tributary to the reservoir, less the allowed discharge volume at the approved release rate.

1. Detention volumes shall be calculated considering precedent rainfall conditions.
2. Storage Capacity: Sufficient storage shall be provided such that the probability of the post development release rate exceeding 0.15 CFS/acre of development shall be less than on percent (1%) per year, however the City, through the City Engineer, reserves the right to require more restrictive release rates for any development within a watershed or subwatershed, which has either limited downstream capacity or observed historical flooding. (Ord. 2016-14, 07-19-2016)
3. Design runoff volumes for detention shall be calculated using the continuous event hydrograph method.

**D. Method of Detention Volume Calculations.** Detention volume calculations shall be performed using one of the following methods for the proposed project site in its developed state. Calculation methods are listed in order of preference and acceptability.

The event hydrograph methods used to calculate design runoff volumes must be either HEC-1 SCS runoff method with outlet routing option, TR-20 with outlet control routing option, or TR-55 tabular method. Event methods shall incorporate the following assumptions.

1. Antecedent moisture condition = 2; and
2. Huff of SCS Type II rainfall distribution; and
3. Twenty-four (24) hour duration storm with a one percent (1%) probability of occurrence in any one (1) year as specified by Illinois State Water Survey Bulletin 70 northeast sectional rainfall statistics; and
4. In situations where a parcel is phased for development, the detention calculations shall be made for the entire parcel and not on each phase separately. However, the engineering plans shall provide for detention for the first phase and each succeeding phase, as it will be constructed. The centralization of detention facilities in large private open space areas shall be encouraged.

**E. By-Pass Flows.** Stormwater management systems shall have adequate capacity to convey the flow from all upstream areas, whether developed or undeveloped, for 100-year rainfall intensity. The by-pass flow rate shall be computed utilizing a runoff coefficient as approved by the City Engineer, but not less than 0.35 (Rational Method) or  $C = 77$ , TR 20, TR 55, or ILLUDUS Methods. Allowances will be made for upstream detention when such upstream detention and release rates have previously been approved by the City.

**6.15.11 Detention Basin Construction.** Detention basins may be constructed adjacent to existing channels as separate basins or lakes provided there is in place an adequate By-Pass Channel for such

existing channel. Detention basins shall not be permitted directly “on line” with existing channels, creeks or streams. No detention shall be permitted within any front or side yard, or the usable portion of a rear yard on a residential lot that is defined as being within thirty (30) feet of the residence/attached garage structure.

**A. Release Structures.** Release structures for basins more than two (2) feet deep shall be designed and constructed with sloped bar screens or grates with access thereto so debris can be removed easily during the rain event. For basins less than two (2) feet deep with restrictor pipes twelve (12) inches or less in diameter, a manhole shall be required on each end of the restrictor pipe so that it can be unplugged safely.

**B. Detention Basin Bottom.** Detention basins may be constructed with either a wet or dry bottom facility or as a wetland. No rip rapped bottoms shall be allowed. Requirements for each type of facility are as follows:

1. Dry Bottom Detention Facilities shall be constructed with slopes not less than one percent (1%) and side slopes no steeper than four (4) feet horizontal to one (1) foot vertical.

Underdrain systems shall be required on all dry bottom basins having a bottom slope of less than two percent (2%). The underdrain pipes shall be perforated pipe no less than four (4) inches in diameter. The pipe shall be set in a trench at least two (2) pipe diameters wide with stone under the pipe to a depth of at least half the pipe diameter. Stones shall extend over the pipe no less than one (1) pipe diameter with six (6) inches of topsoil over the trench.

2. Wet Bottom Detention Facilities shall be encouraged when such facilities are visible from a collector street. A wet bottom detention facility shall have no less than twenty-five percent (25%) of its surface area at least ten (10) feet deep with the remaining portion being no less than five (5) feet deep. The embankment slopes, from the normal water level down, shall be no less than three (3) feet horizontal to one (1) foot vertical and embankment slopes above the normal water level shall be no less than four (4) feet horizontal to one (1) foot vertical. Six (6) feet horizontal to one (1) foot vertical safety ledge shall be created at the normal water level. Embankment protection shall be required along the normal water line to reduce erosion and stabilize the embankment.

3. City standards and requirements shall apply in all cases where another agency or private body (e.g. A homeowners’ association) will have future control over a detention facility.

4. The inlet and outlet structures from the pond or lake shall be protected with grating and rails for safety enhancement. For safety, one (1) foot of free board shall be required.

5. Wet bottom detention areas which do not have a continuous fresh water flow shall be treated either mechanically (i.e. an aerator) or chemically to control algae growth.

6. Wetland Base Detention Facilities shall be encouraged where soils are appropriate. Wetlands help purify water quality and provide recharge to underground systems. Basins shall be enhanced with wetland plants.

7. Some types of native grasses may be allowed in certain applications, may be encouraged. (Ord. 2006-4a, 02-21-2006)

**C. Drain Down Time.** All grassed areas of wet or dry bottom detention basins shall be so designed as to drain down within forty-eight (48) hours after such basins are filled to the 100-year flood level.

Calculations shall be submitted to show the drain down time. In the event that a detention basin (dry bottom, wet bottom or wetland area) discharges directly into a receiving stream, or is influenced by the backwater of a receiving stream, data regarding the hydraulics on the receiving stream or its impact on the drain down time of the detention facility shall be provided by the Subdivider/developer.

**D. Detention Basin Release and Outlet.** All outlets of detention facilities shall be via storm sewers or drainage swales located within easements dedicated to the City of Genoa.

**6.15.12 Underdrains.** Underdrains, when required on a site, shall meet the minimum requirements in the City of Genoa's Building Department.

**A. Underdrain Pipe Materials.** Materials shall be constructed of one of the following permitted materials:

1. Perforated Polyvinyl Chloride (PVC) Pipe conforming to Article 740.14 of the current Illinois Department of Transportation's Standard Specification for Road and Bridge Construction.
2. Perforated Corrugated Polyethylene (PE) Tubing conforming to Article 740.20 of the current Illinois Department of Transportation's Standard Specification for Road and Bridge Construction.

## Article 6.16

### ON-SITE PUBLIC IMPROVEMENTS

**6.16.1 Applicability.** It is necessary for a developer or subdivider to provide public improvements in order to provide adequate public utilities or access to the lot, parcel or tract being developed or subdivided. The costs of such improvements are to be borne by the developer or subdivider.

**6.16.2 Improvement Plans.** The developer or subdivider shall prepare and submit one original and three (3) copies of the final plans for public improvements. The original plans shall be prepared in black ink on twenty-four (24) inch by thirty-six (36) inch tracing cloth or mylar or its equivalent, and shall contain the following information in the following order:

- A. Title page, the form for which will be furnished by the City Engineer.
- B. Plat of Subdivision.
- C. General layout drawings of the proposed streets and sidewalks.
- D. General layout drawings of the proposed water system.
- E. General layout drawings of the proposed sanitary sewer system.
- F. General layout drawings of the proposed storm water management system.
- G. Plans and profiles of streets and sewers, the scale of which shall not be less than one (1) inch equals fifty (50) feet (1:50).
- H. Details of all streets, structures, etc.

The City Engineer shall review the final plans and submit them, along with his recommendations, to the Plan Commission for approval or disapproval. If the final plans are approved, the Plan Commission shall return two (2) copies of the plan for public improvements to the City Engineer who will file one (1) copy in his City files and return one (1) copy to the developer or subdivider.

**6.16.3 As-Built Plans.** After completion of all public improvements and prior to final acceptance of such improvements, the subdivider or developer shall make or cause to be made a map showing the actual location of all valves, manholes, stubs, sewer and water mains, and such other facilities as the City Engineer may require. This map shall be a reproducible reproduction, preferably on tracing cloth or mylar or its equivalent, and shall bear the signature and seal of a registered engineer certifying as to its accuracy. The presentation of the map shall be a condition of final acceptance and release of the performance bond or escrow deposit.

**6.16.4 Fees.** The following fees shall be charged by the City in connection with public improvement plans.

- A. **REVIEW FEES.** At the time that final improvement plans are submitted to the City Engineer for approval, a fee amounting to not less than one-percent (1%) of the estimated cost of construction of the improvements shall be paid by the developer or subdivider to cover the City's costs incurred in reviewing said improvement plans.



- B. INSPECTION FEES. During the course of construction of public improvements, at such times as the City Engineer deems necessary, the subdivider shall pay the actual costs of inspection up to and including the date of billing. The fee shall be determined as the actual cost to the City of inspectors, engineers and other necessary parties to the insurance of satisfactory work, but not to exceed three-percent (3%).
- C. LEGAL FEES. The subdivider or developer shall reimburse the City for any legal expenses incurred in the processing of the subdivision for approval. This shall include the cost of preparing or examining agreements, guarantees or escrows, the furnishing of opinions required, the preparation of deeds or other instruments of conveyance that may be required and any other legal expense incurred by the City in connection with the proposed subdivision or development.
- D. CAPITAL DEVELOPMENT FEES. At the time of approval and before beginning construction of improvements, capital development fees amounting to fifty dollars (\$50.00) per acre, or portion thereof for water; fifty dollars (\$50.00) per acre, or portion thereof, for sanitary sewer; fifty dollars (\$50.00) per acre, or portion thereof, for storm sewer will be paid by the developer or subdivider to cover the costs of additions and enlargements to the existing systems of the City necessitated by the new development or subdivision.

## Article 6.17

### OFF-SITE PUBLIC IMPROVEMENTS

**6.17.1 Applicability.** There may be instances where it is necessary for a developer or subdivider to provide public improvements in order to provide public improvements off-site in order to provide adequate public utilities or access to the lot, parcel or tract being developed or subdivided. The cost of such improvements are to be borne to the developer or subdivider. (Ord. 2006-4a, 02-21-2006)

**6.17.2 Improvement Plans.** The developer or subdivider shall prepare and submit one original and three (3) copies of the final plans for public improvements. The original plans shall be prepared in black ink on twenty-four (24) inch by thirty-six (36) inch tracing cloth or mylar or its equivalent, and shall contain the following information in the following order:

- I. Title page, the form for which will be furnished by the City Engineer.
- J. Plat of Subdivision.
- K. General layout drawings of the proposed streets and sidewalks.
- L. General layout drawings of the proposed water system.
- M. General layout drawings of the proposed sanitary sewer system.
- N. General layout drawings of the proposed storm water management system.
- O. Plans and profiles of streets and sewers, the scale of which shall not be less than one (1) inch equals fifty (50) feet (1:50).
- P. Details of all streets, structures, etc.

The City Engineer shall review the final plans and submit them, along with his recommendations, to the Plan Commission for approval or disapproval. If the final plans are approved, the Plan Commission shall return two (2) copies of the plan for public improvements to the City Engineer who will file one (1) copy in his City files and return one (1) copy to the developer or subdivider. (Ord. 2006-4a, 02-21-2006)

**6.17.3 As-Built Plans.** After completion of all public improvements and prior to final acceptance of such improvements, the subdivider or developer shall make or cause to be made a map showing the actual location of all valves, manholes, stubs, sewer and water mains, and such other facilities as the City Engineer may require. This map shall be a reproducible reproduction, preferably on tracing cloth or mylar or its equivalent, and shall bear the signature and seal of a registered engineer certifying as to its accuracy. The presentation of the map shall be a condition of final acceptance and release of the performance bond or escrow deposit.

**6.17.4 Fees.** The following fees shall be charged by the City in connection with public improvement plans.

- E. La At the time that final improvement plans are submitted to the City Engineer for approval, the applicant shall reimburse the City for expenses incurred by the City in connection with all engineering services required during the review. The

applicant shall deposit into a specified account with the City an amount determined by the City based upon the expected complexity of the proposed application and the anticipated amount of time required by City staff and its consultants to review the engineering design and plans and supporting documentation. The final fee billed to the applicant may be more or less than the City's estimate. (Ord. 2006-4a, 02-21-2006)

- F. INSPECTION FEES. During the course of construction of public improvements, at such times as the City Engineer deems necessary, the subdivider shall pay the actual costs of inspection up to and including the date of billing. The fee shall be determined as the actual cost to the City of inspectors, engineers and other necessary parties to the insurance of satisfactory work, but not to exceed three-percent (3%).
- G. LEGAL FEES. The subdivider or developer shall reimburse the City for any legal expenses incurred in the processing of the subdivision improvements for approval. This shall include the cost of preparing or examining agreements, guarantees or escrows, the furnishing of opinions required, the preparation of deeds or other instruments of conveyance that may be required and any other legal expense incurred by the City in connection with the proposed subdivision or development.