

CHAPTER 22

ZONING REGULATIONS

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CHAPTER 22

ZONING REGULATIONS

22.01 PURPOSE AND INTENT.

22.01.01 Purpose:

This Ordinance is adopted for the purpose of:

1. Promoting the public health, safety, comfort, morals, convenience, and general welfare;
2. Securing adequate natural light, pure air, and safety from fire and other dangers;
3. Lessening or avoiding the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters;
4. Lessening or avoiding congestion in the public streets and highways;
5. Conserving the value of land and buildings throughout the City; and,
6. Preserving and enhancing aesthetic values throughout the City.

22.01.02 Intent:

To these ends this Ordinance is intended to establish and accomplish certain standards and objectives by:

1. Dividing the entire City into districts and regulating therein the location, construction, reconstruction, alteration, and use of buildings, structures, and land, whether for agriculture, residence, business, manufacturing or other specified uses;
2. Avoiding or lessening congestion in the public streets by adequate requirements for off-street parking and loading facilities;
3. Preventing the overcrowding of land by regulating and limiting the height and bulk of buildings hereafter erected;
4. Establishing, regulating, and limiting the building or setback lines along streets, alleys, and property lines;
5. Regulating and limiting the intensity of the use of lot areas, and regulating and determining the area of open spaces surrounding buildings;
6. Establishing standards to which buildings or structures therein shall conform;
7. Permitting in each zoning district only those uses, buildings, and structures that are compatible with the character of each district;
8. Preventing additions to, and alterations or remodeling of, existing buildings or structures, in such a way as to avoid the restrictions and limitations imposed under this Ordinance;
9. Providing controls governing the continuation of those existing uses, buildings, and structures, which are incompatible with the character of the districts in which they are located;
10. Providing for the gradual elimination of structures and uses which are incompatible with the character of the districts in which they are located;
11. Defining the powers and duties of the administrative officers and bodies as provided in this Ordinance; and,
12. Prescribing penalties for the violation of the provisions of this Ordinance, or of any amendment thereto.

22.02 INTERPRETATION.

In their application, the provisions of this Ordinance shall be held to be the minimum

requirements for the promotion and protection of the public health, safety, comfort, morals, convenience, and general welfare, and the provisions shall be interpreted in accordance with the following:

1. Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than comparable standards imposed by any other provision of this Ordinance or of any other law, Ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive, or which imposed higher standards or requirements, shall govern;
2. This Ordinance is not intended to abrogate any easement, covenant, or other private agreement, provided, that where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than such easements, covenants, or other private agreements, the requirements of this Ordinance shall govern; and,
3. No building, structure, or use not lawfully existing at the time of the adoption of this Ordinance shall become or be made lawful solely by reason of the adoption of this Ordinance; and to the extent that, and in any manner that said unlawful building, structure, or use are in conflict with the requirements of this Ordinance, said building, structure, or use remains unlawful under the provisions of this Ordinance.

22.03 SEPARABILITY.

It is hereby declared to be the intention of the City Council that the several provisions of this Ordinance are separable, in accordance with the following:

1. If any court of competent jurisdiction shall adjudge any provisions of this Ordinance or amendments thereto to be invalid, such judgment shall not affect any other provisions of this Ordinance or amendments thereto not specifically included in said judgment; and,
2. If any Court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance or amendments thereto to a particular property or structure, such judgment shall not affect the application of said provision to any other property or structure not specifically included in said judgment.

22.04 GENERAL PROVISIONS.

22.04.01 Control over Use - Establishment of New Uses:

The use of a structure or tract of land established after the effective date of this Ordinance shall be for a use which is herein specified as a permitted or a conditional use in the district regulations applicable to the district in which such structure or land is located.

1. Existing Building Permits and Existing Uses.
 - a. Where a building permit for a structure has been issued in accordance with law, prior to the effective date of this Ordinance, and where construction has been begun within six months of such effective date and is being prosecuted to completion, said structure may be completed in accordance with the approved plans, and further, may, upon completion, be occupied under a certificate of occupancy by the use originally designated.
 - b. Where the uses of a structure or parcel of land existing at the time of the adoption of this Ordinance is rendered non-conforming under the provisions of this Ordinance, the provisions of Section 22.11 shall apply to each case.
 - c. Where a structure and the use thereof or use of land lawfully exists on the effective date of this Ordinance, and is classified by this Ordinance as a conditional use in the

district where it is located, such use shall be considered a lawful conditional use. A conditional use permit issued in accordance with procedures herein set forth shall be required only for any expansion or major alteration of such existing legal conditional use.

2. Carports or Garages.
 - a. No carports or garages shall be permitted unless constructed of concrete, wood, steel or permanent materials affixed to the real estate. No canvass, plastic or other materials not commonly used in permanent building structures shall be permitted.
 - b. All garages or carports shall comply with all building set-back and other Ordinance requirements of the City of Mendota, and shall require a building permit.

22.04.02 Control over Bulk:

Lot areas, lot widths, building heights, yard widths, yard depths, setbacks, lot square footage requirements, "(1) be not more than one story or twenty-five feet in height - whichever is lower. (2) cover not more than 30 percent of the area of the rear yard, and, (3) be located not less than five feet from the nearest lot line." need not be met if the following occurs:

1. The property owner requesting a usage involving one of the aforementioned categories that does not strictly comply with the minimums of the zoning classification, may request the Building Inspector of the City of Mendota to permit said usage if said property owner has secured the written consent of all adjoining property owners that could be adversely affected by said usage.
2. The Building Inspector shall make a visual inspection of the premises to determine if any property owners are adversely affected by the usage.
3. The property owner shall submit to the Building Inspector a signed written consent of all affected property owners adjacent to said property authorizing and consenting to the usage.
4. If the Building Inspector determines that no one would be adversely affected he may grant the property owner's request which shall be submitted to the City Council at its next regular meeting for approval.
5. The above procedures shall not constitute a variance from the Zoning Ordinance but shall constitute an alternative procedure thereunder for expediting procedures under the Act where no property owners are adversely affected.
 - a. Establishment of New Structures. New structures shall conform to the bulk regulations established herein for the district in which each such structure is located.
 - b. Existing Structures. Existing structures shall not be enlarged, reconstructed, structurally altered, converted, or relocated in such a manner as to conflict or further conflict with the bulk regulations of this Ordinance for the district in which such structures are located.
 - c. Existing Residential Lots of Record. A lot of record at the time of the adoption of this Ordinance in a residence district which is unable to meet the requirements of this Ordinance as to area, lot width, and yard requirements may be used for a single-family detached dwelling, provided it shall meet all the other requirements of this Ordinance.
 - d. Building Height.
 - i. No building shall be erected, converted, enlarged, reconstructed or structurally

altered to exceed the height limit herein established for the district in which the structure is located except that penthouses for roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the structure, and fire or parapet walls, skylights, steeples, flagpoles, chimneys, smokestacks, radio and television aerials, wireless masts, electric and telephone service poles, water tanks, silos, storage hoppers, elevators or similar structures may be erected above the height herein prescribed.

- ii. Grade from which building height is measured shall be the existing or established between the two side lot lines, except that where the buildable area has an average slope of ten percent, or more between any two corners, the Building Inspector shall establish the grade from which the building height is measured.
- e. Minimum Lot Area - Two or More Uses on a Lot. Where two or more permitted or conditional uses, each requiring a minimum lot area, are provided in the same building or on the same lot, the required lot area shall be the sum of the areas required for each use individually.
- f. Lots Without Street Frontage. Every structure or group of structures and every use or group of uses, shall be located upon a lot. Where unique land planning designs are employed in a subdivision or planned development to conserve the natural character of the land or to create a functional or compatible arrangement of structures or uses, a lot which does not abut upon a public or private street may be permitted provided that:
 - i. Adequate provision is made for free access to the lot for the property owner, or in the case of a non-residential lot, for these persons who would normally require access to the lot.
 - ii. Adequate provision is made for the unobstructed access of fire-fighting services, police protection, mail-carrier letter service, rubbish collection and other governmental services.
 - iii. Adequate provision is made for the extension and maintenance of public and private utility services.
 - iv. The arrangement will not contribute toward congestion in nearby streets as a result of delivery services, lack of guest parking or other reasons.
 - v. The character of proposed structures and landscaping are of a quality which will minimize maintenance.

22.04.03 Control over Yards and other Open Areas:

- 1. Required Yards - Yards and other open spaces as required by this Ordinance shall be located on the same lot as the principal structure or use, and shall have not less than the minimum width, depth, or area as herein required for the district in which such structure or use is located, except as otherwise provided for setbacks and for planned developments.
- 2. Through Lots - On vacant through lots the front line shall be along the street right-of-way designated by the Building Inspector, except that when a front lot line has been established on one or more lots in the same block and all have front lot lines established along the same street right-of-way line, the street right-of-way line designated as the front lot line for such lot or lots shall be the front line on all vacant through lots in such block. Only such obstructions as herein permitted in front yards shall be located in that part of a rear yard adjoining a street that is equivalent in depth to a required front yard, except for lots

backing to thoroughfares in subdivisions where No-Access strips have been provided on the recorded plats.

3. Corner Lots - On a corner lot, the front lot line shall be the lot line having the shortest dimension along a street right-of-way line.
4. Non-Transferable - No legally required yards, open space or lot area for any structure or use shall be used to satisfy yards, open space, or lot area requirements for any other structure or use.
5. Existing Yards - No yards allocated to structure or use existing on the effective date of this Ordinance shall be subsequently reduced or further reduced below the yard requirements of this Ordinance, except a yard adjoining a street may be reduced in depth in the event the right-of-way width of such street is subsequently increased.

22.04.04 Control over Setbacks along Streets and Thoroughfares:

1. Required Setbacks - Minimum setbacks on lots abutting a street or thoroughfare shall be the distance required for a front yard, or side yard adjoining a street, in the districts where such lots are located, measured from the existing right-of-way line of the street or thoroughfare, or from the proposed right-of-way lines designated on the Official Map of the City, and as duly established by other Ordinances of the City or as established by county or state highway authorities - which ever has the greater right-of-way width requirements.
2. Established Setbacks - When 40 percent or more of the lots fronting one side of a street within a block have established building setbacks, of a depth other than herein required for a front yard in the district in which the lot is located and where the contiguous street or thoroughfare is not designated on the Official Map for right-of-way widening, the setback for each remaining lot along such street frontage shall be as follows:
 - a. Interior Lots. The depth of the setback on any lot shall be the average of the setback already established on the two lots located on each side of such lot, and if no setback is established on one of the adjacent lots, the required front yard depth for that lot shall be used in calculating the average setback of the two adjacent lots.
 - b. Corner Lots. The depth of the setback lines shall be as herein required for front yards or side yards adjoining streets in the district where the lots are located.

22.04.05 Control over Accessory Structures and Uses in “R” Districts Only:

1. Establishment of Accessory Uses. Accessory structures and uses are allowed in the various districts as prescribed in each district. Accessory structures and uses shall be compatible with the principal use, and shall not be established prior to the establishment of the principal use. Accessory uses shall not include the keeping, propagation, or culture of pigeons, poultry, rabbits, bees, livestock, or other non-household animals whether or not for profit, except on such lots where the pursuit of agriculture is a conditional, principal or accessory use.
2. Spacing. A detached accessory structure shall not be nearer than ten feet from the nearest wall of the principal buildings, and each foot over ten feet in length that the wall of an accessory structure parallels and is next to the principal structure, the required distance between the structures shall be increased by an additional foot.
3. Accessory Structures in Yards.
 - a. Detached accessory structures in a rear yard shall:

- i. Not be more than one story or 25 feet in height - whichever is lower.
- ii. Cover not more than 30 percent of the area of the rear yard, and, III. Be located not less than five feet from the nearest lot line.
- iii. A detached or attached accessory structure shall be located within the buildable area of a lot, except the following accessory structures and uses are permitted and may be obstructions in yards and courts as follows:

F - Denotes front yards and side yards adjoining streets

S - Denotes interior side yards

R - Denotes rear yards

- | | |
|--|-------|
| (1)Awnings or canopies. | F S R |
| (2)Arbors or trellises. | F S R |
| (3)Air conditioning equipment shelters. | R |
| (4)Balconies. | R |
| (5)Bay windows - projecting not more than three feet into a yard. | F S R |
| (6)Chimneys, attached - projecting not more than two feet into a yard. | F S R |
| (7)Eaves and gutters - projecting not more than four feet into a front and rear yard and not more than two feet into a side yard. | F S R |
| (8)Fallout shelters, attached or detached. | R |
| (9)Fences - not more than six feet in height in residence districts unless otherwise specified. If a fence is to be built, a building permit shall be issued. Fences shall be constructed in such a manner to allow sufficient distance for the party constructing the fence to maintain both sides of the fence from his/her property. The applicant applying for a building permit to construct a fence shall be responsible for determining the lot line. The City of Mendota shall not be responsible for the establishment of lot lines related to fence permits. | S R |
| (10)Fire escapes, open or enclosed projected into a front yard or side yard adjoining a street not more than five feet, and into an interior side yard, not more than three feet. | F S R |
| (11)Flagpoles. | F S R |
| (12)Garages or carports, attached or detached. | S R |
| (13)Growing of garden crops in the open. | S R |
| (14)Lawn furniture, such as benches, sun dials, bird baths and similar structures. | F S R |
| (15)Playground and laundry-drying equipment. | S R |
| (16)Playhouses and open-sided summer houses. | R |
| (17)Sheds and storage buildings for garden equipment and household items. | R |
| (18)Signs, nameplates and light standards. | F S R |
| (19)Sills, belt courses, cornices, and ornamental features of the principal building, projecting not more than 18 inches. | F S R |
| (20)Steps, open - necessary for access to and from the dwelling or an accessory building, provided there are no more than eight steps for access to and from a principal or accessory building. | F S R |

(21)Swimming pools, private.	R
(22)Terraces, patios and outdoor fireplaces.	F S R
(23)Tennis courts, private.	S R
(24)Trees, shrubs, and other plants.	F S R

4. Fences - not more than six feet in height shall also be permitted in side yards and rear yards of corner lots, as a conditional use. All provisions of Section XIII, Paragraph K shall be applicable to the amendments herein referred to.
5. Snow Fences - to be permitted through the season beginning November 1 through March 31, provided that all conditions and regulations relating to fences and other accessory structures are met.

21.04.06 Vision Clearance for Corner Lots:

On corner lots within that part of a yard located within a radius of 25 feet from the point of intersection of the two street right-of-way lines forming the lot corner, no structures or shrubs as herein permitted as obstructions in front yards or side yard adjoining a street shall be erected, altered, or planted which have a height more than 30 inches above the ground grade in this area, and trees shall not have branches lower than eight feet above the ground grade elevation in this area.

21.04.07 Single-Family Detached Dwellings:

In any residence district every single-family detached dwelling and accessory structure hereafter erected or structurally altered shall be located on a lot, and there shall be not more than one such principal building on one lot, except as may be otherwise permitted in this Ordinance.

21.04.08 Lot Divisions:

No lot shall hereafter be divided into two or more lots for the purpose of transfer of ownership, unless all lots resulting from each such subdivision shall have lot areas and widths as required by this Ordinance.

21.04.09 Trailers, Mobile Homes, Tents, and Boats:

1. Mobile Homes, Travel Trailers and Camping Trailers - Mobile homes shall not be permanently affixed to the ground as a principal or accessory structure on a lot in any district except when located in an approved mobile home subdivision or in a planned development. Mobile homes, travel trailers, or camping trailers shall not be occupied for dwelling purposes except in lawfully established mobile home parks or tourist camps. Mobile homes or travel trailers shall not be parked or stored on any lot other than in a lawfully established mobile home park, tourist camp, or trailer sales or manufacturing establishment, except that, in a residence district, one travel trailer may be stored within an enclosed structure on a lot. No more than one camping trailer may be parked or stored in the open or within an enclosed structure on a lot in a residence district, and only when it is not located within a front or side yard.
2. Temporary Parking - Temporary parking and use of trailers shall be permitted when a permit has been issued by the Building Inspector for temporary office or storage uses incidental to and only for the period of time of construction of a building development,

provided such trailers are located on the same or contiguous lots as the building development.

3. Tents - Tents shall not be erected, used, or maintained on any lot, except such small tents that are customarily used for recreation purposes and located on the same lot as a dwelling. Temporary use of tents for religious, amusement and recreation, business or manufacturing purpose shall be permitted when a permit has been issued by the Building Inspector in accordance with provisions herein set forth in Section 22.11.
4. Boats - Boats may be parked or stored in the open when in operations of a lawfully established principal use, and one boat which is not equipped with an enclosed cabin area and not more than 20 feet in length may be stored or parked on a lot containing a dwelling, provided that it shall be located within the buildable area or in a rear yard and no major repair, disassembly, or rebuilding operations are conducted thereon.

21.04.10 Sewerage and Water System:

1. A lot, that was not a lot on record on the effective date of this Ordinance which is to be used for a single-family detached dwelling served with an individual sewerage disposal system shall have an area of not less than that required by the county and state and a width of not less than 150 feet or a greater area or width if required to conform with regulations contained in "J2" below.
2. Installation of individual sewage disposal systems and private wells or community sewerage and water systems shall be in accordance with standards and specifications set forth in applicable laws of the county, state, and the City.
3. All buildings other than single-family detached dwellings located on lots less than one acre in area may be served with individual sewage disposal systems and individual wells when on lots having areas and widths conforming with minimum or greater lot area and lot width requirements for the districts where such uses are located provided:
 - a. greater lot areas and widths shall be required when it is necessary to provide areas of adequate size, that are not covered by buildings, structures and pavements, to conform with State and County standards for installation of individual sewage disposal systems and individual wells; and,
 - b. the City Council may require, in specific cases, that such uses shall be served with public or community sewerage systems and/or water systems when it is found practical to make connections with nearby public or community sewerage and/or water systems or to install such systems.

21.04.11 Flood-Plain Area:

The ground floor including also a cellar or crawl space floor of any building hereafter erected, shall have an elevation that is equal to or above flood crest level, or the distance above flood crest level that may be required by the Building Inspector for specific locations.

1. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Mendota, Illinois," dated December 4, 1979, with accompanying Flood Insurance Rate Maps and Flood Plain Topographic Maps, City of Mendota, LaSalle County, Illinois is hereby adopted by reference and declared to be a part of this Ordinance. The Flood Insurance Study is on file at the City Hall, 607 8th Avenue, Mendota, Illinois.
2. No structure of land shall hereafter be constructed, located, extended, converted, or altered

without full compliance with the terms of this Ordinance and other applicable regulations. Violation of the provisions of this Ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00 or be imprisoned not more than seven days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Mendota from taking such other lawful action as is necessary to prevent or remedy any violation.

3. This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance and other Ordinances, easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
4. The area of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Mendota, Illinois", dated June 1979, or as amended, with accompanying Topographic Maps, City of Mendota, LaSalle County, Illinois is hereby adopted by reference and declared to be part of this Ordinance. The Flood Insurance Study is on file at the City Hall, 607 8th Avenue, Mendota, Illinois.
5. No structure of land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this Ordinance and other applicable regulations. Violation of the provisions of this Ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00 or be imprisoned for not more than seven days, or both, for each violation and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Mendota from taking such other lawful action as is necessary to prevent or remedy any violation.

21.04.12 Exemptions:

The regulations of this Ordinance shall not be exercised so as to:

1. Deprive the owner of any existing property of its use or maintenance for the purpose to which it is lawfully devoted at the time of enactment of this Ordinance or subsequent amendments thereto.
2. Impose regulations or require permits (except as herein outlined) with respect to land used or to be used for agricultural purposes or with respect to the erection, maintenance, repair, alteration, remodeling or extension of buildings used or to be used for such agricultural purpose upon such land except that such building for agricultural purposes may be required to conform to building or setback lines.
3. Specify or regulate the type or location of any poles, towers, wires, cables, conduits, vaults, laterals or any other similar distributing equipment of a public utility as defined in "An Act Concerning Public Utilities" enacted by the General Assembly of the State of Illinois.

21.04.13 Storage of Junk, Refuse and Disabled or Damaged Motor Vehicles:

The open storage of junk, refuse, scrap, disabled or damaged motor vehicles, whether awaiting repair or not, is prohibited in all residential and commercial zoning districts.

22.05 ZONING DISTRICTS:

22.05.01 Establishing of Districts:

In order to carry out the purposes and intent of this Ordinance, the City is hereby divided into the following districts.

- CR Conservation-Recreation District
- R1 Single-family Detached Residence District
- R2 Single-family Detached Residence District
- R3 Single-family and Two-family Residence District
- R4 Multiple-family Residence District
- B1 Local Business District
- B2 General Retail District
- B3 Service Business District
- M Manufacturing District

22.05.02 Zoning District Map and Boundaries of Districts:

1. Zoning District Map - The zoning district and their boundaries are as shown upon the zoning district map entitled Zoning District Map, Mendota, Illinois, dated June 19, 1972, which map and all amendments thereto and all notations, references, and other information shown thereon are hereby incorporated into and made a part of this Ordinance, with the same force and effect as if fully set forth in this Ordinance. The original zoning district map, properly attested to, shall be filed with the City Clerk.
2. Boundaries of Districts - Where uncertainty exists with respect to the boundaries of the various zoning districts as shown on the zoning district map, the following rules apply:
 - a. District boundary lines are either:
 - i. the center lines of railroads, highways, streets, alleys, easements or waterways;
 - ii. the boundary lines of sections, quarter sections, and divisions of sections;
 - iii. property lines of record on the effective date of this Ordinance for tracts and lots;or
 - iv. such lines extended unless otherwise indicated.
 - b. Wherever a district is indicated as a strip adjacent to and paralleling a street or highway, and the boundaries are not located as set forth in "a" above, the depth of such strips shall be in accordance with dimensions shown on the map measured at right angles from the center lines of the street or highway, and the length of frontage shall be in accordance with dimensions shown on the map from section, quarter section, or division lines, or center lines of streets, highways, or railroad rights-of-way unless otherwise indicated.
 - c. Where a district boundary line divides a lot in single ownership, the regulations for either portion of the lot may, at the owner's discretion, extend to the entire lot, but not more than 40 feet beyond the boundary line of the district.
 - d. Questions concerning the exact locations of zoning district boundary lines shall be resolved by the City Council after receiving recommendations from the Zoning Board of Appeals and the Plan Commission.

22.05.03 Annexed Territory:

On land hereafter annexed to the City, no structures shall be erected, enlarged, or moved and no change in use of land, or existing structures shall be made until an amendment to this Ordinance designating the zoning district classification of such annexed land is duly adopted by the City Council provided that if no such Ordinance has been so adopted within 120 days after such land is annexed, the annexed land shall be automatically classified as R1 Single-family Detached Residence District. The Plan Commission shall, either before or not later than 60 days after any land is annexed, file in the office of the City Clerk an application for an amendment to this Ordinance establishing zoning district classifications for such land.

22.06 CONSERVATION-RECREATION DISTRICT.

22.06.01 Preamble:

The regulations of the Conservation-Recreation District are designed to regulate the use of land, buildings and structures within the areas of the City where soil and topographic conditions, excessive high water tables, and other natural and physical characteristics are best adapted to conservation purposes, recreation oriented uses, and for the preservation of public open space. The CR District is established to conserve the natural and scenic areas of the City; to protect the rivers, streams and woodlands; and to encourage the efficient use and orderly development of these lands.

22.06.02 CR Conservation-Recreation District Provisions:

1. Permitted Uses –

- a.** a. Agriculture - on a lot not less than 20 acres in area.
- b.** Cemeteries, including crematories and mausoleums - provided no buildings shall be located less than 350 feet from a lot line.
- c.** Churches, temples, synagogues and their associated clerical residences.
- d.** Clubs, lodges, and fraternities.
- e.** Conservation - soil and water conservation, nature and wildlife preserves, fishing, and the preservation of scenic and historic areas.
- f.** Dog kennels - provided no buildings or structures are located less than 100 feet from a lot line.
- g.** Golf courses, regulation size, but not including "par 3" golf courses, commercially operated driving ranges or miniature golf courses; and provided that no clubhouse or accessory building shall be located less than 200 feet from a lot line.
- h.** Greenhouses, wholesale or retail.
- i.** Home occupations.
- j.** Hospitals - on a lot not less than ten acres in area.
- k.** Lakes (artificial).
- l.** Milk Depots.
- m.** Parks, forest preserves, and recreational areas, when publicly owned and operated.
- n.** Private recreational areas or camps, when not operated for profit.
- o.** Railroad rights-of-way.
- p.** Rest homes, nursing homes, sanitariums, and institutions for children and the aged.
- q.** Riding academies - provided buildings for shelter of horses are located not less than 200 feet from a lot line.
- r.** Schools, public or private - day or nursery, elementary, junior high and high.

- s. Seminaries, convents, monasteries, and similar religious institutions.
 - t. Single-family detached dwelling on a lot not less than five acres in area and 350 feet in width.
 - u. Temporary buildings for construction purposes for a period not to exceed such construction and when located on the same lot where such construction is being undertaken or a contiguous lot thereto.
 - v. Accessory uses. Uses, buildings, and structures, accessory to agricultural uses:
 - i. Those customarily accessory to the pursuit of agriculture provided that buildings and structures for the shelter of farm animals are set back no less than 100 feet from a property line.
 - ii. Roadside stands for the sale of farm products grown and raised on the farmers' land, but not including live animals, and provided that such stand shall contain not more than 600 square feet of floor area. The stand, and items on sale, shall not be located nearer than 50 feet from a street or highway right-of-way line, except a temporary roadside stand may be within ten feet of a street or highway right-of-way line provided the stand shall be at such location only during the selling period. There shall be provided with each roadside stand facilities approved by the Building Inspector for vehicular ingress and egress and adequate off-street parking facilities for customers.
2. Conditional Uses –
- a. Airports, public or private - in conformance with Federal Aviation Agency standards.
 - b. Animal feed, storage, preparation, grinding, and mixing; and fertilizer and seed sales, including bulk storage and mixing - provided no building or structures are located nearer than 1,320 feet (80 rods) from an existing dwelling or a Residence District boundary line.
 - c. Camping when operated for profit - on a lot not less than ten acres in area.
 - d. Community centers and fair grounds for such uses as: agricultural fairs, exhibits conducted by rural and agricultural organizations and other public or semi-public voluntary organizations, provided that no commercial race tracks shall be erected or operated. The operations of all uses shall conform to performance standards set forth herein in the M1 - Manufacturing District. The setback areas bordering the property lines shall be landscaped and so maintained as permanent open areas but may contain driveways, walks, fences, and buildings or structures at entrances for admission controls.
 - e. Colleges, junior colleges, and universities including fraternity and sorority houses, dormitories, and other accessory structures and facilities necessary to the operation of a college or university - on a lot not less than ten acres in area and provided no buildings, structures, or use of land, including off-street parking and loading spaces, shall be located nearer than 100 feet from a lot line.
 - f. General Uses - Each of the conditional uses hereunder shall be on a lot which is located not nearer than 500 feet from a residence district boundary line. On such lots, no building, structure, or use of land, including off-street parking and loading spaces, but not including growing of farm crops, floriculture, or horticulture, shall be located nearer than 100 feet from a lot line except as hereinafter set forth for excavations.
 - i. Land fills, public or private (including sanitary land fills and dry waste dumps) - application for a conditional use permit shall also include an agreement between

4. Lot Width - Not less than 330 feet (20 rods) except as otherwise regulated herein for a specific permitted or conditional use.
5. Floor Area Ratio - Not to exceed 0.1.
6. Yards - Except as may be herein otherwise required, yards shall be in accordance with the following regulations:
 - a. Front Yard - Not less than 50 feet.
 - b. Side Yards - Not less than 30 feet for an interior side yard and not less than 50 feet for a side yard adjoining a street.
 - c. Rear Yard - Not less than 100 feet.
7. Signs - Non-flashing, illuminated or non-illuminated signs are permitted under the conditions specified:
 - a. Nameplate and identification signs - subject to the following:
 - i. Agricultural use - area and content: There shall be not more than one nameplate, not exceeding ten square feet in area, for each principal farm dwelling indicating the name of the occupant and specialized agricultural activities except, on a corner lot, two such nameplates for each dwelling unit shall be permitted. Signs required for crop identification during the growing season shall be permitted.
 - ii. Non-agricultural use - area and content: A single identification sign, not exceeding 16 square feet in area. On a corner lot, two such signs (one facing each street) shall be permitted.
 - iii. Projection: No sign shall be nearer than 15 feet from a lot line adjoining a street.
 - iv. Height: No sign shall project higher than 15 feet above curb level or above grade at the near edge of the roadway pavement.
 - b. "For Sale" and "To Rent" signs - subject to the following:
 - i. Area and number: No sign shall exceed 12 square feet in area and there shall be not more than one sign facing each street.
 - ii. Projection: No sign shall project beyond the property line.
 - iii. Height: No sign shall project higher than 15 feet above curb level or above grade at the near edge of the roadway pavement.
 - c. Advertising signs - subject to the following: Advertising signs shall be permitted on tracts of land where the principal use is agriculture, provided such signs have no moving parts and shall also conform to other regulations set forth as follows and other City codes or Ordinances and Illinois Statutes:
 - i. One advertising sign shall be permitted on a tract of land having not less than 1,000 lineal feet of frontage on a County, State or Federal Highway, and one additional advertising sign shall be permitted for each additional 1,000 lineal feet of highway frontage provided that not more than two sign structures are joined together and there is an interval of at least 1,000 feet between a single-sign or double-sign structure.
 - ii. Each advertising sign structure shall contain not more than two display surfaces and have a total length and height of not more than such dimension necessary to secure a standardized poster panel display surface 15 feet by 25 feet or a standardized painted bulletin display surface 15 by 55 feet. Such sign structure shall not project higher than 30 feet above average ground grade at the sign structure or above grade of the near edge of the roadway pavement at point directly opposite the sign structure - whichever is higher.

- iii. Location of advertising signs shall be in accordance with the following:
 - 1. not less than 50 feet from a property line; and
 - 2. not less than 100 feet from a Residence District boundary line.

22.07 RESIDENCE DISTRICTS.

22.07.01 Preamble:

The regulations for Residence Districts are designed to conserve existing residential areas and to regulate the efficient use and orderly development of vacant land designated for residential uses. It is essential that areas be designated and regulations imposed for the various kinds of residential developments in order that the City and other governing bodies can plan ahead for services, future schools, parks, streets, and utilities.

22.07.02 Residence Districts Provisions:

Unless otherwise provided in the regulations of this Ordinance, the following provisions shall apply to residence districts:

1. Signs

- a. "For Sale" and "For Rent" signs appertaining to the sale or rental of property on which they are located shall be permitted in accordance with the following regulations: There shall be not more than one sign on a lot, except on a corner lot or through lot, one such sign facing each street shall be permitted. A sign shall not have more than 12 square feet of area and it shall be located not less than eight feet from the nearest lot line. Such a sign when affixed to a building wall shall not project higher than 10 feet above grade, and a ground sign shall not project higher than five feet above the ground elevation below it. Such a sign shall not be illuminated.
- b. Identification signs for non-resident uses shall be permitted in accordance with the following regulations: One identification sign affixed flat against a building wall and one ground sign which in both cases may be illuminated by non-flashing direct or indirect illumination arranged in a manner that direct rays of light are not beamed onto adjoining lots and streets, shall be permitted, and on a corner lot or through lot, one additional sign shall be permitted facing each street. Each sign shall contain not more than 16 square feet of area and when:
 - i. affixed to a building wall, it shall not project higher than ten feet above grade at entrance doorways and
 - ii. a ground sign shall not be located nearer than eight feet from the nearest interior lot line and not less than one-half the depth of the required yard from the nearest lot line adjoining a street and it shall not project higher than ten feet above ground grade elevation at the sign.
- c. Temporary signs for unified housing developments are permitted in accordance with the following: In a unified housing development containing more than ten dwelling units, initially under single ownership or control, one sign containing not more than 180 square feet of gross surface area may be erected along each street frontage of the development. Such signs:
 - i. may be illuminated with non-flashing illumination provided direct rays of light are not beamed onto adjacent lots or streets;
 - ii. shall not project higher than 30 feet above grade;
 - iii. shall not be located nearer than 15 feet from a property line except it shall not be

nearer than 50 feet from the lot corner formed by the intersection of any two street rights-of way lines; and

- iv. shall be removed within three months after completion of construction of the development, or one year after the first dwelling unit is occupied, which ever is sooner.

2. Home Occupations

In all Residence Districts, any customary home occupation shall be permitted provided:

- a. It is conducted entirely within the dwelling and only by members of the family residing in the dwelling, and when such home occupation is incidental and secondary to the use of the dwelling purposes;
- b. There are no signs, display or activity that will indicate from the exterior that the building is being used, in part, for any purpose other than that of a dwelling, except one sign, not more than one square foot in area, with approval of the City Council;
- c. There are no commodities sold, or services rendered that require receiving or delivery of merchandise, goods, or equipment on a regular daily or semi-weekly basis;
- d. There is no more than one additional person other than a member of the immediate family residing on the premises employed or otherwise engaged in the home occupation;
- e. All activity, including storage, is conducted completely within the dwelling unit, attached garage or detached garage;
- f. There are no special structural alterations, or construction features, to the dwelling, attached garage or detached garage;
- g. There is no perceptible noise, odor, smoke, electrical interference or vibration emanating from the structure;
- h. There are no more than six customers or clients on the premises at the same time;
- i. There is no activity between the hours of 11 p.m. and 7 a.m.

3. Exception in Bulk Regulations for Subdivisions and Planned Developments –

- a. In order to perpetuate and encourage the reservations of substantial open land for recreation and similar activities, a procedure is hereby established to modify the bulk regulations of this Ordinance applicable to subdivisions and Planned Developments which reserve areas for such purposes. The exceptions to the bulk regulations of this Ordinance which are permitted shall be applied to subdivisions and Planned Developments in residence districts that provide Permanent Open Space to qualify for exemptions in bulk regulations must:
 - i. Have a Permanent Open Space of not less than ten percent of the subdivisions or Planned Development.
 - ii. Be, with all legal instruments approved by the City Council, dedicated or otherwise conveyed to and accepted by:
 - 1. A public or quasi-public body approved by the City Council.
 - 2. An incorporated non-for-profit organization, responsible for the maintenance of the Permanent Open Space and approved by the City Council, in which each lot owner in the subdivision or Planned Development automatically becomes a participating member - except in the case of a Planned Development where all dwelling units are intended for rental, such dedication or other conveyance shall not be required.
 - 3. Any other grantee approved by the City Council.

square feet per dwelling unit, plus 100 square feet additional area for each additional bedroom over one in a dwelling unit.

- b. Where any required off-street parking spaces are located in a principal building directly below the dwelling units; the square-feet of floor area occupied by such interior off-street parking spaces and access aisles may be added to the square feet contained in the lot, the sum of which would represent the lot area used for determining lot area per dwelling and floor area ratio requirements.
5. Parking of Trucks - No truck or other type of commercial vehicular equipment shall be parked or stored on a lot in a residence district except one panel or pickup truck shall be permitted when located on a driveway.

22.07.03 R1 Single-Family Detached Residence District:

- 1. Permitted Uses.
 - a. Single-family detached dwellings.
 - b. Agriculture on a tract of land 20 acres or more in area.
 - c. Churches, temples, or synagogues on a lot not less than two acres in area.
 - d. Golf courses, regulation size, but not including "par 3" golf courses, commercially operated driving ranges, or miniature golf courses; and provided that no clubhouse or accessory building shall be located less than 200 feet from a lot line.
 - e. Parks, playgrounds, and recreational areas, public.
 - f. Schools, public or denominational - non-boarding, elementary, junior high, and high.
 - g. Seminaries, convents, monasteries, and similar religious institutions.
 - h. Temporary buildings for construction purposes for a period not to exceed such construction.
 - i. Accessory uses.
 - j. Group Homes, subject to the following: no more than six persons. Said home shall be licensed or certified by the State of Illinois and there shall be a minimum distance of 1,000 feet maintained between said group homes.
- 2. Conditional Uses.
 - a. Cemeteries, including crematories and mausoleums - on a lot not less than 20 acres in area and provided no building shall be located less than 300 feet from a lot line.
 - b. Home occupations.
 - c. Planned Developments.
 - d. Private recreational areas or camps, when not operated for profit - on a lot not less than 20 acres in area.
 - e. Public utility and governmental service uses - lot areas and lot width for the following uses shall be as recommended by the Plan Commission and approved by the City Council and may be lesser or greater in area or width than herein required in the district regulations.
 - i. Electric distribution centers.
 - ii. Gas regulator stations.
 - iii. Police and fire stations.
 - iv. Radio and television towers and antennae.
 - v. Telephone exchange buildings, micro-wave relay towers, and telephone transmission equipment buildings.
 - vi. Water filtration plants, pumping stations, reservoirs, towers, and sanitary and

- storm sewer lift stations, public or community.
 - vii. Other governmental uses.
 - viii. Railroad rights-of-way and trackage, but not including classification yards, terminal facilities, or maintenance facilities.
 - ix. School, parochial or private - boarding.
 - x. Group Homes that are not licensed or certified by the State of Illinois, or those that are licensed and have more than six (6) persons, subject to the following: a minimum distance of 1,300 feet is maintained between group homes and the group home conforms to all provisions outlined in the Ordinances of the City of Mendota or State licensing standards, if applicable to the use. Said use shall only be permitted after the conditional use procedure outlined in Section XIII, K, Conditional Uses of the Mendota Zoning Ordinances.
3. Lot Area.
- a. Single-family detached dwellings - not less than one acre, except when served by public or community sewer and water systems and the lot area may be reduced to 12,000 square feet.
 - b. Non-residential uses - not less than five acres unless otherwise specified.
4. Lot Width.
- a. Single-family detached dwelling - not less than 150 feet except a lot served by public or community sewer and water systems may be reduced to 80 feet in width.
 - b. Non-residential uses - not less than 300 feet.
5. Buildings Height.
- a. Single-family detached dwellings - not more than two and one-half stories or 25 feet whichever is lower.
 - b. Non-residential uses - not more than three stories or 35 feet whichever is lower.
6. Ground Floor Area Per Dwelling.
- a. One-story dwelling - not less than 1,120 square feet.
 - b. Dwellings having more than one story:
 - i. not less than 700 square feet for one and one-half story dwelling,
 - ii. not less than 700 feet for two story or two and one-half story dwelling, and,
 - iii. not less than 900 square feet on the first two levels for a split level dwelling.
7. Floor Area Ratio.
- a. Single-family detached dwellings - not applicable.
 - b. Non-residential uses - not more than 0.2.
8. Yards. Except as may be herein otherwise required, yards shall be in accordance with the following regulations:
- a. Front Yard. Not less than 30 feet.
 - b. Side Yards. Two side yards - each not less than ten feet in width, except on corner lots, the side yard adjoining a street shall be not less than 30 feet in width.
 - c. Rear Yard. Not less than 50 feet.
 - d. Yards, General - non-residential uses. For buildings more than 25 feet in height, each side yard as required above shall be increased in width or depth by two feet for each additional one foot of building height over 25 feet.

22.07.04 R2 Single-Family Detached & Semi-Detached Residence District:

1. Permitted Uses - as in the R1 District.

2. Conditional Uses.
 - a. As in the R1 District.
 - b. Colleges or universities and accessory uses, including housing for students, faculty, and others employed on the premises - on a lot not less than ten acres in area.
 - c. Hospitals - on lots not less than five acres in area.
 - d. Medical Service Use, for offices of a person or group licensed by the State of Illinois which includes, but is not limited to, Physicians, Dentists and Chiropractors, provided that the residential character of the exterior of the dwelling is not changed, or,
 - i. that new construction conform to the residential character of the community, and,
 - ii. that not more than one physician, dentist or chiropractor uses said buildings as an office, with not more than two full-time employees other than members of the related family, and,
 - iii. that any professional signs or name plates be attached to the building and not exceed six square feet in area, and,
 - iv. that off-street parking facilities be provided as required or permitted by Section 22.10.
 - e. Outdoor recreation, private or public on a lot not less than five acres in area - one or more of the following uses: conservation clubs; Girl Scout and Boy Scout lodges or clubhouses; private parks or playgrounds; archery ranges; and other outdoor recreation uses as approved by the City Council; accessory structures and uses such as off-street parking and loading facilities, administration, maintenance and clubhouse buildings provided such accessory buildings are located at least 100 feet from any boundary line of the lot, and open off-street parking and loading facilities are at locations on the lot as approved by the City Council.
 - f. Planned Developments.
 - g. Schools, boarding - elementary, junior high, or high.
3. Lot Area. Except as herein otherwise required for a specific permitted or a conditional use, the minimum lot area for a single-family detached residence shall not be less than 9,000 square feet. The minimum lot area for a single-family semi-detached residence shall not be less than 10,000 square feet (5,000 each residence).
4. Lot Width. Except as may be otherwise required for a specific permitted or conditional use, the minimum lot width for single family detached residences shall not be less than 70 feet. The minimum lot width for single family semi-detached residences shall not be less than 80 feet.
5. Building Height.
 - a. Single-family detached dwellings - not more than two and one-half stories or 25 feet - whichever is lower.
 - b. Non-residential permitted uses and conditional uses - not more than 40 feet.
6. Ground Floor Area per Dwelling. As in the R1 District.
7. Floor Area Ratio.
 - a. Single-family detached dwellings - not applicable.
 - b. Non-residential permitted uses and conditional uses - not more than 0.2.
8. Yards. Except as may be herein otherwise required, yards shall be in accordance with the following regulations:
 - a. Front - not less than 30 feet.
 - b. Side

- i. Residential uses - two side yards having a combined width of 16 feet and of which one side yard shall be not less than six feet in width, except a side yard adjoining a street shall be not less than 30 feet.
- ii. Non-residential use - two side yards each not less than 20 feet except a side yard adjoining a street shall be not less than 30 feet and for buildings more than 30 feet in height, each interior side yard shall be increased by one foot for each additional one foot of building height over 30 feet.
- c. Rear. Not less than 40 feet.

22.07.05 R3 Single and Two-Family Residence District:

1. Permitted Uses.
 - a. Single-family detached dwellings.
 - b. Single-family semi-detached dwellings.
 - c. Two-family dwellings.
 - d. Churches, temples, or synagogues.
 - e. Home occupations.
 - f. Parks, playgrounds and recreation area, public.
 - g. Real estate sales buildings for a period of not more than two years.
 - h. Schools, public or denominational - not-boarding, elementary, junior high, and high.
 - i. Temporary buildings for construction purposes for a period not to exceed such construction.
 - j. Accessory uses.
2. Conditional Uses.
As in the R2 District.
3. Lot Area.
 - a. Single-family detached dwellings - not less than 6,000 square feet.
 - b. Two-family dwellings - not less than 4,000 square feet for each dwelling.
 - c. Non-residential uses - not less than 15,000 square feet unless otherwise specified.
4. Lot Width.
 - a. Single-family detached dwellings - not less than 60 feet.
 - b. Single-family semi-detached dwellings - not less than 80 feet.
 - c. Non-residential uses - not less than 100 feet.
5. Buildings Height. As in the R2 District.
6. Ground Floor Area per Dwelling.
 - a. One-story detached dwellings - not less than 850 square feet.
 - b. Dwellings having more than one story - not less than 625 square feet for a one and one-half story dwelling.
 - c. Two-family dwellings - not less than 675 square feet per dwelling.
7. Floor Area Ratio.
 - a. Single-family detached dwellings - not applicable.
 - b. Non-residential uses - not more than 0.4.
8. Yards. Except as may be herein otherwise required, yards shall be in accordance with the following regulations:
 - a. Front Yard. Not less than 30 feet.
 - b. Side Yards. Two side yards - having a combined width of 16 feet and of which one side yard shall be not less than six feet in width - except where a side yard adjoins a street, the minimum width shall be not less than 30 feet.

- c. Rear Yard. Not less than 40 feet.
- d. Yards, General - non-residential uses. For buildings more than 25 feet in height, each side yard as required above shall be increased in width or depth by two feet for each additional one foot of building height over 25 feet.

22.07.06 R4 Multiple-Family Residence District:

The R4 Multiple-family Residence District is intended to provide regulations which will maintain the character and stability of single-family attached and semi-detached, (townhouses) and garden type multiple-family low density neighborhoods in the City and which generally will have a density of not more than 12 dwelling units per gross acre. Within a framework of standards, it is designed to encourage the employment of modern, efficient land-planning design techniques with minimum networks of streets and utilities.

1. Permitted Uses.
 - a. As in the R1 District.
 - b. Single-family attached and semi-detached dwellings, located on a lot with one or more principal detached buildings initially under unified ownership or control, provided that there are not more than eight dwelling units attached side by side, and provided further that there are not more than 16 dwelling units contained in any structure.
 - c. Multiple-family dwellings, located on a lot with one or more principal detached buildings initially under unified ownership or control, and containing no more than 24 dwelling units in any building.
 - d. Municipal buildings - all activities shall be conducted within completely enclosed buildings, except off-street parking and loading.
2. Conditional Uses.
 - a. As in the R3 District.
 - b. Mobile home parks - on a lot not less than ten acres in area. Each mobile home park shall be processed as a planned development and shall contain as a minimum municipal type sanitary sewerage, storm sewers, and water systems; paved service drives, off-street parking of no less than one and one-half spaces for each mobile home; grading and landscaping; buildings containing laundry and office facilities. All improvements shall be constructed in accordance with development plans and specifications approved by the Plan Commission.
 - c. Radio station offices and other related, similar uses.
3. Single-family Net Lot Area.
 - a. Single-family detached dwellings - not less than 6,000 square feet.
 - b. Single-family semi-detached - not less than 3,000 square feet.
 - c. Single-family attached - not less than 2,500 square feet.
4. Multiple-Family Gross Land Area - not less than as follows:

(Type)	(Per Dwelling Unit)
Three bedrooms and over	4,000 square feet
Two bedrooms	3,500 square feet
One bedroom and efficiency	3,000 square feet
5. Lot Width.
 - a. Single-family detached dwellings - not less than 60 feet.
 - b. Single-family semi-detached dwellings - not less than 30 feet.
 - c. Single-family attached dwellings - not less than 20 feet.

- d. Multiple-family dwellings - not less than 90 feet.
- 6. Building Height.
 - a. Single-family attached and semi-detached dwellings - not more than 27 feet or two stories, whichever is lower.
 - b. Multiple-family dwellings - not more than 32 feet or three stories, whichever is lower.
 - c. Non-residential uses - not more than 40 feet.
- 7. Floor Area Ratio.
 - a. Not applicable for single-family dwellings.
 - b. Multiple-family dwellings and non-residential uses - not more than 0.4.
- 8. Usable Floor Area for Single-Family Dwellings.
 - a. Three-bedroom (or more) dwellings - not less than 900 square feet.
 - b. Two-bedrooms (or less) dwellings - not less than 700 square feet.
- 9. Yards.
 - a. Multiple-family dwellings:
 - i. Front Yard. Not less than 25 feet.
 - ii. Side Yards.
 - 1. Interior - not less than 12 feet.
 - 2. Adjoining a street - not less than 25 feet.
 - iii. Rear Yard. Not less than 40 feet.
 - b. Single-family dwellings:
 - i. Front Yard. Not less than 25 feet.
 - ii. Side Yards.
 - 1. Interior - not less than seven feet.
 - 2. Adjoining a street - not less than 25 feet.
 - iii. Rear Yard. Not less than 40 feet.
 - c. For single-family semi-detached dwellings:
 - i. Front Yard. Not less than 25 feet.
 - ii. Rear Yards.
 - 1. Interior - not less than eight feet.
 - 2. Adjoining a street - not less than 25 feet.
 - iii. Rear Yard. Not less than 25 feet.
 - d. Single-family attached dwellings:
 - i. Front Yard. Not less than 25 feet.
 - ii. Rear Yard. Not less than 40 feet.
- 10. Spacing between Buildings. When two or more buildings which contain single- family attached dwellings or two or more multiple-family dwelling buildings, or combinations thereof, are on a lot or on contiguous lots comprising a unified development initially under the same ownership or control, the distance between the building walls shall be as follows:
 - a. When the front wall of a building faces the front wall or rear wall of the nearest building, the distance between the two building walls shall be not less than 60 feet.
 - b. When the rear wall of a building faces the rear wall of the nearest building, the distance between the two building walls shall not be less than 50 feet.
 - c. When the side wall of a building faces the front or rear wall of the nearest building, the distance between the two building walls shall be not less than 40 feet.
 - d. When the side wall containing not more than two windows on a floor that are not from bathrooms or storage rooms faces such side wall of the nearest building, the distance

between the two building walls shall be not less than 20 feet. When the facing side walls of eight of such buildings contain more than two such window openings on a floor that are not bathrooms or storage rooms, or when either side wall contains a main entrance doorway, the distance between walls shall be not less than 40 feet.

- e. A wall of a detached building forming the end of a court shall be not less than ten feet from the nearest wall of a building forming the sides of the court, and a building forming the end of the court may be attached to one or both of the buildings forming the sides of the court, provided the distance between facing walls of the buildings forming the sides of the court is not less than the applicable requirements as set forth above.
- f. Where buildings are not parallel to each other the required spacing shall be measured at the midpoint of the distance along which they face each other, however, the spacing between the buildings at the narrowest point shall in no event be less than one-half the required distance.

22.08 BUSINESS DISTRICTS.

22.08.01 Preamble:

Business district regulations are intended to govern the locations and uses of a full range of business and commercial establishments needed to serve the citizens of Mendota and its trade area. The regulations of the various business districts are designed to provide for groupings of business and commercial establishments that are compatible in scope of service and method of operations.

22.08.02 Business Districts Provisions:

Unless otherwise provided in the regulations of this Ordinance, the following provisions shall apply to all business districts:

1. Dwelling Units. Dwelling units and lodging rooms are not permitted on the ground floor level in any business district except in a permitted hotel, motel, or as a nonconforming use existing on the effective date of this Ordinance.
2. Enclosure of Operations. All business, servicing, or processing shall be conducted within completely enclosed buildings except:
 - a. off-street parking or off-street loading;
 - b. drive-in type of operations when conducted as a conditional use in the B2 Commercial District; and,
 - c. open sales lots when operated as a use in the B3 Commercial District.
3. Performance Standards. All activities shall conform with the performance standards established for the M1 Manufacturing District, provided that performance standards shall in every case be applied at the boundaries of the lot on which any such activities take place.
4. Parking Limitations. Parking of trucks when accessory to the conduct of a permitted use shall be limited to vehicles having not over one and one-half tons capacity, except for pickup or delivery services during normal business hours.
5. Scope of Operations. All business establishments shall be retail trade or service establishments dealing directly with consumers, and all goods produced on the premises shall be sold on the premises where produced except for specific uses in the B2 Commercial District where wholesale sales or processing and fabricating are permitted.

22.08.03 B1 Local Business District:

The B1 Local Business District regulations are intended to provide areas and govern uses therein for a range of shopper and personal service types of establishments in order to serve the general shopping needs of a consumer population that is located in one or more of the neighborhoods adjoining and in the vicinity of the shopping district.

1. Permitted Uses.

- a. Art and school supply stores.
- b. Dwelling units and lodging rooms provided they are above the first floor.
- c. Bakeries - retail sales where no more than 30 percent of the floor area may be devoted to processing of goods.
- d. Barber shops and beauty parlors.
- e. Book and stationery stores.
- f. Camera and photographic supply stores.
- g. Candy and ice cream stores.
- h. Clothes pressing establishments.
- i. Drug stores.
- j. Dry-cleaning and laundry-receiving stations - including self-service coin-operated equipment.
- k. Food stores, meat and fish markets, and delicatessens.
- l. Gift shops.
- m. Hardware stores.
- n. Hobby shops - for retailing of items to be assembled or used away from the premises.
- o. Launderettes - including automatic self-service dry-cleaning equipment.
- p. Liquor stores, package.
- q. Newsstands.
- r. Offices - professional, business, institutional and public.
- s. Office supply stores.
- t. Paint and wall paper stores.
- u. Temporary buildings for construction purposes - for a period not to exceed the duration of such construction.
- v. Toy shops.
- w. Variety stores.
- x. Accessory uses to the above permitted uses - including but not limited to:
 - i. Signs - Non-flashing business signs are permitted subject to the following:
 1. The number of square feet in the gross surface area of all signs on a lot shall not exceed the number of lineal feet in the frontage on the lot.
 2. No sign shall project more than six inches across the front yard or side yard setbacks.
 3. No sign shall project higher than 16 feet above curb level.
 - ii. Off-street parking and off-street loading in accordance with applicable regulations set forth in Section 22.10 of this Ordinance.

2. Conditional Uses.

- a. Other business uses similar to permitted uses listed above.
- b. Planned developments under single ownership or control and having a gross area of at

- least ten acres and where additional uses are desired.
- c. Public utility and governmental services uses - lot areas and lot widths for the following uses shall be as recommended by the Plan Commission and approved by the City Council and may be lesser or greater in area or width than herein required in the district regulations.
 - i. electric distribution centers.
 - ii. Gas regulator stations.
 - iii. Police and fire stations.
 - iv. Radio and television towers and antennae.
 - v. Railroad rights-of-way and passenger stations.
 - vi. Telephone exchange buildings, micro-wave relay towers, and telephone transmission equipment buildings.
 - vii. Water filtration plants, pumping stations, reservoirs, towers, and sanitary and storm sewer lift stations, public or community.
 - d. Radio and television service and repair shops.
 - e. Accessory uses to the above conditional uses.
3. Ground Floor Area. The maximum ground floor area of each business establishment shall be 5,000 square feet measured from the exterior faces of the exterior walls.
4. Floor Area Ratio. Not to exceed 1.0.
5. Yards.
- a. Front - not less than 20 feet in depth.
 - b. Side - no yard is required, however, if a yard is provided it shall be not less than 10 feet in width; except a side yard adjoining a street shall be not less than 20 feet.
 - c. Rear - not less than 20 feet in depth.

22.08.04 B2 General Retail District:

The General Retail District regulations are designed to accommodate prime retail trade activities located primarily within the core of the City's business area. Regulations provide for a wide variety of related shopper type business establishments along with personal service and other complementary uses.

- 1. Permitted Uses.
 - a. As in the B1 District.
 - b. Antique shops.
 - c. Automobile accessory stores.
 - d. Banks and other financial institutions - including drive-in facilities.
 - e. Bicycle sales, rental, repair stores.
 - f. Carpet and rug stores.
 - g. China and glassware stores.
 - h. Clothing stores.
 - i. Coin and philatelic stores.
 - j. Clubs or lodges - when located above the ground floor.
 - k. Currency exchanges.
 - l. Department stores.
 - m. Drug stores.
 - n. Dry-cleaning and laundry receiving stations - including self-service coin-operated equipment.

- o.** Dry goods stores.
- p.** Flower and gift shops.
- q.** Fraternal, philanthropic, and eleemosynary institutions - when located above the ground floor.
- r.** Frozen food stores - including locker rental in conjunction therewith.
- s.** Furniture stores, including upholstering when conducted as part of the retail operations and secondary to the principal use.
- t.** Furrier shops - including the incidental storage and conditional sale of furs.
- u.** Garden supply stores with no outdoor storage or display of merchandise.
- v.** Grocery stores, supermarkets, meat and fish markets and delicatessens.
- w.** Haberdashery.
- x.** Hardware stores, retail and wholesale.
- y.** Hobby shops.
- z.** Hotels and motels.
- aa.** Household appliance stores - including radio and television sales with incidental repair facilities.
- bb.** Interior decorating shops - including upholstery and making of draperies, slip covers, and other similar articles when conducted as part of the retail operations and secondary to the principal use.
- cc.** Jewelry stores.
- dd.** Laboratories, medical, dental or optical, when located above the first story or as accessory to a principal use occupying the first story.
- ee.** Leather goods and luggage stores.
- ff.** Libraries, public and private.
- gg.** Liquor stores, package.
- hh.** Loan offices.
- ii.** Locksmith shops.
- jj.** Magazine and news stores.
- kk.** Medical and dental clinics.
- ll.** Millinery shops.
- mm.** Music stores - phonographs, phonograph records, sheet music, musical instrument sales and repair.
- nn.** Newspaper offices - including printing.
- oo.** Newsstands.
- pp.** Offices - professional or business.
- qq.** Office supply stores.
- rr.** Paint and wallpaper stores.
- ss.** Pawn shops.
- tt.** photography studios - including developing and printing of photographs when conducted on the premises as part of the retail business.
- uu.** Picture framing.
- vv.** Post offices.
- ww.** Audio and television broadcasting studios.
- xx.** Restaurants, which may include accessory cocktail lounges.
- yy.** Schools - music, dance or business.
- zz.** Shoe stores.

- aaa.** Shoe and hat repair stores.
- bbb.** Sporting goods stores.
- ccc.** Tailor shops.
- ddd.** Telegraph offices.
- eee.** Telegraph booths, outdoor.
- fff.** Theaters.
- ggg.** Tobacco shops.
- hhh.** Toy stores.
- iii.** Travel bureaus and ticket offices.
- jjj.** Vending machines.
- kkk.** Wearing apparel shops.
- lll.** Accessory uses customarily incidental to the above permitted uses, including but not limited to:
 - i.** Signs subject to the following:
 - 1.** The number of square feet of gross surface area of all signs of a lot shall not exceed three times the number of lineal feet in length of building facade, on lot. The number of square feet in gross surface area of all flashing signs shall not exceed two times the number of lineal feet in length of building facade on lot.
 - 2.** No sign shall project more than 24 inches across the front yard or side yard setbacks.
 - 3.** No sign shall project higher than 16 feet above such level, except that those with no part having an elevation higher than five feet above the curb level and if supported by a single pipe column having a diameter of six inches or less shall be permitted to project into any yard within five feet of the street line.
 - ii.** Off-street parking and off-street loading - in accordance with applicable regulations set forth in Section 22.10 of this Ordinance.
- 2.** Conditional Uses.
 - a.** Any conditional use permitted in the B1 District.
 - b.** Amusement establishments, bowling alleys, pool halls, dance halls, gymnasiums, swimming pools and skating rinks.
 - c.** Cocktail lounge or tavern.
 - d.** Bus depot and cab stand having off-street loading and parking facilities.
 - e.** Public or private cultural institutions, and utility and governmental service establishments.
 - f.** Restricted production and repair, limited to the following: Needlework; clothing, such as custom manufacturing and alterations; jewelry from precious metals; watches, dentures, and optical lenses.
 - g.** Other uses similar to permitted uses in this district.
- 3.** Floor Area Ratio. Not to exceed 2.0, except where ten percent or more of the lot area is reserved and maintained as public open area (paved for pedestrian use or landscaped), the floor area may be increased by 0.1 for each one percent of lot area (in excess of ten percent) reserved as public open area.
- 4.** Building Height. No height limitations.
- 5.** Yards.

- a. Front - no yard requirement.
- b. Side - no yard requirements, except if a yard is provided it shall not be less than five feet in width.
- c. Rear - no yard requirement, except where the rear yard line adjoins a residence district, a rear yard not less than 25 feet shall be provided.

22.08.05 B3 Service Business District:

1. Permitted Uses.

- a. As permitted in the B-2 District.
- b. Animal Hospitals.
- c. Amusement establishments - bowling alleys, billiard parlors, gymnasiums, swimming pools, skating rinks, and miniature, pitch and putt, par-3 or standard courses, golf driving ranges, swimming pools and clubs and recreation centers containing one or more of the above uses.
- d. Auction rooms.
- e. Automobile and truck sales establishments.
- f. Automobile service stations.
- g. Bakeries, including sale of bakery products to restaurants, clubs, hotels, institutions and similar establishments.
- h. Banks and other financial establishments - including drive-in facilities.
- i. Battery and tire sales and service establishments.
- j. Blueprinting and photocopy establishments.
- k. Boat sales, rentals, storage, and repair including sales and service of marine motors, boat parts and accessories and boat fuels.
- l. Building material sales with outdoor storage, when the area for outside storage is completely surrounded by a uniformly painted solid fence or wall not over eight feet in height and no storage shall project higher than the height of the fence or wall.
- m. Catering establishments.
- n. Clothing and costume rental shops.
- o. Club or lodges - private, fraternal, or religious.
- p. Contractors' offices and shops.
- q. Drive-in establishments - except theaters.
- r. Dry-cleaning and laundry establishments - provided that not more than 2,500 square feet of floor area shall be devoted to dry cleaning, pressing, or laundering processes other than self-service coin-operated facilities.
- s. Employment agencies.
- t. Exterminating shops.
- u. Feed, fertilizer and seed stores.
- v. Fraternal, philanthropic, and eleemosynary institutions.
- w. Frozen food lockers.
- x. Fruit and vegetable stands.
- y. Fuel and ice retail sales establishments with no outside storage and liquid fuels are stored in underground tanks.
- z. Garages, storage or off-street parking lots and structures, commercial or municipal.
- aa. Greenhouses, garden centers, and nurseries - retail and wholesale sales.
- bb. Highway maintenance shops and yards.

- cc.** Hospitals
- dd.** Household appliances, stores and repair shops.
- ee.** Laboratories - medical, dental, optical.
- ff.** Linen, towel, or diaper service establishments.
- gg.** Live bait stores.
- hh.** Machinery and equipment sales establishments, construction and agriculture.
- ii.** Machine, sheet metal, or welding shops - provided a building for such a use shall not contain more than 5,000 square feet of floor area, and operations are within the enclosed building, and glare from welding operations is not visible from outside the building.
- jj.** Mail order houses - order and service centers.
- kk.** Meat markets, including sale of meats to restaurants, clubs, hotels, institutions, and similar establishments.
- ll.** Medical and dental clinics.
- mm.** Meeting halls, convention or exhibition halls.
- nn.** Mobile homes and trailer sales establishments.
- oo.** Model homes or garage display and sales.
- pp.** Monument sales.
- qq.** Motels or hotels
- rr.** Motorcycle sales.
- ss.** Newspaper distribution agencies - for home delivery and retail trade.
- tt.** Newspaper offices - including printing.
- uu.** Offices, general or professional.
- vv.** Parking and crating establishments.
- ww.** Parcel delivery stations.
- xx.** Pet service, domestic.
- yy.** Pet shops.
- zz.** Plumbing, electrical or heating, fixture and equipment - sales, service and repair establishments.
- aaa.** Printing, publishing or lithography establishments - maximum gross floor area of 6,000 square feet.
- bbb.** Public utility and governmental service uses.
- ccc.** Religious institutions - churches, chapels, temples, synagogues, convents, monasteries and theological schools.
- ddd.** Research laboratories.
- eee.** Restaurants - including entertainment, dancing, and serving of alcoholic beverages.
- fff.** Schools-commercial or trade - including those teaching music, dance, business, commercial, or technical subjects when operations do not involve danger of fire and explosion, and objectionable noise, vibration, smoke, dust, odor, glare, heat, or other similar influences.
- ggg.** Self-service stores - coin-operated vending machines.
- hhh.** Sheet metal shops.
- iii.** Taxidermists.
- jjj.** Taverns.
- kkk.** Temporary buildings for construction purposes for a period not to exceed the duration of construction.

- lll.** Training centers, engineering or sales.
 - mmm.** Typewriter and adding machine sales and service.
 - nnn.** Wholesale and warehouse establishments - except for the sales or storage of flammable liquids, materials or gases, except those that are in the original sealed containers.
 - ooo.** Garages, public including painting, body and fender work and motor rebuilding.
 - ppp.** Rest homes, nursing homes, sanitariums, and institutions for children and the aged.
 - qqq.** Accessory uses to the above permitted uses - including but not limited to:
 - i.** Signs - in accordance with regulations governing signs in the B2 District.
 - ii.** Off-street parking and off-street loading - in accordance with applicable regulations set forth in Section 22.10 of this Ordinance.
- 2.** Conditional Uses.
- a.** Other uses similar to the above permitted uses.
 - b.** Automobile laundries.
 - c.** Garages, public including painting, body and fender work and motor rebuilding.
 - d.** Open sales lots.
 - e.** Radio and television towers, receiving or transmitting.
 - f.** Single-family dwellings when designed as an integral part of a building, the principal use of which is a permitted or conditional use, and when occupied by the proprietor of such use.
 - g.** Theaters, outdoor, provided that vehicular entrance and exit driveways intersect with a secondary or primary thoroughfare and traffic signal lights or other means of traffic control are provided. Reservoir parking spaces for temporary parking of automobiles of patrons awaiting entrance shall be provided on the lot, in the amount of not less than the number of parking spaces equivalent to ten percent of the vehicular capacity of the theater. No building or structure shall be located nearer than 100 feet from a residence district boundary line. Artificial illumination shall be arranged in such manner that direct rays of light shall not beam upon adjoining properties and streets.
 - h.** Accessory uses customarily incidental to the above conditional uses including but not limited to signs, off-street parking and off-street loading
 - i.** Helipads – public or private provided the area dedicated to said helipad is at least one acre in size.
- 3.** Plan of operation. All uses in this district shall be designed to encourage safe and efficient traffic flow, and physical compatibility with uses existing on adjoining properties. The Building Inspector shall review building and site development plans for conformance to these objectives. Because of the unique traffic generative nature of the permitted uses which are preceded by an asterisk, prior to the issuance of a zoning certificate for such use the Building Inspector shall forward copies of all plans to the Plan Commission for review. Following its review the Plan Commission shall by written report advise the Building Inspector that (1) the proposed development scheme is in accord with foregoing standards and objectives of the B Districts, or, (2) the proposed development scheme is not in accord with the foregoing standards and objectives of the B Districts and that design changes, to be specified, must be made in the application prior to the issuance of a zoning certificate. The Plan Commission may also require such additional plans or details from the applicant as may be necessary to adequately review the proposed development.

4. Lot Area and Lot Width. Except as may herein otherwise be required for a specific permitted or conditional use, not less than 15,000 square feet in area and 100 feet in depth.
5. Floor Area Ratio. Not to exceed 1.0.
6. Yards.
 - a. Front Yard. Not less than 40 feet.
 - b. Side Yard. Two Side yards, neither of which is less than ten feet in width, except (1) a side yard adjoining or across the alley from a residence district shall be not less than 20 feet in width; and, (2) a side yard adjoining a street shall be not less than 40 feet in depth.
 - c. Rear Yard. Not less than 40 feet.

22.09 MANUFACTURING DISTRICTS.

22.09.01 Preamble:

The regulations for Mendota's M-Manufacturing District are designed to provide for the establishment of a full range of industrial and allied activities and to govern their operations in a manner that will not have a deleterious effect on the remainder of the community. It is essential that there are adequate provisions for the expansion of industry, both those existing today and for attracting new industry. Adequate industrial sites and industrial expansion will create growth and development of the City's economic and tax base and provide a variety of employment for its labor force. The M-Manufacturing District is characterized by moderate-sized industry which poses limited environmental impacts in terms of noise, chemical wastes and health or safety hazards.

22.09.02 Use Restrictions:

1. No Nuisances. No production, processing, cleaning, servicing, testing, repair, sale, or storage of goods, materials, or equipment shall unreasonably interfere with the use, occupancy, or enjoyment of neighboring properties or the community as a whole. Unreasonable interferences include, but are not limited to excessive traffic congestion, loud or shrill noises, excessive emission of smoke, emission of toxic gases, excessive glare and noxious gases.
2. Activities Enclosed. All production, processing, cleaning, servicing, testing or repair activities shall be conducted within completely enclosed buildings. Storage areas may be open to the sky, but shall be enclosed by walls or fences (sight-proof), including gates, at least eight (8) feet high.
3. Buffering. Whenever any manufacturing use located in this district abuts any other district, a twenty (20)-foot-wide view and noise control buffer strip shall be installed. Such buffer strip shall consist of densely planted shrubbery that is at least five (5) feet high when planted and that can be expected to reach a height of ten (10) feet when full grown.
4. Parking. See parking regulations [Section 22.10.04.12.d]
5. Signs. Refer to the regulations in the International Building Code, latest addition. Except, for the following amendments to the International Building Code, latest addition, further restricting the height of signs.
 - a. Ground Sign - limit height of sign to height of building.
 - b. Roof Signs: closed sign - limit height of sign to 30 feet above the roof of buildings of

- Types 1 and 2 construction and no more than 20 feet above the roof of buildings of Types 3, 4 and 5 construction.
- c. Roof Signs: open sign - limit height of sign to 50 feet above the roof of buildings of Types 1 and 2 construction and no more than 30 feet above the roof of buildings of Types 3, 4 and 5 construction.
6. Railway. In the M-Manufacturing District, the yard requirement shall be waived for any yard which directly abuts a railway right of way.
7. Trash Collection Areas. Trash collection areas shall be enclosed within a building or screened with sight-proof fencing walls having a minimum height of eight (8) feet and with an evenly distributed semi-enclosed roof covering at least forty (40) percent of the trash collection area or masonry walls having a minimum height of eight (8) feet without a semi-enclosed roof. Access gates or doors shall be of opaque material. If a trash collection area is to be within fifty (50) feet of the street right-of-way line or within the front fifty (50) feet of the lot, the access gates or doors shall not directly face the public street. Trash collection areas shall be designed, located or screened so as not to be readily identifiable from adjacent streets or highways.
8. Fences. Any use in this area shall require sight-proof fencing having a minimum height of eight (8) feet on any portion of the property which abuts residentially zoned or used property.
9. Lot and Structure Requirements. The City of Mendota is a member of the International Building Code and, as such follows the International Building Code for building construction.
- a. Minimum Lot Area: Eighteen thousand seven hundred fifty (18,750) square feet.
- b. Minimum Lot Width: One hundred twenty-five (125) feet at the established building line.
- c. Minimum Lot Depth: One Hundred fifty (150) feet.
- d. Minimum Setbacks:
- i. From front lot line: Not less than forty (40) feet in depth.
- ii. From any side lot line: (1) Not less than forty (40) feet wide when adjoining a street or residential district; (2) Not less than twenty-five (25) feet wide when adjoining an interior lot line.
- iii. From rear lot line: Not less than twenty-five (25) feet in depth.
- e. Maximum Structure Height: Sixty (60) feet.
10. Permitted Uses.
- Provided all the use restrictions of this district are observed, the following uses are permitted:
- a. Assembly, manufacturing, or processing of any commodity from semi-finished materials, provided explosives, flammable gases, or liquids or live animals are not involved.
- b. Freight and bus terminals, and related mass transportation facilities.
- c. Government uses for this municipality.
- d. Research and development facilities not involving explosives, flammable gases or liquids.
- e. Warehousing or wholesaling of goods except explosives, flammable gases, or liquids or live animals.
- f. Accessory uses.

- 11. Conditional Uses.** Provided all the use restrictions of this district are observed, the following uses may be allowed by special use permit:
 - a.** Assembly, manufacturing, processing, warehousing, or wholesaling involving explosives, flammable gases, or liquids or live animals.
 - b.** Research and development facilities involving explosives, flammable gases or liquids.
 - c.** Utility substations.
 - d.** Mining.
 - e.** Mini-storage facilities.
 - f.** Junk yards.
 - g.** Automobile wrecking yards. All junk and salvage yards shall be screened from public view from right-of-ways and more restrictive districts by solid fencing or landscaping at least eight (8) feet in height.
 - i.** Compliance. Owners of junk or salvage yards existing at the time of the adoption of this Ordinance shall submit to the City a plan for screening their property within three (3) years of the adoption of this Ordinance and shall comply within five (5) years of the adoption of this Ordinance.
- 12. Performance Standards.** In all cases, state and federal regulations that apply to the various performance standards of business and industry shall be adhered to and followed. Documentation of all necessary permits and environmental clearances shall be provided to the City's Building Inspector as requested.
- 13. General Provisions.** No land, building, or structure in the M zone shall be used or occupied in any manner so as to create or maintain any dangerous, injurious or otherwise objectionable condition caused by fire, explosion, or other hazards; noise or vibration; smoke, dust or other form of air pollution; liquid or solid refuse or wastes; or any other substance, condition or element used in a manner or in such amount as to adversely affect the surrounding areas or adjoining premises.
- 14. Air Quality.** Any activity, operation or device which causes or tends to cause the release of air contaminants into the atmosphere shall comply with the rules and regulations of the IL Pollution Control Board, the IL Environmental Protection Agency, the U.S. Environmental Protection Agency and other appropriate federal and state regulations. Emissions of particulate matter, smoke, and other atmospheric pollutants, except odor, shall not exceed the primary or secondary air quality standards promulgated by the Illinois Environmental Protection Agency.
- 15. Odors.** Uses causing odors that are obnoxious to persons of normal sensitivity and which are discernible beyond the property line are not permissible.
- 16. Noise.** The operation of any industrial or manufacturing operation shall not create or cause to be created, noise in excess of the maximum sound levels permitted by the applicable IL Pollution Control Board Rules and Regulations for Noise Pollution.
- 17. Fire and Explosive Hazards.** All uses involving the storage, use, or manufacture of flammable or explosive substances shall comply with the regulations of the State of Illinois Department of Public Safety and with the requirements of the State of Illinois Fire Marshall. Businesses shall provide the Mendota Fire Department with documentation of the extent of uses involving storage, use, or manufacture of flammable or explosive substances and other pertinent information.

22.10 OFF-STREET PARKING AND OFF-STREET LOADING.

22.10.01 Scope of Regulations:

The off-street parking and off-street loading provisions of this Ordinance shall apply as follows:

1. Accessory off-street parking and off-street loading facilities shall be provided as required by the regulations of this section for all buildings and structures erected and all uses of land established in each district after the effective date of this Ordinance.
2. 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 measurement in the amount specified herein requiring parking or loading facilities, such additional parking and loading facilities as required herein shall be provided.
3. Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to the effective date of this Ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use, if the latter were subject to the parking and loading provisions of this Ordinance.

22.10.02 Permissive Parking and Loading Facilities:

Nothing in this Ordinance, 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, and operation of such facilities are adhered to.

22.10.03 Damage or Destruction:

When any conforming or non-conforming building, structure or use which is in existence on the effective date of this Ordinance, which is restored and continued in operation after being damaged or destroyed by fire, collapse, explosion or other causes, to the extent that the cost of restoration does not exceed 60 percent of the assessor's valuation, there may be provided only the off-street parking or loading facilities equivalent to any maintained at the time of such damage or destruction. However, in no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this Ordinance for equivalent new uses or construction.

22.10.04 Off-Street Parking:

Off-street parking facilities for motor vehicles shall be provided in accordance with additional regulations set forth hereinafter.

1. Existing Parking Facilities. Accessory off-street parking facilities in existence on the effective date of this Ordinance and located on the same lots as the building or use served shall not hereafter be reduced below, or if already less than, shall not be further reduced below the requirements for a similar new building or use under the provisions of this Ordinance.
2. Use. Accessory off-street parking facilities required as accessory to uses listed herein, shall be solely for the parking of automobiles of patrons, occupants, or employees. When bus transportation is provided for patrons, occupants or employees of a specific establishment, additional open or enclosed off-street parking spaces for each bus to be

parked on the premises shall be provided in accordance with regulations set forth in the Section.

3. **Computation.** When determination of the number of off-street parking spaces required by this Ordinance results in a requirement of a fractional space, any fraction of one-half or less may be disregarded while a fraction in excess of one-half shall be counted as one parking space.
4. **Collective Provisions.** Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements for each such use and provided that all regulations governing location of accessory parking spaces, in relation to the use served, are adhered to, and provided it is authorized by the Zoning Board of Appeals in accordance with procedures set forth herein in Section 22.10.
5. **Size.** A required off-street parking space shall have a width and length, exclusive of access drives or aisles, ramps, columns, or office and work areas in accordance with standards set forth in section 14 of 22.10.04. Enclosed parking spaces shall have a vertical clearance of at least seven feet.
6. **Access.** Each required off-street parking space shall open directly upon an aisle or driveway of width and design in accordance with standards set forth in Appendix I of this Ordinance. All off-street parking facilities shall be provided with appropriate means of vehicular access to a street or alley with location and design of intersection of parking area access driveway and the street or alley in accordance with regulations set forth in Appendix II of this Ordinance.
7. **In Yards.** Off-street parking spaces, open to the sky, may be located in required interior side yards and rear yards, not less than five feet from the nearest lot line, except a parking area containing four or more parking spaces shall be not less than 20 feet from a residential lot line. In the Business District, the required off-street parking spaces may be located in the front yard or side yard adjoining a street, not less than five feet from a street line.
8. **Design and Maintenance.**
 - a. **Open and enclosed spaces.** Accessory off-street parking spaces located on the same lot as occupied by the use served may be open to the sky or enclosed in a building. Accessory off-street parking spaces that may be permitted elsewhere than on the same lot occupied by the use shall be open to the sky.
 - b. **Surfacing.** All open off-street parking areas containing more than four parking spaces shall be improved with a compacted base, and a dust-proof wearing surface as approved by the Building Inspector.
 - c. **Screening and landscaping.** All open off-street parking areas containing more than four parking spaces, located less than 40 feet from the nearest property line of a lot in a Residence District, shall be effectively screened on each side adjoining or fronting on such property line by a wall, fence, or densely planted compact hedge, not less than five feet nor more than eight feet in height.
 - d. **Lighting.** Any lighting used to illuminate off-street parking areas shall be arranged so as not to reflect direct rays of light into streets or adjacent residence districts.
 - e. **Repair and service.** No motor vehicle repair work or service of any kind shall be permitted in off-street parking areas. No gasoline or motor oil shall be sold in conjunction with any accessory parking facilities.

9. Location. After the effective date of this Ordinance, required accessory off-street parking spaces shall be located on the same lot as the building or use served, except when the Planning Commission recommends and the City Council authorized, for a specific use, the location of all or part of the required off-street parking spaces on a lot that does not contain the principal use or structure. However, there shall be compliance with regulations set forth in section 10 in this 22.10.04.
10. Control of Off-street Parking Facilities. In cases where parking facilities are permitted on a lot other than the lot on which the structure or use served is located, the owner of record of such lot shall be the same as the owner of record of the lot occupied by the structure or use in which the parking facilities are accessory. A covenant running with the land must be recorded in the office of the Recorder of Deeds of LaSalle County, Illinois, on the lot upon which the accessory off-street parking is located which prohibits any other use on that lot, and a copy of the recorded covenant, certified by the Recorder of Deeds of LaSalle County, Illinois, must be deposited with the Building Inspector. The covenant shall not be released until such time as either one of the following conditions occur:
 - a. The structure on the lot containing the principal use is removed and the principal uses terminated.
 - b. Another lot of the required size within the required distance is properly developed and used for the required accessory off-street parking in place of and in lieu of the initial lot used for accessory off-street parking with the same requirements, covenants, and conditions attaching to such substitute accessory use lot as approved by the same authority as required for approval of such initial lot.
11. Employee Parking. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.
12. Required Spaces. There shall be provided for each building, structure, and use hereafter erected, structurally altered, or enlarged, the minimum number of accessory off-street parking spaces in accordance with the following:
 - a. Dwelling and Lodging Uses.
 - i. Hotels and Motels - one parking space for each room or suite of rooms parking space for each 100 square feet of retail sales and dining area.
 - ii. Lodging Houses and Apartment Hotels - one parking space for each lodging room and one parking space for each dwelling unit, and one parking space for each two employees.
 - iii. Multiple-family Dwellings - one and one-half parking spaces for each dwelling unit.
 - iv. Single-family Dwellings - one parking space for each dwelling, plus one additional parking space for each two roomers or lodgers accommodated; but no more than four parking spaces for each single-family dwelling.
 - v. Single-family, Semi-detached or Attached Dwellings - one, but not more than three parking spaces for each dwelling.
 - vi. Two-family Dwellings - one parking space, but not more than two, for each dwelling unit.
 - b. Schools, Institutions and Auditoriums or Other Places of Assembly.
 - i. Auditoriums, meeting halls, exhibition halls, and auditoriums as accessory to churches, schools, and other institutional establishments - one parking space for

- each five seats, or for each 90 lineal inches of seating space.
- ii.** Churches, Chapels, Temples, and Synagogues - one parking space for each five seats, or for each 90 lineal inches of seating space.
 - iii.** Colleges, Junior Colleges, and Universities - one parking space for each six students, based upon the maximum number of students that can be accommodated in accordance with design capacity plus one parking space for each two employees.
 - iv.** Hospitals - one parking space per bed.
 - v.** Libraries, Museums and Art Galleries - one parking space for each 800 square feet of floor area.
 - vi.** Nursing Homes and Similar Types of Establishments - one parking space for each two beds, plus one parking space for each two employees.
 - vii.** Private Clubs and Lodges - one parking space for each lodging room and one parking space for each five seats in accordance with design seating capacity of the main meeting room.
 - viii.** Schools - When the number of parking spaces as required herein is provided for an auditorium or other places of public assembly accessory to a school, and when approved by the Planning Commission, additional parking spaces need not be provided when the number of parking spaces for such auditorium or other places of public assembly is equal to or in excess of the applicable requirements set forth in 1., 2. or 3. below.
 - 1.** Commercial or Trade, Music, Dance, or Business - one parking space for each two employees, plus one space for each three students, based on the maximum number of students that can be accommodated in accordance with design capacity.
 - 2.** High - Public or Private - one parking space for each seven students based on the maximum number of students that can be accommodated in accordance with design capacity.
 - 3.** Nursery, Elementary, or Junior High - Public or Private - one parking space for each faculty member and each other full-time employee.
- c.** Recreational Uses - Commercial or Non-Commercial.
- i.** Bowling Alleys - seven parking spaces for each lane plus such additional spaces as may be required herein for affiliated uses such as restaurants and the like.
 - ii.** Parks, Recreation Centers, and Community Centers: private, semi-public or public - one parking space for each two persons, based upon the maximum number of persons that can be accommodated at the same time in accordance with such design capacity, and one parking space for each two employees.
 - iii.** Theaters - one parking space for each four seats
 - iv.** Theaters (automobile drive-in) - reservoir standing spaces equal in number to ten percent of the vehicle capacity of such theaters.
- d.** Business, Commercial and Industrial Uses.
- i.** Automobile Laundries - one parking space for each employee, and in addition, reservoir standing spaces to accommodate automobiles awaiting entrance to the automobile laundry equal in number to five times the maximum capacity of the automobile laundry. Maximum capacity shall mean the greatest possible number of automobiles undergoing some phase of laundering at the same time.

- ii. Automobile Service Stations - one parking space for each island of gasoline pumps, plus two for each service stall.
 - iii. Banks and Other Financial Institutions - one parking space for each 300 square feet of floor area.
 - iv. Restaurants - Not including Drive-In Establishments - one parking space for each 100 square feet of floor area.
 - v. Furniture and Appliance Stores, Motor Vehicle Sales of Household Equipment or Furniture - one parking space for each 400 square feet of floor area.
 - vi. Manufacturing, Fabricating, Processing, Storing, Cleaning, Testing, Assembling, Repairing, or Servicing Establishments as Permitted in the Manufacturing District - one parking space for each 1.5 employees as related to the working period when the maximum number of persons are employed on the premises, or one for each 800 square feet of floor area, whichever is greater.
 - vii. Medical and Dental Clinics - two parking spaces for each office, examining room and treatment room, plus one space for each 50 square feet of floor area contained in the reception room or waiting lobby.
 - viii. Offices: Business, Professional and Public Administration or Service Office Buildings - one parking space for each 250 square feet of floor area.
 - ix. Undertaking Establishments and Funeral Parking - one parking space for each 100 square feet of floor area, plus one parking space for each of the funeral parlor's official vehicles.
 - x. Warehouse, Storage, Wholesale and Mail Order Establishments - four parking spaces plus one parking space for each 1,500 square feet of floor space over 4,500 square feet or when the number of employees is specifically indicated, one parking space for each 1.5 employees employed on the premises.
 - xi. Public Utility and Public Service Uses - one parking space for each two employees.
 - xii. All other Business and Commercial Establishments - one parking space for each 200 square feet of floor area.
 - xiii. Uses in a Shopping Center Under Unified Control or Ownership - the required number of parking spaces shall be equal to the required number of parking spaces as heretofore set forth for the individual uses located in the center.
- e. Other Uses. Parking spaces for other permitted uses or conditional uses not listed above shall be provided in accordance with requirements designated by the Planning Commission.
13. Off-Street Loading. There shall be provided off-street loading spaces not less than the minimum requirements specified in this section in connection with any building structure or use which is to be erected or substantially altered, and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles in accordance with the following:
- a. Location. Accessory off-street loading spaces shall be located on the same lot as the principal use. Open off-street loading spaces which abut a Residential District boundary line shall be completely screened there from by a fence, wall, or door, or any combination thereof, of an architectural design approved by the Building Inspector, not less than six feet nor more than eight feet in height, or a densely planted tree or shrub hedge maintained to not less than six feet in height. No permitted or required

loading space shall be located within 40 feet of the nearest point of intersection of any streets. No loading space shall be located in required front or side yard, and any loading space located in a required rear yard shall be open to the sky.

- b. **Size.** Unless otherwise specified in this Ordinance, a required off-street loading space shall be at least 14 feet in width and at least 55 feet in length, exclusive of access drives, aisles, ramps, and maneuvering space, and shall have a vertical clearance of not less than 15 feet.
- c. **Access.** Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements. Access drives and intersection of driveways with streets shall be in accordance with regulations set forth in Appendix II of this Ordinance.
- d. **Surfacing.** All open off-street loading spaces, access drives, aisles, and maneuvering space shall be improved with a compacted base and permanent wearing surface as approved by the Building Inspector.
- e. **Repair and Service.** No storage of any kind nor motor vehicle repair work or service of any kind shall be permitted within any required loading space.
- f. **Utilization.** Space allocated to any off-street loading spaces shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
- g. **Off-Street Loading Space Requirements.** The minimum number of off-street loading spaces accessory to building structures and uses hereafter erected, structurally altered, or enlarged in all Business and Manufacturing Districts shall be in accordance with the following schedule:

Gross Floor Area of Establishments	Required Number
5,000 to 10,000	1
10,000 to 25,000	2
25,000 to 40,000	3
40,000 to 100,000	4

For each additional 100,000 square feet of gross floor area, or fraction thereof over 100,000 square feet of gross floor area: one additional loading space.

14. Minimum Standards of Parking Spaces, Aisles and Parking Bays.

PARKING SPACE AND AISLE DIMENSIONS

Angle in Degrees	Width of Space	Width of Space Parallel to Aisle	Depth of Space Perpendicular to Aisle	Width of Aisle
45	8'6"	12'0"	17'0"	11'6"
	9'0"	12'9"	17'0"	11'6"
60	8'6"	9'10"	18'0"	18'0"
	9'0"	10'5"	18'0"	17'0"
90	8'6"	8'6"	18'0"	29'0"
	9'0"	9'0"	18'0"	27'0"

WIDTH OF PARKING BAYS*
Type of Parking Space Arrangement

Angle in Degrees	Intermeshing	Head-In to Curb	Back-In to Curb
45	43'0"	43'10"	17'0"
	42'10"	43'8"	49'0"
60	50'5"	52'7"	49'2"
	52'8"	51'10"	57'8"
90		65'0"	65'0"
		63'0"	63'0"

*Parking bay consists of two rows of parking spaces and one aisle.
(Adapted from Traffic Design of Parking Garages, The Eno Foundation for Highway Traffic Control, 1957)

- 15. Access Driveway from Streets to Off-Street Parking and Loading Spaces.**
 - a. WIDTH OF DRIVEWAYS** (measured at the lot line adjoining a street).
 - i.** Residential Uses - not less than nine feet wide or more than 22 feet wide.
 - ii.** Non-Residential Uses.
 - 1.** Not less than 14 feet wide or more than 20 feet wide for a one-way driveway.
 - 2.** Not less than 20 feet wide or more than 35 feet wide for a two-way driveway serving 20 or fewer parking spaces and/or one loading space.
 - 3.** Not less than 24 feet wide or more than 35 feet wide for a two-way driveway serving more than 20 parking spaces and/or two or more loading spaces.
 - b. RADIUS CONNECTION STREET PAVEMENT EDGE AND DRIVEWAY EDGE.**
 - i.** In Residence Districts - not less than five feet, except driveways more than 20 feet in width, not less than eight feet.
 - ii.** Business and Manufacturing Districts. Not less than 15 feet at the intersection of a driveway and street pavement in a street having a right-of-way of 66 feet or less in width.
 - c. ANGLE AT INTERSECTION OF A DRIVEWAY AND STREET.**
The acute angle formed at the intersection of driveway and street pavement edges shall be not less than 60 degrees.
 - d. SPACING BETWEEN SEPARATE DRIVEWAY ENTRANCES ON A LOT** (measured at the lot line adjoining a street).
 - i.** Not less than 20 feet on streets having rights-of-way more than 66 feet in width.
 - ii.** Not less than ten feet on streets having rights-of-way 66 feet or less in width.
 - e. ON CORNER LOTS - SPACING BETWEEN DRIVEWAY ENTRANCE AND RIGHT-OF-WAY LINE OF AN ADJACENT INTERSECTION STREET** (measured from the nearest edge of the driveway pavement at its intersection with the street right-of-way line of an adjacent intersection street).
 - i.** Not less than 15 feet to an adjacent intersecting street having a right-of-way more

- than 66 feet in width.
- ii. Not less than eight feet to an adjacent intersecting street having a right-of-way 66 feet or less in width.

22.11 NON-CONFORMING STRUCTURES AND USES.

22.11.01 Preamble:

The regulations of this Section are intended to provide controls over non-conforming uses and structures, and to specify those circumstances and conditions under which those non-conforming structures and uses may be continued or shall be discontinued when the non-conforming uses ceases by discontinuance or abandonment.

22.11.02 Authority to Continue Non-Conforming Structures and Uses:

Any structure or use which existed lawfully at the time of the adoption of this Ordinance, and which becomes non-conforming upon the adoption of this Ordinance or of any subsequent amendment thereto, may be continued only in accordance with the following regulations:

1. **Repairs and Alterations.** Ordinary repairs and alterations may be made to a non-conforming structure, provided that no structural alterations shall be made in or to such structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, except those required by law, or except to make the structure and use thereof conform to the regulations of the district in which it is located. Ordinary repairs and alterations shall be determined by the Building Inspector and shall include, among other things, the replacement of storage tanks where the safety of operations of the installation required such replacement.
2. **Additions and Enlargements.**
 - a. A non-conforming structure all or substantially all of which is designed or intended for a use not permitted in the district in which it is located shall not be added to or enlarged in any manner unless such non-conforming structure and use thereof, including all additions and enlargements thereto, is made to conform to all the regulations of the district in which it is located.
 - b. A non-conforming structure which is non-conforming only as to bulk, may be added to or enlarged, provided such additions or enlargements conform to all regulations of the district in which it is located.
3. **Moving.** No non-conforming structure shall be moved in whole or in part to any location unless every portion of such structure, and the use thereof, is made to conform to all regulations of the district in which the moved structure is to be located.
4. **Restoration of Damaged Non-Conforming Structures.** A non-conforming structure, or portion thereof, which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence will exceed 70 percent of the total cost of reconstructing the entire structure, shall not be restored unless said structure and the use thereof shall conform to all regulations of the district in which it is located. In the event that such damage or destruction is less than 70 percent of the cost of reconstructing the entire structure, no repair or construction for restoration shall be made unless such work is started within one year from the date of the partial destruction and is diligently prosecuted to completion.
5. **Discontinuance of Use in Non-Conforming Structure.** A non-conforming structure, or portion thereof, in which the use has ceased by discontinuance or abandonment, on the

effective date of this Ordinance or thereafter, or which is abandoned and remains unoccupied, or is not used for a continuous period of one year, shall not thereafter be occupied or used, except by a use which conforms to the use regulations of the district which in which it is located.

6. **Change of Use in Non-Conforming Structure.** The non-conforming use of a structure or portion thereof, may be changed to a use permitted in the district in which the structure is located, or the non-conforming uses of a part of such a structure may be extended to the remaining parts of the structure, however, once a use is changed to a conforming use, such structure shall not thereafter be used for a non-conforming use or purpose.
7. **Non-conforming Use of Conforming Structures.** The existing non-conforming use of a part or all of the non-conforming structure may be continued subject to the following provisions:
 - a. The non-conforming use of a part of such structure shall not be expanded or extended into any other portion of such structure, nor changed to any other non-conforming use.
 - b. If a non-conforming use of such a structure is discontinued, or abandoned for a period of one year, it shall not be renewed, and any subsequent use of such structure shall conform to the use regulations of the district in which the premises are located.
8. **Non-Conforming Use of Land.** The non-conforming use of land not involving a structure, or in connection with which any structure thereon is incidental or accessory to the principal use of land, may be continued subject to the following provisions:
 - a. Such non-conforming use shall not be expanded or extended beyond the area it occupies on the effective date of this Ordinance.
 - b. If such a non-conforming use of land is discontinued or abandoned for a period of one year, it shall not thereafter be renewed, and any subsequent use of such land shall conform to the regulations of the district in which the land is located.
 - c. No non-conforming use of land shall be changed to another non-conforming use.
 - d. Where the non-conforming use of land is accessory to the non-conforming use of a structure, it shall be discontinued on the same date on which the non-conforming use of the structure is discontinued.
9. **Proving Non-conforming Structures and Uses.** The property owned at 1200 First Street, Mendota, LaSalle County, Illinois, shall at no time have more than three trailers and one double wide trailer located on the premises.

22.12 ADMINISTRATION AND ENFORCEMENT.

22.12.01 Organization:

The administration of this Ordinance is hereby vested in:

1. The Office of the Building Inspector.
2. The Zoning Board of Appeals.
3. The Plan Commission.
4. The City Council.

22.12.02 The Office of the Building Inspector:

The Building Inspector shall enforce this Ordinance and in furtherance of his authority shall:

1. Determine conformance of application for zoning certificates with regulations of this Ordinance.
2. Issue all zoning certificates, following approval as required in this Ordinance and maintain

records thereof.

3. Issue all certificates of occupancy, and maintain records thereof.
4. Conduct inspections of buildings, structures and uses of land to determine compliance with the terms of this Ordinance.
5. Receive, file and forward to the Zoning Board of Appeals all applications for amendments, conditional uses, or for other matters on which the Zoning Board of Appeals is required to act under this Ordinance.
6. Receive, file and forward to the Plan Commission all applications for amendments, conditional uses, or other matters which under this Ordinance require referral to the Plan Commission.
7. Maintain permanent and current records of the administration and enforcement of this Ordinance, including, but not limited to, all maps, amendments, variations, appeals and applications therefore and records of hearing thereon, and designate on the zoning district map each amendment thereto.
8. Decide or make recommendations on all other matters under this Ordinance upon which the Building Inspector is required to act.
9. Receive from the City Clerk all notices of petitions for appeals, variations, amendments, and conditional use permits which have been referred by the City Clerk to the Zoning Board of Appeals or other appropriate reviewing body.
10. Provide and maintain public information facilities relative to all matters pertaining to this Ordinance.
11. Receive all building permit applications, in addition to receiving all building permit fees, as outlined hereinafter:

MINIMUM FEE UP TO \$7000 IN COST - \$25.00

\$3.40/\$1000, up to \$10,000, plus
 \$2.00/\$1000, up to \$1,000,000, plus
 \$.75/\$1000, up to \$2,000,000, plus
 \$.25/\$1000, over \$2,000,000

Structure Cost:	Permit:	Structure Cost:	Permit:	Structure Cost:	Permit:
\$10,000	\$34	\$45,000	\$104	\$700,000	\$1,414
\$11,000	\$36	\$50,000	\$114	\$750,000	\$1,514
\$12,000	\$38	\$55,000	\$124	\$800,000	\$1,614
\$13,000	\$40	\$60,000	\$134	\$850,000	\$1,714
\$14,000	\$42	\$65,000	\$144	\$900,000	\$1,814
\$15,000	\$44	\$70,000	\$154	\$950,000	\$1,914
\$16,000	\$46	\$75,000	\$164	\$1,000,000	\$2,014
\$17,000	\$48	\$80,000	\$174	\$1,100,000	\$2,089
\$18,000	\$50	\$85,000	\$184	\$1,200,000	\$2,164
\$19,000	\$52	\$90,000	\$194	\$1,300,000	\$2,239
\$20,000	\$54	\$95,000	\$204	\$1,400,000	\$2,314
\$21,000	\$56	\$100,000	\$214	\$1,500,000	\$2,389
\$22,000	\$58	\$125,000	\$264	\$1,600,000	\$2,464
\$23,000	\$60	\$150,000	\$314	\$1,700,000	\$2,539
\$24,000	\$62	\$175,000	\$364	\$1,800,000	\$2,614
\$25,000	\$64	\$200,000	\$414	\$1,900,000	\$2,689
\$26,000	\$66	\$225,000	\$464	\$2,000,000	\$2,764
\$27,000	\$68	\$250,000	\$514	\$2,100,000	\$2,789

\$28,000	\$70	\$275,000	\$564	\$2,200,000	\$2,814
\$29,000	\$72	\$300,000	\$614	\$2,300,000	\$2,839
\$30,000	\$74	\$325,000	\$664	\$2,400,000	\$2,864
\$31,000	\$76	\$350,000	\$714	\$2,500,000	\$2,889
\$32,000	\$78	\$375,000	\$764	\$2,600,000	\$2,914
\$33,000	\$80	\$400,000	\$814	\$2,700,000	\$2,939
\$34,000	\$82	\$425,000	\$864	\$2,800,000	\$2,964
\$35,000	\$84	\$450,000	\$914	\$2,900,000	\$2,989
\$36,000	\$86	\$475,000	\$964	\$3,000,000	\$3,014
\$37,000	\$88	\$500,000	\$1,014	\$3,100,000	\$3,039
\$38,000	\$90	\$550,000	\$1,114	\$3,200,000	\$3,064
\$39,000	\$92	\$600,000	\$1,214	\$3,300,000	\$3,089
\$40,000	\$94	\$650,000	\$1,314	\$3,400,000	\$3,114

Governmental entities shall be limited to a maximum building permit fee of \$500.

Certain building permit application requirements relating to the use and identification of licensed plumbers & electricians:

1. If this building permit application involves plumbing work, you must include the state plumbing number and City of Mendota license number next to the plumber's name.
2. If this building permit application involves electrical work, you must include the City of Mendota license number for the contracted electrician.
3. According to city ordinance, if you are personally not licensed, you may do your own plumbing and/or electric work only under the following terms:
 - a. You are qualified to do such work; and,
 - b. You are doing the work in the home in which you live.
 - c. Under all other circumstances you must secure a City of Mendota licensed plumber and/or electrician.
4. A building permit involving electrical and/or plumbing work will not be issued until the licensed plumber and/or electrician is identified by name, address and the applicable license numbers as mentioned hereinbefore.
5. Failure to comply with building permit applications can result in withholding of a permit, withdrawal of a permit and/or fines as prescribed by local ordinance

22.12.03 Zoning Certificates:

1. No Permit pertaining to the use of land or buildings shall be issued by any officer or employee of the City, unless the application for such permit has been examined by the Building Inspector and has affixed to it a certificate of the Building Inspector indicating that the proposed building or structure and uses comply with the provisions of this Ordinance.
2. An application for a permit pertaining to the use of land or structures which requires compliance with the provision of this Ordinance respecting performance standards shall be signed by the land owner or a corporate office, or authorized representative of the owner or corporation, certifying that the structure and the proposed use thereof complies with the applicable performance standards of the district in which it is located. Such certificate shall contain sufficient information and detail to enable the Building Inspector to

determine that the proposed structure and use can and will be in compliance with the applicable performance standards. The Building Inspector shall, within ten working days following receipt of such application and certificate, approve and authorize or deny the issuance of a zoning certificate. Approval also indicates that the application complies with other relevant provisions of this Ordinance. Such authorization shall thereafter be valid for all purposes for a period of one year, if incomplete at that time, may be extended for successive one-year periods by requests in writing to, and written authorizations for such extensions from the Building Inspector.

3. If the application is denied, the Building Inspector shall notify the person signing the application, in writing, of his findings. Upon receipt of such findings the applicant may, within 20 working days, show that such application is in compliance or submit a revised application which is in compliance.

22.12.04 Filing Plans:

All applications for zoning certificates shall be accompanied by building layout plans in triplicate, drawn to scale, and fully dimensioned, adequate to show the shape, area and dimensions of the lot to be built upon, the exact size and location on the lot of the existing buildings and accessory buildings, and the lines within which the new buildings or structures shall be erected, the existing and intended use of each building or structure, the number of dwelling units or lodging rooms a building is designed to accommodate, location and number of off-street parking and off-street loading spaces, and such other information with regard to the lot and neighboring lots and performance standards as may be necessary to determine and provide for the enforcement of this Ordinance. One copy of such plans shall be returned to the owner when such plans shall have been approved by the Building Inspector. The lot and location of the building thereon shall be staked out on the ground before construction is started.

22.12.05 Certificate of Occupancy:

1. Occupancy certificates shall be applied for coincidentally with applications for zoning certificates, and shall be issued within ten working days after completion of construction and the premises inspected by the Building Inspector. Occupancy certificates shall be issued by the Building Inspector to authorize occupancy of the premises in accordance with the Zoning Certificate. Pending the issuance of the permanent occupancy certificate, a temporary certificate may be issued, to be valid for a period not to exceed six months from its date, during the completion of any addition or during partial occupancy of the premises. If the issuance of an occupancy certificate is denied, the Building Inspector shall notify the applicant in writing that the premises is ready for occupancy, stating the reasons why a certificate cannot be issued.
2. No occupancy certificate for a change of use in an existing structure or land improvement shall be issued until the premises have been inspected and certified by the Building Inspector to be in compliance with applicable requirements for the zoning district in which it is located.
3. A record of occupancy certificates shall be kept on file in the Office of the Building Inspector and copies shall be furnished, on request, to any person having proprietary or tenancy interest in the land or structure affected. A fee of \$5.00 shall be charged for each original occupancy certificate, and \$1.00 for each additional copy.

22.12.06 Procedures in Case of Violations:

1. Whenever there is found a violation of the terms of this Ordinance, the Building Inspector shall at once issue written notice to the owner and any other party responsible, specifying the nature of the violation and citing the provisions of the Ordinance which are violated, and said owner and any other party shall at once take appropriate steps to correct said violation. In case of failure by the owner or other responsible party to correct the violation within a reasonable time, the Building Inspector shall initiate action or proceeding as shall be necessary to secure compliance with the applicable provision of this Ordinance. When compliance is so secured, the Building Inspector shall issue an occupancy certificate certifying such compliance.
2. Additional Penalties for Violating Zoning Ordinance.
 - a. Any neighboring resident or other interested citizen reporting an alleged violation of this Ordinance shall file a complaint in writing. Such complaint shall state fully the cause and basis of the complaint, citing the specific sections of the Zoning Ordinance.
 - b. Violations of the Zoning Ordinance or failure to comply with any of its requirements shall constitute an Ordinance violation. Any person who violates this chapter, or fails to comply with any of its requirements, shall upon conviction thereof be fined not less than \$50.00 and not more than \$500.00 for each occurrence, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. The owner/tenant of any building, structure, premises, or part thereof, and any architect, builder, contractors, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties provided in this section. Nothing contained in this section shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation of this chapter.

22.12.07 Zoning Board of Appeals:

1. Creation. The Zoning Board of Appeals of the City, is hereby created in accordance with Illinois Statutes.
2. Membership and Term of Office. The Mayor shall appoint a Zoning Board of Appeals consisting of seven members which shall be confirmed by a majority vote of the members of the City Council present and voting thereon. The members appointed shall serve respectively for the following terms: one for one year, one for two years, one for three years, one for four years, one for five years, one for six years, and one for seven years; and successor to each member so appointed to serve for a term of five years. One of the members so appointed shall be named as chairman at the time of this appointment, and in case of vacancy, the Mayor shall designate a chairman which shall be confirmed by a majority vote of the City Council present and voting thereon. The Mayor shall have the power to remove any member of the Zoning Board of Appeals for cause, after public hearing. Vacancies on the Zoning Board of Appeals shall be filled, for the unexpired term of the member whose place has become vacant, in the manner herein provided for the appointment of such new member.
3. Jurisdiction. The Zoning Board of Appeals is hereby vested with the following jurisdiction and authority:
 - a. To hear and decide an appeal from any order, requirement, decision, or determination

filing of such application, a hearing shall be held on the application. Notice of such hearing shall be published at least once, not more than 30 days nor less than 15 days before the hearing, in a newspaper of general circulation within the City. The published notice may be supplemented by such additional form of notice as the Zoning Board of Appeals may by rule provide.

- 4. Standards for Variations.** The Zoning Board of Appeals shall not recommend a variation of the regulations of this Ordinance, as authorized herein unless it shall have made findings of fact based upon the evidence presented to it in each specific case that:
 - a.** the property in question cannot yield reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;
 - b.** the plight of the owner is due to unique circumstances;
 - c.** the variation, if granted, will alter the essential character of the locality; and,
 - d.** for the purpose of implementing the above rules, the Zoning Board of Appeals shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the applicant have been established by the evidence;
 - i.** the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
 - ii.** the conditions upon which the petition for variation is based would not be applicable, generally to other property within the same zoning classification;
 - iii.** the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
 - iv.** the alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;
 - v.** granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and,
 - vi.** the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- 5.** The Zoning Board of Appeals may recommend and the City Council may require such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards set forth in this section to reduce or minimize the injurious effect of such variation upon other property in the neighborhood, and better to carry out the general intent of this Zoning Ordinance.
- 6. Authorized Variations.** Variations from the regulations of this Zoning Ordinance shall be granted by the Zoning Board of Appeals only in accordance with the standards set out in this Section and may be granted only in the following instances, and in no others:
 - a.** to permit any yard or setback less than a yard or a setback required by the applicable regulations;
 - b.** to permit the use of a lot or lots of record on the effective date of this Ordinance for a use otherwise prohibited solely because of insufficient area or width of the lot or lots;
 - c.** to permit the same off-street parking facility to qualify as required facilities for two or

- more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week; and,
- d. to reduce the applicable off-street parking or loading facilities required by ten percent of the applicable regulations.

22.12.09 Appeals:

Scope of Appeals. An appeal to the Zoning Board of Appeals may be made by any person, firm or corporation, or by any office, department, board, or bureau aggrieved by a decision of the Building Inspector under this Ordinance in accordance with Illinois Statutes and the following:

1. An application for an appeal shall be filed with the City Clerk within 20 days of the date of the action from which the appeal is being filed, and thereafter the City Clerk shall forward such application to the Zoning Board of Appeals for processing. The City Clerk shall forward to the Building Inspector a notice of appeal specifying the grounds thereof and he shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken.
2. An appeal stays all the proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Zoning Board of Appeals, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Zoning Board of Appeals or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.
3. The Zoning Board of Appeals shall fix a reasonable time, not to exceed 90 days, for the hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as in its opinion ought to be made on the premises and to that end shall have all the powers of the officer from whom the appeal was taken.

22.12.20 Amendments:

1. Authority. The regulations imposed and the district created under the authority of this Ordinance may be amended, from time to time, by Ordinance in accordance with applicable Illinois Statutes. An amendment shall be granted or denied by the City Council only after a public hearing before the Plan Commission and a report of its findings and recommendations has thereafter been submitted to the City Council.
7. Initiation of Amendments. Amendments may be proposed by the City Council, Plan Commission, and by any person, firm, or corporation having a freehold interest, a possessory interest entitled to exclusive possession, a contractual interest which may become a freehold interest, an option to purchase, or any exclusive possessory interest which is specifically enforceable on the land which is described in the application for an amendment.
8. Processing.
 - a. An application for an amendment shall be filed with the City Clerk and thereafter entered into the records of the first meeting thereafter of the City Council.
 - b. A copy of such application shall thereafter be forwarded by the City Clerk to the Plan

Commission with a request to hold a public hearing and submit to the City Council a report of its findings and recommendations. Such public hearing shall be held upon such notice that shall be required by Illinois Statutes.

9. Decisions.
 - a. The City Council, upon report of the Plan Commission and without further public hearing, may grant or deny any proposed amendment in accordance with applicable Illinois Statutes, or may refer it back to the Plan Commission for further consideration.
 - b. In case a written protest against any proposed amendment signed and acknowledged by owners of 20 percent of the frontage to be altered, or by the owners of 20 percent of the frontage immediately adjoining or across the alley therefrom, or by owners of 20 percent of the frontage directly opposite the frontage to be altered, is filed with the City Clerk, the amendment cannot be passed except on the favorable vote of two-thirds of all members of the City Council.

22.12.11 Conditional Uses:

1. Purpose. The formulation and enactment of a comprehensive Ordinance is based on the division of the entire City districts in each of which are permitted specified uses that are mutually compatible. In addition to such permitted, compatible uses, however, it is recognized that there are other uses which it may be necessary or desirable to allow in a given district but which on account of their potential influence upon neighboring uses or public facilities need to be carefully regulated with respect to location or operation for the protection of the community. Such uses are classified in this Ordinance as "Conditional Uses" and fall into two categories:
 - a. uses either municipally operated or operated by publicly regulated utilities, or uses traditionally affected by public interest;
 - b. uses entirely private in character which, on account of their peculiar location need, the nature of the service they offer to the public, and their possible damaging influence on the neighborhood, may have to be established in a district or districts in which they cannot reasonably be allowed as an unrestricted permitted use under the zoning regulations.
2. Initiation. Conditional uses may be proposed by the City Clerk, Plan Commission, and by any person, firm, or corporation having a freehold interest, a possessory interest entitled to exclusive possession, a contractual interest which may become a freehold interest, an option to purchase, or any exclusive possessory interest which is specifically enforceable on the land which is described in the application for a conditional use.
3. Processing.
 - a. An application for a conditional use shall be filed with the City Clerk and thereafter entered into the records of the first meeting thereafter of the City Council.
 - b. A copy of such application shall thereafter be forwarded by the City Clerk to the Plan Commission with a request to hold a public hearing and submit to the City Council a report of its findings and recommendations. Such public hearing shall be held upon such notice that shall be required by Illinois Statutes.
4. Decisions.
 - a. The City Council upon report of the Plan Commission and without further public hearing, may grant or deny any proposed conditional use in accordance with applicable Illinois Statutes, or may refer it back to the Plan Commission for further

consideration.

- b. In case a written protest against any proposed conditional use signed and acknowledged by owners of 20 percent of the frontage proposed to be altered, or by the owners of 20 percent of the frontage immediately adjoining or across the alley there from, or by owner of 20 percent of the frontage directly opposite the frontage to be altered, is filed with the City Clerk, the conditional use cannot be passed except on the favorable vote of two-thirds of all members of the City Council.

22.12.12 Planned Developments:

Planned developments are intended to allow greater design flexibility than is permitted by the standard district regulations. A planned development can best adapt to the topography and other natural characteristics of a given site and result in a more economical and stable development. It is intended that these regulations will encourage and facilitate development which is consistent with the spirit and intent of this Ordinance, be in conformity with the general character of the City and have a beneficial effect upon the health, safety, general welfare, and stability of the Community and its immediate environs than would development under strict conformity with district regulations. Under certain conditions, the permitted use in a district may be increased. Planned developments are of such substantially different character from other conditional uses that the following standards are established to guard against use of the planned developments technique solely as a means of intensifying the use of land, and to provide flexibility that will stimulate sound and imaginative design.

1. Procedure.

- a. Pre-application Conference. The procedure to be followed in considering applications for Planned Developments is similar to that for approval of plats as required by the City's Subdivision Regulations Ordinance. The approval of the Planned Development will constitute a variation from both requirement of this Ordinance and the Subdivision Regulations Standards. Prior to official submittal of an application for consideration of a Planned Development the owner or developer shall meet with the Plan Commission for a preliminary discussion as to the scope and nature of the proposed development. Thereafter the developer may submit to the Plan Commission a tentative sketch plan and an outline prospectus of the proposed development for further discussion purpose.
- b. Initiation. Following the preliminary consultation with the Plan Commission, application may be made in accordance with the procedures set forth for conditional uses.
- c. Preliminary Proposal. Formal application for approval of a Planned Development shall first be presented in the form of a preliminary proposal and shall be filed with the City Clerk who within forty-eight hours after receipt shall transmit same, including all documents relating thereto, to the Plan Commission, and shall notify the City Council in writing of such receipt and transmittal. A filing fee of \$100 in the form of a certified check made payable to the City shall accompany the application. The purpose of a preliminary proposal is to establish a frame of reference for the City to consider the merits of a proposed Planned Development as it relates to the Comprehensive Plan and to afford a basis for determining whether or not the City would look favorably toward a zoning of the property to accommodate a Planned Development of the general nature being proposed.

- i. Five copies of the preliminary proposal shall accompany the application. The City Clerk shall forward one copy of the application and three copies of the preliminary plan to the Plan Commission at least ten days prior to the meeting at which it is to consider the matter; one copy to be retained by the City Clerk for filing, and one copy to be returned to the owner or developer. A preliminary proposal for a Planned Development shall be submitted and shall comprise, but not necessarily be limited to, the following:
 1. A written explanation of the general character of the project and the manner in which it is planned to take advantage of the flexibility of these regulations.
 2. A legal description of the property proposed to be developed.
 3. A plan of the proposed Planned Development sufficient in detail and scope to afford the Plan Commission and City Council an opportunity of making a determination as to whether the City is favorably or unfavorably disposed as to the granting of the necessary zoning certificate for a conditional use for a Planned Development. The City Council, when approving a Preliminary Proposal, shall not be bound by the location of anything shown on such a plan if, when placed on a plat of survey there is any conflict or difference. The plan shall indicate:
 - a. The approximate residential density proposed for the entire project and, if the project is to be comprised of well defined areas of varying types of residential development, the approximate density for each such area.
 - b. The proposed height and bulk of buildings. However, the approval of the Preliminary Proposal by the City Council shall not preclude their right to pass judgment on the specific location of buildings when the Preliminary Plan is approved.
 - c. The approximate percentage of the project land area to be covered by buildings and streets.
 - d. The approximate number of dwelling units proposed for the project including a breakdown of the number of one, two, and three or more bedroom units.
 - e. Traffic circulation features within and adjacent to the project.
 - f. Areas designated for permanent open space, whether to be dedicated to the public or to be privately maintained.
 - g. Amenities to be provided within the proposed project.
 - h. Existing zoning of the project site and adjacent properties.
 - i. Generalized plan for utilities which will serve the project.

Within thirty-five days of receipt by the Plan Commission of Preliminary Proposal, the Plan Commission shall conduct a public hearing on the proposition of whether or not a conditional use for a Planned Development should be granted for the subject property.

Within twenty-five days after the public hearing, the Plan Commission shall act to recommend to the City Council that it (a) take action indicating a favorable disposition toward

zoning the subject property for a Planned Development of the nature being proposed, subject to approval of the Preliminary Plan for the Project, or (b) reject the proposal. In either case, the Plan Commission shall set forth the reasons for its recommendation, and may, in the event of a favorable recommendation, specify particular items and conditions which should be incorporated in subsequent plan submittals.

Upon receipt of the Plan Commission's recommendation, the City Council shall act by resolution to either (a) reject the proposal, or (b) accept the proposal. The acceptance may be contingent and if so shall specifically state what additions or deletions from the proposed development as submitted shall be made in the Preliminary Plan. Any such conditions may include but are not limited to allowable density, bulk of buildings, provisions for permanent open space and ratios of dwelling unit types to be included in the project. The City Council shall approve a Preliminary Plan which complies with the proposal as accepted and conforms otherwise to the requirements for a Preliminary Plan as hereinafter set forth. The City Council's approval shall lapse unless within one year from approval of the Preliminary Proposal, a Preliminary Plan for the Planned Development is filed as required in this Section; provided, however, that in the absence of a Preliminary Plan submittal, such one year period may be extended for a specified period upon written request from the owner or developer and approved by the City Council.

- d. Preliminary Plan.** Following a favorable resolution relative to a preliminary proposal a preliminary plan of the proposed Planned Development shall be submitted as required by the Subdivision Regulations. The preliminary plan shall show the following:
 - i.** The items listed under A, B, and C of Section 22.03 of the City's Subdivision Ordinance. If subdivision procedures are not involved, they shall be used as a guide in the preparation of the preliminary plan.
 - ii.** Site plan - showing locations of buildings and other structures, use of land, areas to be reserved as permanent open space, parking and loading spaces and other features.
 - iii.** Draft of the proposed Declaration of Covenants and Restrictions for the Planned Development.
 - iv.** Draft of the proposed Articles of Incorporation of the Non-Profit Corporation.
 - v.** Draft of the proposed By-Laws of the Home Owner's Association.
- e. Final Plan.** The owner or developer shall submit ten copies of the final plan to the City Clerk, who shall distribute them in the manner prescribed for preliminary plans.

The final plan shall be submitted to the City Clerk within one year after approval of the preliminary plan. The final plan, covering the whole Planned Development shall retain the design characteristics of the approved preliminary plan. If desired by the owner or developer, the final plan may constitute only that portion of the approved preliminary plan which he proposes to record and develop at the time and the preliminary plan shall then be extended for an additional year.

The final plan shall be accompanied by the following:

- i.** The final subdivision plat, if any.
- ii.** Draft of the Proposed Declaration of Covenants and Restrictions for the Planned Development.

- iii. Draft of the Proposed Articles of Incorporation of the Non-Profit Corporation.
 - iv. Draft of the proposed By-Laws of the Home Owner's Association.
 - f. Approval or Disapproval of Final Plan. The Plan Commission shall transmit its findings and recommendations as to the final plan to the City Council within 45 days following the receipt of final plan by the City Clerk. The City Council shall, after receipt of the final plan and the report of the Plan Commission, within 30 days approve or disapprove the final plan and notify the Plan Commission and the owner or developer of its reason.
 - g. Filing. Upon approval of the City Council, the owner or developer shall record the subdivision plat (when required), and all declarations, articles, and by-laws, as approved by the City Council.
 - h. Zoning Map. Approved Planned Developments shall be delineated and designated by number on the Zoning District Map. A file, available for inspection by the public, shall be maintained by the Building Inspector for each Planned Development so designated. The file shall contain a record of the approved development plan and all use exceptions allowed.
2. Gross Density Standards.
- a. In the R1 District - not more than 4.0 dwelling units per acre.
 - b. In the R2 District - not more than 5.0 dwelling units per acre.
 - c. In the R3 District - not more than 8.0 dwelling units per acre.
 - d. In the R4 District - not more than 15.0 dwelling units per acre.

22.12.13 The Plan Commission:

Jurisdiction of the Plan Commission with Respect to Zoning. The Plan Commission shall have the following duties under this Ordinance:

- 1. to receive copies of all applications for proposed amendments and variations and thereafter submit an opinion report thereon to the Zoning Board of Appeals and to the City Council;
- 2. to receive all applications for zoning certificates filed for conditional uses and hold public hearings thereon; and,
- 3. to initiate, direct and review, from time to time, a study of the provisions of the text and the map comprising this Zoning Ordinance, and to make reports of its recommendations to the City Council not less frequently than annually.

22.12.14 Discrimination Prohibited

Discrimination in housing and/or real property because of race, color, religion, creed, national origin, ancestry, sex or physical or mental handicap is prohibited.

DECLARATION OF POLICY:

- 1. In furthering the policy of the State of Illinois as expressed in its Constitution and other Laws; in order that the safety and general welfare, peace and health of all the inhabitants of the Village may be ensured, it is hereby declared the policy of the City of Mendota, Illinois, to assure equal opportunity to all residents, regardless of race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap to live in decent, sanitary, healthful, standard living quarters.
- 2. It is the policy of the City of Mendota, that no owner, lessee, sub-lessee, assignee,

managing agent, or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property within the Village, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or physical or mental handicap in the conditions, terms, privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.

3. Relocation shall be carried out in a manner that will promote maximum choice within the community's total housing supply; lessen racial, ethnic, and economic concentrations; and facility desegregation and racially inclusive patterns of occupancy and use of public and private facilities.

PROHIBITED ACTS:

1. It shall be unlawful for any owner of real estate, lessee, sub-lessee, real estate broker or salesman, financial institution or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap with regard to the sale, exchange or rental, or any dealing concerning any housing accommodation and/or real property.
2. In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the City of Mendota, Illinois:
 - a. To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental, lease, or occupancy of any housing accommodation of real property in the City or in furnishing of any facilities or services in connection therewith.
 - b. To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of any person.
 - c. To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property.
 - d. To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the ground of loss of value because of the presence or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap.
 - e. To distribute or cause to be distributed, written material or statements designed to include any owner or any housing accommodation and/or real property to sell or

lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of persons in the neighborhood.

- f. To make any misrepresentations concerning the listing for sale or the anticipated listing for sale of the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap in the area will or may result in the lowering of property values in the block, neighborhood or area in which the property is located.
- g. For any owner to solicit any real estate broker to sell, rent or otherwise deal with such owner's housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap.
- h. For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of the proposed buyer or tenant.

PENALTY:

Any person convicted of violating any of the provisions of this Ordinance shall be punished by a fine of not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00). Each day a violation continues shall constitute a separate and distinct offense and shall be punishable as such. It is the right of the City of Mendota, Illinois, to specifically enforce, by any legal means, any of the provisions of this Ordinance.

22.13 RULES AND DEFINITIONS.

In the construction of this Ordinance, the rules and definitions contained in this Section shall be observed and applied, except when the context clearly indicates otherwise.

22.13.01 Rules:

- 1. The present tense includes the future and the future the present, the singular number includes the plural and the plural the singular, the word "shall" is mandatory, and the word "may" is permissive.
- 2. The provisions under each caption or heading in this Ordinance shall be construed and limited in a manner consistent with the applicable captions or headings and sub-headings.
- 3. All measured distances shall be to the nearest integral foot; if a fraction is one-half less the integral foot next below shall be taken.

22.13.02 Definitions:

The following words and terms, when used in this Ordinance, shall have the meaning set forth after each, except where specifically indicated in other Sections of this Ordinance:

ABUTTING - to have a common property line or district line.

ACCESSORY - a use, structure, or part of a structure, which:

- a. Is subordinate to and serves the principal use or structure.

- b. Is subordinate in area, extent, or purpose to the principal use or structure.
- c. Contributes to the comfort, convenience or necessity of occupants of the principal use or structure.
- d. Is located on the same lot as the principal use or structure served, with the exception of such accessory uses or structures located in a Planned Development and accessory off-street parking facilities as are permitted elsewhere than on the same lot with the use or structure.

ADJACENT - lying near or close to; in the neighborhood or vicinity of.

ADJOINING - touching or contiguous, as distinguished from lying near.

AGRICULTURE - farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture and animal and poultry husbandry and accessory use customarily incidental to normal agricultural activities.

AIRPORT - any area of land or water which is used, or intended, for the landing and take-off of aircraft, together with all structures located therein.

ALLEY - a right-of-way, which affords a secondary means of vehicular access to abutting properties.

ALTERATION - a change in size, shape, character or use of a building or structure.

ANIMAL HOSPITAL - a building or portion thereof designated or used for the care, observation, or treatment of domestic animals.

AUTOMOBILE LAUNDRY-a business establishment containing facilities for simultaneously washing more than two motor vehicles, using production-line methods.

AUTOMOBILE SERVICE STATION - a building or portion thereof, or lot used for offering for sale at retail to the public, fuels, oils, and accessories for motor vehicles; where repair service is incidental, where no storage or parking space is offered for rent, and where no motor vehicles, trailers, or boats are offered for sale or rent. When such dispensing, sale, or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

AUTOMOBILE WRECKING YARD - an area of land where three or more motor vehicles, or vehicles, machinery, or equipment drawn or operated by attaching to motor vehicles or mechanical unit - not in or being restored to running or operable condition - or parts thereof are stored in the open and any land, building, or structure used for wrecking or storing prior to wrecking of such motor vehicles, machinery, or equipment or parts thereof.

AWNING - a roof-like mechanism, retractable in operation, which projects from the wall of a building.

BASEMENT - a story having part but not more than one-half of its floor to clear height below grade. When a basement is used exclusively for storage purposes, as a garage for use of occupants of the building, or other facilities common to the operation and maintenance of the entire building, it shall not be counted as a story.

BLOCK - a tract of land bounded by a street, or by a combination of streets, public parks, railroad rights-of-way, or other lines of demarcation.

BOARDING HOUSE - a residential building, or portion thereof - other than a motel, apartment hotel, or hotel - containing lodging rooms for accommodation of three, but not more than ten persons who are not members of the keeper's family and where lodging or meals or both are provided.

BUILDING - a structure, having a roof and which is permanently affixed to the land, and built for the enclosure, shelter, or protection of persons, animals, chattels, or movable property of

any kind. Buildings are separated on all sides from other structures by yards or by walls in which there are no communicating doors, windows, and other openings.
BUILDING, ACCESSORY - see Accessory Building.

BUILDING, PRINCIPAL - a non-accessory building in which is conducted the principal use of the lot.

BUILDING, COMPLETELY ENCLOSED - a building with a permanent roof separated on all sides from the adjoining open space, or from other buildings or structures, by exterior or party walls, pierced only windows and normal entrance and exit doors.

BUILDING, DETACHED - a building surrounded by open space on the same lot.

BUILDING HEIGHT - the vertical distance from grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, or gambrel roofs.

BUILDING INSPECTOR - the Building and Zoning Officer of Mendota, Illinois, or his duly authorized representative.

BULK - the term used to indicate the size and setback of buildings or structures, and the location of same with respect to one another, and includes the following:

- a. size and height of buildings;
- b. location of exterior walls;
- c. floor area ratio;
- d. open space allocated to buildings; and,
- e. lot area and lot width provided per dwelling unit.

BUSINESS - an occupation, employment, or enterprise which occupies time, attention, labor, and materials; or wherein merchandise is exhibited or sold, or where services are offered.

CANDLE POWER - the luminous intensity, as evaluated in effectiveness of stimulating visual sensation, of any radiation in a given direction. Candle power shall be measured by the International Candle which was adopted in 1940 and 1/60 of the brightness of freezing platinum.

CARPORT - a roofed automobile shelter, with two or more open sides.

CELLAR - an area having more than one-half of its floor to clear ceiling height below grade and which is not counted as a story.

CLINIC, MEDICAL OR DENTAL - a building or portion thereof, the principal use of which is for offices of physicians or dentists or both, for the examination and treatment of persons on an outpatient basis.

CLOSED CUP FLASH POINT- the lowest temperature at which a combustible liquid under prescribed condition will give off a flammable vapor which will propagate a flame. The Tag closed cup tester shall be authoritative for liquids having a flash point below 175 degrees F. The Pensky-Martens tester shall be authoritative for liquids having a flash point between 175 degrees F and 300 degrees F.

CLUB OR LODGE, PRIVATE - a non-profit association whose facilities are restricted to persons who are bona fide members and their guests. Food and alcoholic beverages may be served on its premises provided they are secondary and incidental to the principal use.

CONFORMING BUILDING OR STRUCTURE - a building or structure which:

- a. complies with all the regulations of this Ordinance or of any amendment thereto governing bulk of the district in which said building or structure is located; and,
- b. is designed or intended for a permitted or conditional use as allowed in the district in which it is located.

COURT - an open unoccupied space other than a yard on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

DECIBEL - a unit of measurement of the intensity or loudness of sound. Sound level meters employed to measure the intensity of sound are calibrated in decibels. A decibel is technically defined as twenty times the logarithm to the base ten of the ratio of the sound pressure in microbars to a reference pressure of 0.002 microbar.

DECENT, SANITARY, HEALTHFUL STANDARD LIVING QUARTERS - "Decent, sanitary, healthful standard living quarters" is housing which is in sound, clean, and weathertight condition in conformance with applicable local, state, and national codes.

DISCRIMINATE - The terms "discriminates" or "discrimination" means any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental or financing for, housing accommodation and/or real property in regard to such sale, exchange, rental, lease or finance because of race, color, religion, national origin or ancestry, sex, creed or physical or mental handicap of such person.

DISPLACEMENT (earth) - the amplitude or intensity of an earthborn vibration measured in inches. The displacement or amplitude is one-half the total earth movement

DRIVE-IN ESTABLISHMENT - an establishment or part thereof in which are provided facilities where serving or consuming commodities or both are intended to occur primarily in patrons' automobiles parked on the premises.

DWELLING - a building, or portion thereof, designed or used exclusively for residential purposes, including single-family, two-family, and multiple-family dwellings, but not including mobile homes or other trailers, or lodging rooms in hotels, motels, or lodging houses.

DWELLING, ATTACHED - a dwelling joined to two other dwellings by party walls, or vertical cavity walls, and above ground physically unifying horizontal structure elements.

DWELLING, DETACHED - a dwelling which is surrounded on all sides by open space on the same lot.

DWELLING, SEMI-DETACHED - a dwelling joined to one other dwelling by a party wall, or vertical cavity wall, and above-ground physically unifying horizontal structural elements.

DWELLING, SINGLE-FAMILY - a dwelling containing one dwelling unit.

DWELLING, TWO-FAMILY DETACHED - a dwelling containing two dwelling units only, one above the other.

DWELLING, MULTIPLE-FAMILY - a dwelling containing three or more dwelling units.

DWELLING UNIT - one or more rooms which are arranged, designed, or used as living quarters for one family only. Individual bathrooms and complete single kitchen facilities, permanently installed to serve the entire family, shall always be included within each "dwelling unit."

EARTHBOEN VIBRATIONS - a cyclic movement of the earth due to the propagation of mechanical energy.

EFFICIENCY UNIT - a dwelling unit consisting of one principal room, exclusive of bathroom, kitchen, hallway, closets, or dining room alcove directly off the principal room.

ELECTRIC DISTRIBUTION CENTER - a terminal at which electric energy is received from the transmission system and is delivered to the distribution system only.

ELECTRIC SUBSTATION - a terminal at which electric energy is received from the transmission system and is delivered to other elements of the transmission system and, generally, to the local distribution system.

ESTABLISHMENT, BUSINESS - a structure, or lot used in whole or in part as a place of business, the ownership or management of which is separate and distinct from the ownership or management of any other place of business located on the same or other lot.

EQUIVALENT OPACITY - the shade on the Ringelmann Chart that most clearly corresponds to the density of smoke, other than black or gray.

FALLOUT SHELTER - an accessory building and use which incorporates the fundamentals for fallout protection - shielding mass, ventilation, and space to live - and which is constructed of such materials, in such a manner, as to afford to the occupants substantial protection from radioactive fallout.

FAMILY - one person or two or more persons each related to the other by blood, marriage, or legal adoption, or a group of not more than three persons not all so related, together with his or their domestic servants, maintaining a common household in a dwelling unit. A family may include, in addition thereto, not more than two roomers, boarders, or permanent guests – whether or not gratuitous.

FENCE - a structure, including gates, or tree or shrub hedge which is a barrier and used as a boundary or means of protection or confinement.

FENCE, OPEN - a fence which has over its entirety at least 50 percent of the surface area in open space as viewed at right angles from the fence, except that the required open space in louver-type fences may be viewed from any angle.

FENCE, SOLID - a fence which conceals from view, from adjoining properties, streets, or alleys, activities conducted behind it.

FINANCIAL INSTITUTION - The term "financial institution" means any person, institution or business entity of any kind which loans money to persons and receives as security for said loan a secured interest of any kind in the real property of the borrower.

FLOOD-CREST ELEVATION - the elevation of the highest flood level that has been recorded or may be subsequently designated by the City Engineer.

FLOOD-PLAIN AREA - that continuous area adjacent to a stream or stream bed, or any storm water retention area and its tributaries, whose elevation is equal to or lower than the flood-crest elevation including also land having an elevation higher than flood-crest elevation but less than ten acres in area and surrounded by land in a flood-plain area or an area of such elevation secured by land fill projecting into a flood-plain area. Any point shall be deemed to be within the flood-plain area if it falls below the elevation of a high-water mark, as the elevation of the mark is projected in horizontal directions perpendicular to the flow of the stream and thence to intersections at an equal elevation with the land on either side of the stream. Any point between the afore described projections of any two high-water marks shall be deemed within the flood-plain area if it is at an elevation equal to or lower than similar projections of the interpolated flood-crest elevation. The interpolated flood-crest elevation is the calculated elevation of the flood crest at the center line of the stream between two known flood crests of the nearest upstream and downstream high-water marks; and the difference in elevation between the flood crest at this location and at either of the high-water mark projections is directly proportional to the difference in stream center line distance between the two high-water mark projections.

FLOOR AREA - FOR DETERMINING FLOOR AREA RATIO - the sum of the gross horizontal areas of the several floors including also the basement floor of a building - measured from the exterior faces of the exterior walls, or from the centerlines of walls separating two buildings. The "floor area" shall also include the horizontal areas on each floor

devoted to:

- a. elevator shafts and stairwells;
- b. mechanical equipment, except if located on the roof, when either open or enclosed - i.e., bulkheads, water tanks, and cooling towers;
- c. habitable attic space as permitted by the Building Code of Mendota, Illinois;
- d. interior balconies and mezzanines;
- e. enclosed porches; and,
- f. accessory uses. The "floor area" of structures used for bulk storage of materials - i.e., grain elevators, petroleum tanks, shall also be included in the "floor area" and such "floor area" shall be determined on the basis of the height of such structures with one floor for each ten feet of structure height and if such structure measures less than ten feet but not less than five feet over such floor height intervals, it shall be construed to have an additional floor. The horizontal area in each floor of a building devoted to off-street parking and off-street loading facilities and the horizontal area of a cellar floor shall not be included in the "floor area."

FLOOR AREA - FOR DETERMINING OFF-STREET PARKING AND OFF-STREET

LOADING REQUIREMENTS - "Floor area" when prescribed as the basis of measurement for off-street parking spaces and off-street loading spaces for any use shall be the sum of the gross horizontal area of the several floors of the building, excluding areas used for accessory off-street parking facilities and the horizontal areas to the basement and cellar floors that are devoted exclusively to uses accessory to the operation of the entire building. All horizontal dimensions shall be taken from the exterior of the walls.

FLOOR AREA RATIO - the numerical value obtained by dividing the "floor area" within a building or buildings on a lot by the area by such lot. (The Floor Area Ratio as designated for each district, when multiplied by the lot area in square feet, shall determine the maximum permissible floor area for the building or buildings on the lot.)

FOOT-CANDLE - a unit of illumination, equivalent to the illumination at all points which are one foot distance from a uniform point source of one candle power.

FOOT-LAMBERT - a unit of brightness, usually of a reflecting surface. A diffusion surface of uniform brightness reflecting or emitting the equivalent of the light from one candle at one foot of distance over one square foot has a brightness of one foot-lambert.

FREE BURNING - the rate of combustion of a material which burns actively, and easily supports combustion.

FREQUENCY - signifies the number of oscillations per second in a sound wave and is an index of the pitch of the resulting sound.

GARAGE, PRIVATE - an accessory building designed and used for the storage of motor vehicles owned and used by the occupants of the buildings to which it is accessory and in which no occupation or business for profit is carried on. Not more than one of the motor vehicles may be a commercial vehicle of not more than one and one-half tons capacity.

GARAGE, PUBLIC - a building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, or repairing motor vehicles. Hiring, selling, or storing of motor vehicles may be included.

GARAGE, STORAGE, OR OFF-STREET PARKING - a building or portion thereof designed or used or land used exclusively for storage of motor vehicles, and in which motor fuels and oils are not sold, and motor vehicles are not equipped, repaired, hired, or sold.

GRADE - the established grade of the street or sidewalk. Where no such grade has been

established, the grade shall be the elevation of the sidewalk at the property line. Where no sidewalks exist, the grade shall be the average elevation of the street adjacent to the property line, except in cases of unusual topographic conditions as determined by the Building Inspector, grade shall be the average elevation of the finished surface of the ground adjoining the exterior walls of a building at the base of a structure.

GROSS DENSITY - the ratio between total number of dwelling units on a lot and total lot area in acres. The area to include streets, schools and park sites, and is computed as 130 percent of the land actually dedicated to residential use.

GROUND FLOOR AREA - the lot area covered by a principal building, measured at highest ground grade, adjacent to building, from the exterior faces of the exterior walls, but excluding open porches or terraces, and garages or carports.

GUEST, PERMANENT - a person who occupies or has the right to occupy a lodging house, rooming house, boarding house, hotel, apartment hotel, or motel accommodations as his domicile and place of permanent residence.

HOME OCCUPATION - any gainful business, occupation, or profession conducted within a dwelling unit by a member of the family residing in the dwelling unit which is incidental and secondary to the use of the dwelling unit for dwelling purposes.

HOTEL - an establishment containing lodging rooms, for occupancy by transient guests in contradistinction to a lodging house, boarding house, or a rooming house, and which provides customary hotel services such as: maid, telephone and secretarial, bellboy and desk services; and the use and upkeep of furnishings and laundry of linens.

HOTEL, APARTMENT - a hotel in which at least 80 percent of the hotel accommodations are occupied by permanent guests.

HOUSING ACCOMMODATION - The term "housing accommodation" includes any building, structure, or portion thereof which is used or occupied, maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, or any real estate so used, designed or intended for such use.

IMPACT NOISE - a short-duration sound which is incapable of being accurately measured on a sound level meter.

IMPULSIVE - discrete vibration pulsations occurring no more often than one per second.

INCOMBUSTIBLE - a material which will not ignite nor actively support combustion during an exposure for five minutes to a temperature of 1200 degrees F.

INTENSE BURNING - the rate of combustion described by a material that burns with a high degree of activity and is consumed rapidly. Examples: Sawdust, magnesium (powder, flaked, or strips), rocket fuels.

INSTITUTION - a building occupied by a not-for-profit corporation wholly for public or private use.

JUNK YARD - a lot, and any accessory building or structures thereon which is used primarily for buying, selling, exchanging, storing, baling, packing, disassembling, or handling waste or scrap materials, including vehicles, machinery and equipment not in operable condition or parts thereof, and other metals, paper, rags, rubber tires, and bottles. A "junk yard" includes an automobile wrecking yard, but does not include an establishment, located in the applicable Manufacturing District, engaged exclusively in processing of scrap iron or other metals to be sold only to establishments engaged in manufacturing of steel or metal alloys.

KENNEL - any premises or portion thereof on which more than three dogs, cats, or other household domestic animals over one year of age are kept, or on which more than two such

animals are maintained, boarded, bred, or cared for, in return for remuneration, or are kept for the purpose of sale.

LABORATORY - see Research Laboratory.

LAMBERT - 1/929 of a foot-lambert, usually used to designate intrinsic brightness of light sources.

LANDING STRIP, PRIVATE - a strip of land used or intended for use for the landing and take-off of the private aircraft of the owner or lessee of the landing strip and his guests and such accessory structures customarily incidental to the operations which may include one building for the storage and maintenance of not more than two such private aircrafts.

LAUNDERETTE - a business that provides coin operated self-service type washing, drying, dry-cleaning, and ironing facilities, providing that:

- a. not more than four persons, including owners, are employed on the premises; and,
- b. no pick-up or delivery service is maintained.

LOADING SPACE - a space within the principal building or on the same lot as the principal building, providing for the standing, loading, or unloading of one truck, and with access to a street or alley.

LODGING HOUSE - a building originally designed for and used as a single or two-family dwelling, all or a portion of which contains lodging rooms which accommodate persons who are not members of the keeper's family. Lodging, or meals, or both are provided for compensation for three, but not more than ten persons.

LODGING ROOM - a room or suite or rooms rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom. In a suite of rooms, each room which provides sleeping accommodations shall be counted as one "lodging room" for the purpose of this Ordinance.

LOT - a tract of land which is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under unified ownership or control. Therefore, a lot may or may not coincide with a lot of record.

LOT AREA - the area of horizontal plane bounded by lot lines.

LOT, CORNER - a lot of which at least two adjacent sides abut for their full length upon streets, provided that the interior angle at the intersection of such two sides is less than 135 degrees.

LOT COVERAGE - the area of a lot occupied by the principal and accessory structures.

LOT DEPTH - the mean horizontal distance between the front lot line and the rear lot line of a lot measured within the lot boundaries.

LOT, INTERIOR - a lot that is not a corner lot.

LOT LINE - the property line bounding a lot.

LOT LINE, FRONT - the boundary of a lot abutting a street. On a corner lot, either lot line may be construed to be the front lot line.

LOT LINE, INTERIOR - a lot which does not abut a street.

LOT LINE, REAR - an interior lot line which is most distant from and is almost parallel to the front lot line, and in the case of an irregular - or triangular - shaped lot, a line ten feet in length within the lot, which is parallel to and at maximum distance from the front lot line.

LOT LINE, SIDE - any boundary of a lot which is not a front line or a rear lot line.

LOT OF RECORD - a single lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of LaSalle County, Illinois.

LOT, REVERSED CORNER - a corner lot, the street side lot line of which is substantially a

continuation of the front lot line of the first lot to its rear.

LOT, THROUGH - a lot having a pair of opposite lot lines along two more or less parallel streets, and which is not a corner lot. Both street lines shall be deemed front lot lines.

LOT WIDTH - a minimum horizontal distance between the side lot lines of a lot measured at the narrowest width within the 30 feet of depth immediately in back of the front yard line.

MANUFACTURING ESTABLISHMENT - an establishment, the principal use of which is manufacturing, fabricating processing, assembly, repairing, storing, cleaning, servicing, or testing of materials, goods, or products.

MARQUEE OR CANOPY - a roof-like structure of a permanent nature which projects from the wall of a building.

MICRON - a unit of length, equal to one-thousandth part of one millimeter - .001 millimeter.

MOBILE HOME - any vehicle or similar portable structure designed and constructed for dwelling purposes which contains cooking, sanitary, and electrical facilities and has a gross floor area of 240 square feet or more.

MOBILE HOME PARK - a lot, parcel, or tract of land developed with facilities for accommodating two or more mobile homes, provided each mobile home contains a kitchen, flush toilet, and shower or bath; and such park shall be for use only by non-transient dwellers remaining continuously for more than one month, whether or not a charge is made. It shall not include a sales lot in which automobiles or unoccupied mobile homes or other trailers are parked for the purpose of inspection or sale, except mobile homes located on a site in the mobile home park which are occupied or vacant for not more than 90 days after occupancy may be sold or offered for sale.

MODERATE BURNING - a rate of combustion described by a material which supports combustion and is consumed slowly as it burns. Examples: Wood, timber and logs.

MOTEL - an establishment consisting of a group of attached or detached lodging rooms with bathrooms, and where more than 50 percent of the lodging rooms are occupied or designed for occupancy by transient automobile tourists. A "motel" furnishes customary hotel services such as maid service and laundering of linen, telephone, secretarial and desk service, and the use and upkeep of furniture. One dwelling unit may be included for occupancy by the owner or manager of the motel.

MOTOR FREIGHT TERMINAL - a building or area in which freight brought by motor truck is assembled or stored for routing in intrastate or interstate shipment by motor truck.

MOTOR VEHICLE - a passenger vehicle, truck, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical power.

NAMEPLATE - a sign indicating the name and address of a building, or the name of an occupant thereof, and the practice of a permitted occupation therein.

NO-ACCESS STRIP - a strip of land within and along a rear lot line of a through lot adjoining a street which is designated on a recorded subdivision plat or property deed as land over which motor vehicular travel shall not be permitted.

NON-CONFORMING BUILDING OR STRUCTURE - any building or structure lawfully established which:

- a. does not comply with all the regulations of this Ordinance or of any amendment hereto governing bulk of the district in which such building or structure is located; or,
- b. is designed or intended for a non-conforming use.

NON-CONFORMING USE - any building or structure and the use thereof or the use of land that does not conform with the regulations of this Ordinance or any amendment thereto

governing use in the district in which it is located, but conformed with all of the codes, Ordinances, and other legal requirements applicable at the time such building or structure was erected, enlarged, or altered, and the use thereof or the use of land was established.

NOXIOUS MATTER OR MATERIAL - a material which is capable of causing injury to living organisms by chemical reaction, or is capable of causing detrimental effects to the physical or economic well-being of individuals.

NURSERY SCHOOL - an establishment for the part-time care of five or more children of pre-elementary school age in addition to the members of the family residing therein.

NURSING HOME - a home for aged, chronically ill, or incurable persons, in which three or more persons not members of the family residing on the premises are received, and provided with food, shelter, and care but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases, or mental illness.

OCTAVE BAND - a prescribed interval of sound frequencies which classifies sound according to its pitch.

OCTAVE BAND FILTER - an electronic frequency analyzer designed according to standards of the American Standards Association and used in conjunction with a sound level meter to take measurements of sound pressure level in specific octave bands.

ODOROUS MATTER - any material that produces an olfactory response among human beings.

ODOR THRESHOLD - the lowest concentration of odorous matter in air that will produce an olfactory response in a human being. Odor thresholds shall be determined in accordance with ASTM Method D 1391-57, "Standard Method for Measurement of Odor in Atmospheres (Dilution Method)."

OFF-STREET PARKING AREA OR LOT - land which is improved and used, or a structure which is designed and used exclusively for the storage of passenger motor vehicles, either for accessory off-street parking spaces or commercial off-street parking spaces when permitted herein by district regulations.

OWNER - An "owner" means any person/persons who hold legal or equitable title to, or owns any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.

OPEN SALES LOT - land used or occupied for the purpose of buying, selling, or renting merchandise stored or displayed out-of-doors prior to sale. Such merchandise includes automobiles, trucks, motor scooters, motorcycles, boats, or similar commodities.

PARKING SPACE - an area, enclosed in a building or unenclosed, reserved for the parking of one motor vehicle and which is accessible to and from a street or alley.

PARTICULATE MATTER - material other than water which is suspended in or discharged into the atmosphere in a finely-divided form as a liquid or solid at outdoor ambient conditions.

PARTY WALL - an interior wall of adjoining structures extending from its footing to the underside of the roof, and which separates and is in common use by such adjoining structures.

PERFORMANCE STANDARD - a criteria established to control smoke and particulate matter, noise, odorous matter, toxic matter, vibration, fire and explosion hazards, glare, and radiation hazards generated by or inherent in uses of land or buildings.

PLAN COMMISSION - the Planning Commission of Mendota, Illinois.

PLANNED DEVELOPMENT - a parcel or tract of land, initially under single ownership or

control, which contains two or more principal buildings and one or more principal uses, planned and constructed as a unified development, and where certain regulations of this Ordinance for the district where it is located are modified.

PRE-1960 OCTAVE BANDS - the frequency intervals prescribed by the American Standards Association in ASA Standard A24. 10-1953, "Octave Band Filter Set."

PREFERRED FREQUENCIES - a set of octave bands described by the band center frequency and standardized by the American Standards Association in ASA Standard N.S1.6-1960, "Preferred Frequencies for Acoustical Measurements,"

PUBLIC OPEN SPACE - any publicly-owned open area; including, but not limited to, the following: parks, playgrounds, forest preserves, waterways, parkways, and streets.

PYROPHORIC DUST - a dust in a finely-divided state that is spontaneously combustible in air.

RADIATION HAZARDS - the deleterious and harmful effects of all ionizing radiation, which shall include all radiation capable of producing ions in their passage through matter. Such radiations shall include, but are not limited to, electromagnetic radiations such as x-rays and gamma rays and particulate radiations such as electrons or beta particles, protons, neutrons, and alpha particles.

RAILROAD RIGHT-OF-WAY - a strip of land containing railroad tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops, or car yards.

REAL PROPERTY - The term "real property" means any real estate, vacant land, building, structure or housing accommodations within the corporate limits of the City of Mendota, Illinois.

REAL ESTATE BROKER - The term "real estate broker" means any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration offers, sells, purchases, exchanges or rents, or negotiates, for the sale, purchase, exchange or rental of a housing accommodation and/or real property of another, or collects rental for the use of a housing accommodation and/or real property of another.

REFUSE - all waste products resulting from human habitation, except sewage.

RESEARCH LABORATORY - a building or group of buildings in which are located facilities for scientific research investigation, testing, or experimentation but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

RESERVOIR PARKING SPACES - those off-street parking spaces allocated for temporary standing of automobiles awaiting entrance to a particular establishment.

RINGELMANN CHART - the chart described in the U.S. Bureau of Mines Information Circular 6888, upon which are illustrated graduated shades of gray for use in estimating the light-obscuring capacity of smoke - smoke density.

RINGELMANN NUMBER - the number of the area of the Ringelmann Chart that coincides most nearly with the visual density or equivalent opacity of the emission or smoke observed.

ROADWAY - that portion of a street which is used or intended to be used for the travel of motor vehicles.

SETBACK - the minimum horizontal distance between a street line and the nearest wall of a building, or side of a structure facing such street line, or edge of the area of operation of a principal use when no building or structure is involved.

SETBACK, ESTABLISHED - when 40 percent or more of the lots fronting on one side of a street within a block are improved, the existing setbacks of such improved lots shall be the

"established setback" for determining the depth of the required front yards for the remainder of the lots along such street frontage, as regulated in this Ordinance.

SIGN - a name, identification, description, illustration, display, or device which is affixed to, painted, or represented upon a building, structure, or device which attracts attention to a product, place, activity, person, institution, or business. A sign shall not include a display of a court, public or official notice, nor shall it include the flag, emblem, or insignia of a nation, political unit, school, religious, or charitable institution or organization. A sign shall also include a permanent sign located within an enclosed building in such a manner as to be viewed or intended for view primarily from the exterior of the building.

SIGN, ADVERTISING OR BILLBOARD - a sign on which is portrayed information which directs attention to a business, commodity, service, or entertainment, or other activity not necessarily related to uses on the lot upon which the sign is located.

SIGN, BUSINESS - a sign which directs attention to a business, commodity, service, entertainment, or other activity conducted on the lot upon which such sign is located.

SIGN, FLASHING - an illuminated sign on which the artificial light is not maintained constant or stationary in intensity or color at all times when such sign is in use. For the purpose of this Ordinance, a revolving sign, or any advertising device which attracts attention by moving parts, operated by mechanical equipment or movement caused by natural sources, whether or not illuminated with artificial lighting, shall be considered a flashing sign.

SIGN, GROSS SURFACE AREA OF - the entire area within a single continuous perimeter enclosing the extreme limits of a sign.

SIGN, GROUND - a sign which is supported by one or more uprights or braces in or upon the ground.

SIGN, PROJECTING - a sign which is affixed to any building wall or structure and extends beyond the building wall or parts thereof or structure more than 12 inches.

SIGN, ROOF - a sign erected, constructed, and maintained above the roof of any building.

SIGN, WALL - a sign which is affixed to an exterior wall of any building, and shall project not more than 12 inches from the building wall or parts thereof.

SMOKE - the visible discharge from a chimney, stack, vent, exhaust, or combustion process which is made up of particulate matter.

SMOKE UNIT - the number obtained when the smoke density in the Ringelmann Number is multiplied by the time of emission in minutes of this calculation:

- a. a Ringelmann density reading shall be made at least once a minute during the period of observation;
- b. each reading is when multiplied by the time in minutes during which it is observed; and,
- c. the various products are then added together to give the total number of "smoke units" observed during the entire observation period.

SOUND LEVEL - the intensity of sound of an operation or use as measured in decibels.

SOUND LEVEL METER - an instrument for the measurement of sound pressure levels constructed in accordance with the standards of the American Standards Association and calibrated in decibels.

STABLE, PRIVATE - a building or structure which is located on a lot on which a dwelling is located, and which is designed, arranged, used, or intended to be used for housing horses for the private use of occupants of the dwelling, but in no event for hire.

STABLE, PUBLIC - a building where horses are kept for remuneration, hire, or sale.

STAND, ROADSIDE - a structure for the display and sale of only farm products which are produced on the premises.

STORY - that portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it. The floor of a story may split levels, provided that there are not more than four feet difference in elevation between the different levels of the floor. A basement shall be counted as a story, except when used for storage, garages for use of occupants of a building or other facilities common for the rest of the building. A mezzanine floor shall be counted as a story when it covers over one-third the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is 24 feet or more.

STORY, HALF - a partial story under a gable, hip, mansard, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than three feet above the floor of such story, except that any partial story used for residence purposes, other than for a janitor or caretaker or his family, or by a family occupying the floor immediately below it, shall be deemed a full story.

STREET - a public or private right-of-way or easement which is designated as a permanent right-of-way easement for common use as the primary means of vehicular access to properties abutting on it.

STREET, FRONTAGE - all of the property fronting on one side of a street between two intersecting streets, or in the case of a dead-end street, all of the property along one side of the street between an intersecting street and the end of such dead-end street.

STREET LINE - the street right-of-way line abutting a property line of a lot.

STRUCTURAL ALTERATION - any change in the supporting members of a building or structure such as bearing walls, columns, beams, or girders, or any substantial change in the roof or in the exterior walls, excepting such repair or replacement as may be required for the safety of the building or structure.

STRUCTURE - anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground, including, but without limiting the generality of the foregoing advertising signs, back stops for tennis courts, and pergolas.

TAVERN - a business establishment where liquors are sold to be consumed on the premises but not including restaurants where the principal business is the serving of food.

THREE-COMPONENT MEASURING SYSTEM - instruments which simultaneously measure earthborn vibrations in horizontal and vertical planes.

TOURIST HOME - a building which contains a single dwelling unit and in which meals or lodging or both are provided or offered to transient guests for compensation. Does not include a hotel, apartment hotel, or motel.

TOURIST PARK - a parcel or tract or land containing facilities for locating two or more travel trailers or mobile homes, and for use only by transients remaining less than three months, whether or not a charge is made. An open sales lot in which automobiles or unoccupied trailers are parked for the purposes of inspection or sale is not included in a tourist park.

TOXIC MATTER OF MATERIAL - those materials which are capable of causing injury to living organisms by chemical means.

TRAILER - any vehicle or portable structure constructed so as to permit occupancy thereof

for lodging or dwelling purposes or for use as an accessory building or structure in the conduct of business, trade, or occupation, and which may be used as a conveyance on streets and highways, by its own or other motive power.

TRAILER, CAMPING - a trailer designed and constructed for temporary dwelling purposes which does not contain certain built-in sanitary facilities and has a gross floor area of less than 130 square feet.

TRAILER, TRAVEL - a trailer designed and constructed to be used as a temporary dwelling for travel, recreational and vacation purposes which may contain cooking sanitary and electrical facilities, and has a gross floor area of 130 feet or more, but less than 240 square feet.

USABLE OPEN SPACE - permanently reserved open space which is provided as required by this Ordinance for the use of residents of dwellings.

USE - the purpose or activity for which the land, or building thereon, is designed, arranged, or intended, or for which it is occupied or maintained, and shall include any manner of performance of such activity with respect to the performance standards of this Ordinance.

USE, ACCESSORY - an accessory use is one which is incidental to the dominant use of the premises.

USE, CONDITIONAL - a use that has unusual operational, physical, or other characteristics that may be different from those of the predominant permitted uses in a district, but which is a use that complements and is otherwise, or can be made, compatible with the intended over-all development within a district. Compliance with special standards not necessarily applicable to other permitted or conditional uses in the district shall be required as regulated in this Ordinance.

USE, LAWFUL - the use of any building, structure, or land, that conforms with all of the regulations of this Ordinance or any amendment hereto and which conforms with all of the codes, Ordinances, and other legal requirements, as existing at the time of the enactment of this Ordinance or any amendment thereto, for the structure or land that is being examined.

USE, NON-CONFORMING - See Non-Conforming Use.

USE, PERMITTED - any use which is or may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and when applicable, performance standards of this Ordinance for the district in which such use is located.

USE, PRINCIPAL - the dominate use of land or buildings as distinguished from a subordinate or accessory use.

VENDING MACHINE - a machine for dispensing merchandise or services designed to be operated by the customer.

VIBRATION - the periodic displacement, measured in inches, of earth at designated frequency - cycles per second.

YARD - an open area on a lot which is unobstructed from its lowest level to the sky, except as otherwise provided in this Ordinance.

YARD, FRONT - a yard which is bounded by the side lot lines, front lot line, and the front yard line.

YARD LINE - a line in a lot that is parallel to the lot line along which the applicable yard extends and which is not nearer to such lot line at any point than the required depth or width of the applicable yard. A building, structure, or other obstruction shall not encroach into the area between the "yard line" and such adjacent lot line, except for such permitted obstructions in yards as are set forth in this Ordinance.

YARD, REAR - a yard which is bounded by side lot lines, rear lot line, and the rear yard line.
YARD, SIDE - a yard which is bounded by the rear yard line, front yard line, side yard line, and side lot line.
YARD, SIDE - ADJOINING A STREET - a yard which is bounded by the front lot line, side yard adjoining a street line, and rear lot line.
YARD, INTERIOR SIDE - a side yard which adjoins another lot or an alley separating such side yard from another lot.
ZONING BOARD OF APPEALS - the Mendota, Illinois Zoning Board of Appeals.
ZONING DISTRICTS - the districts into which the City of Mendota, Illinois has been divided for zoning regulations and requirements as set forth on the zoning district map.
ZONING DISTRICT MAP - the zoning district map of the City of Mendota, Illinois.