

## Article 13 | TRANSITIONAL PROVISIONS

### 13-001 TRANSITIONAL PROVISIONS

#### 13-001-A. COMPLETED BUILDING PERMIT APPLICATIONS

Complete building permit applications submitted prior to August 1, 2008 may be reviewed wholly under the terms of the previous zoning ordinance or wholly under the terms of this ordinance. Whether such review takes place wholly under the provisions of the previous zoning ordinance or under this zoning ordinance is at the applicant's discretion.

#### 13-001-B. OTHER ZONING APPLICATIONS SUBMITTED BEFORE ~~{INSERT-EFFECTIVE-DATE}~~ APRIL 3, 2008

Applications for parking lots and discretionary approvals such as special use and variance applications that were submitted in complete form and are pending approval before ~~{insert-effective date}~~ April 3, 2008 may be reviewed wholly under the terms of the zoning ordinance in effect immediately before ~~{insert-effective date}~~ April 3, 2008, or they may be reviewed wholly under the terms of this zoning ordinance. Whether such review takes place under the provisions of the previous zoning ordinance or under this zoning ordinance is applicant's option. The applicant's decision about which ordinance applies, once submitted, may not be changed. All development applications submitted on or after ~~{insert-effective date}~~ April 3, 2008 will be reviewed wholly under the terms of this zoning ordinance.

#### 13-001-C. PERMITS ISSUED BEFORE ~~{INSERT-EFFECTIVE-DATE}~~ APRIL 3, 2008

Any *building*, development, or structure for which a final *building* permit was issued before ~~{insert-effective date}~~ April 3, 2008 may be completed in conformance with the issued *building* permit and other applicable permits and conditions, even if such *building*, development, or structure does not fully comply with provisions of this zoning ordinance. If building is not commenced and diligently pursued within the time allowed under the original permit or any extension granted, then the *building*, development, or structure must be constructed, completed, and occupied only in strict compliance with the standards of this zoning ordinance.

#### 13-001-D. PREVIOUSLY APPROVED SPECIAL USE PERMITS

All special use permits (including planned developments) granted prior to the effective date of this ordinance shall remain in full force and effect under the terms and conditions of the special use approval and the zoning ordinance in effect immediately before this zoning ordinance subject to the expiration limitations of Section ~~63-012~~. Any change of use in a previously approved special use will require compliance with this zoning ordinance.

#### 13-001-E. PREVIOUSLY APPROVED VARIANCES

All variances granted prior to the effective date of this ordinance shall remain in full force and effect under the terms and conditions of the special use approval and the zoning ordinance in effect immediately before this zoning ordinance. However, the rights and privileges afforded such a variation will apply only to the specific variation granted.

#### 13-001-F. VIOLATIONS CONTINUE

Any violation of the previous zoning ordinance will continue to be a violation under this zoning ordinance and be subject to penalties and enforcement under Article 71 ( Violations, Penalties and Enforcement). If the use, development, construction, or other activity that was a violation under the

PART 2 | BASE ZONING DISTRICTS

ARTICLE 21 | COMMERCIAL DISTRICTS | 21-002 ALLOWED USES

USE GROUP Use Category ↳specific use type	Zoning District			Use Standard	Parking Standard
	C-1	C-2	C-3		
P=Permitted Use, S=Special Use, PR=Performance Review, PUD= Planned Unit Development, - = Prohibited Use					
↳Contractor/Construction Storage Yards	-	-	PR	40-001	50-003-F-N
<b>Crematory</b>	-	S	S		50-003-F-Q
<b>Drive-Through Restaurant, Drug Stores, Dry Cleaners and Other Services</b>	-	S	PR	40-001 and 40-002-C	
<b>Eating and Drinking Establishments</b>	P	P	P		50-003-F-L
<b>Entertainment and Spectator Sports</b>					50-003-F-O
↳Inter-Track Wagering Facility	-	-S	S,P		50-003-F-O
↳Small Venues	P	P	P		50-003-F-O
↳Medium Venues	-	S	S		50-003-F-O
↳Large Venue	-	-	PUD		50-003-F-O
↳Banquet or Meeting Hall	-	S	S		50-003-F-O
↳Entertainment Nightclub	-	S	S		50-003-F-L
<b>Outdoor Entertainment Facilities (amusement parks, go-cart tracks, etc)</b>			S		
<b>Financial Services (except as more specifically regulated)</b>	P	P	P		50-003-F-K
↳Drive-Through Bank	S	S	PR		
↳Payday Loan Store	-	S	S		50-003-F-K
↳Pawn Shop	-	S	S		50-003-F-K
<b>Flea Market and Auction House</b>	-	-	PR		50-003-F-Q
<b>Food and Beverage Retail Sales</b>	P	P	P		50-003-F-L
<b>Fortune Telling Service</b>	S	S	P		50-003-F-L
<b>Funeral and Interment Service</b>	S	P	P		50-003-F-P
↳Cemetery/columbarium/mausoleum	-	S	S		50-003-F-P
↳Undertaking	S	P	P		50-003-F-P
<b>Gas Station</b>	-	S	PR	40-001 and 40-002-D	50-003-F-Q
<b>Lodging</b>					
↳Bed and breakfast	S	PR	PR	40-001 and 40-002-A	50-003-F-R
↳Hotel/Motel	-	PR	PR	40-001	50-003-F-R
<b>Medical and Dental Clinic</b>	P	P	P		50-003-F-S
↳Methadone and Needle Exchange Clinics	S	S	S		
<b>Office</b>	P	P	P		50-003-F-R
<b>Parking, Non-Accessory</b>	S	P	P	40-002-E	
<b>Personal Service</b>	P	P	P		50-003-F-L
<b>Repair or Laundry Service, Consumer (except as more specifically regulated)</b>	-	P	P		50-003-F-M
↳Dry cleaning drop-off or pick up	-	P	P		50-003-F-M
↳Coin-operated laundromat	-	P	P		50-003-F-M
<b>Residential Storage Warehouse</b>	-	S	S		50-003-F-P
<b>Retail Sales, General</b>	P	P	P		50-003-F-L
<b>Sexually-Oriented Business</b>	-	-	PR	40-001 and 40-002-G	50-003-F-I
<b>Sports and Recreation, Participants</b>					50-003-F-L
↳Outdoor (Publicly Owned)	-	P	P		50-003-F-L
↳Outdoor (Privately Owned)	-	S	S		

PART 2 | BASE ZONING DISTRICTS

ARTICLE 23 | INDUSTRIAL DISTRICTS | 23-003 ALLOWED USES

USE GROUP	Zoning District			Use Standard	Parking Standard
Use Category ↳ specific use type	I-1	I-2	I-3		
P = Permitted Use; PR = Performance Review; S = Special Use; - = Prohibited Use					
↳ Air Transport Packaging and Packing Facilities	-	P	P		50-003-F-T
<b>High-Technology Industry</b>					
↳ Computer Equipment Manufacture	P	P	P		50-003-F-T
↳ Consumer/Communication Electronics	P	P	P		50-003-F-T
↳ Software Services/Development	P	P	P		50-003-F-R
<b>Junk/Salvage Yard</b>					
↳ Junk Yard	-	S	-		50-003-F
↳ Storage or Sales Yards	-	S	-		50-003-F
<b>Mining/Excavation</b>					
	-	S	S	40-002-I	50-003-F
<b>Recycling Facilities</b>					
↳ Newspaper, plastic, cans and glass with manual separation	P	P	P		50-003-F-T
↳ Mechanical separation, bundling, compacting, or packing.	P	P	P		50-003-F-T
↳ Composting	-	S	-		50-003-F-T
<b>Waste-Related Uses</b>					
↳ Hazardous Materials Disposal or Storage	-	S	-	40-002-I	50-003-F-T
↳ Incinerators	-	S	-	40-002-I	50-003-F-T
↳ Liquid Waste Handling Facilities	-	S	-	40-002-I	50-003-F-T
↳ Construction and Demolition Debris Reprocessing	-	S	-	40-002-I	50-003-F-T
↳ Resource Recovery Facility	-	S	-	40-002-I	50-003-F-T
↳ Sanitary landfills	-	S	-	40-002-I	50-003-F-T
↳ Waste Transfer Stations	-	S	-	40-002-I	50-003-F-T
<b>COMMERCIAL</b>					
<b>Adult Uses</b>	PR	PR	PR	40-002-G	50-003-F-I
<b>Animal Services</b>					
↳ Shelters and Boarding Kennels	P	P	P		50-003-F-K
↳ Veterinary	P	P	P		50-003-F-J
<b>Building Maintenance Service</b>					
	P	P	P		50-003-F-M
<b>Business Support Service</b>					
↳ Copying and Reproduction	P	P	P		50-003-F-K
↳ Business/Trade School	P	P	P		50-003-F-
↳ Day Laborer Employment Agency	P	P	P		50-003-F-K
↳ Employment Agency	P	P	P		50-003-F-K
<b>Communication Service Establishments</b>					
	P	P	P		50-003-F-K
<b>Construction Sales and Service</b>					
↳ Building Materials Sales	P	P	P		50-003-F-N
↳ Contractor/Construction Storage Yards	S	P	P		50-003-F-N
<b>Crematory</b>					
	P	P	P		50-003-F-Q
<b>Drive-Through Facility (restaurants, banks, drug stores)</b>					
	S	S	S	40-002-C	50-003-F-L
<b>Eating and Drinking Establishments</b>					
	P	P	P	Max. GFA: 5,000 sq. ft.	50-003-F-L
<b>Financial Services</b>					
	P	P	P	Max. GFA: 5,000 sq. ft.	50-003-F-K
<b>Food and Beverage Retail Sales</b>					
	P	P	P	Max. GFA: 5,000 sq. ft.	50-003-F-L

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	I-1	I-2	I-3		
P = Permitted Use; PR = Performance Review; S = Special Use; - = Prohibited Use					
<b>Gas Station</b>	PR	P	P	40-002-D	50-003-F-Q
<b>Offices</b>	P	P	P		50-003-F-R
<b>Personal Service (e.g. barber shops, beauty salons, and driving schools)</b>	P	P	P	Max. GFA: 5,000 sq. ft.	50-003-F-L
<b>Repair or Laundry Service, Consumer</b>	P	P	P		50-003-F-M
<b>Residential Storage Warehouse</b>	P	P	-		50-003-F-P
<b>Retail Sales, General</b>	P	P	P	Max. GFA: 5,000 sq. ft.	50-003-F-L
<b>Vehicle Sales and Service</b>					
↳ Auto Supply/Accessory Sales	P	P	P	Max. GFA: 5,000 sq. ft.	50-003-F-M
↳ Car Wash or Cleaning Service	P	P	P		50-003-F-M
↳ Heavy Equipment Sales/Rental	-S	P	P		50-003-F-M
↳ Light/Equipment Sales/Rentals, Indoor (e.g. auto, motorcycle, and boat sales)	P	P	P		50-003-F-M
↳ Light/Equipment Sales/Rentals, Outdoor (e.g. auto, motorcycle, and boat sales)	-	P, PR	P, PR		
↳ Motor Vehicle Repair Shop that may include body work, painting, or commercial vehicle repair	P	P	P		50-003-F-M
↳ RV and Boat Sales and Storage	-	P, S	-S		50-003-F-M
↳ Vehicle Storage and Towing (Indoor storage)	P	P	P		50-003-F-M
↳ Vehicle Storage and Towing (Outdoor storage)	-	P, S	P, S		
<b>PUBLIC AND CIVIC</b>					
<b>Day Care</b>	S	S	S	Max. GFA: 5,000 sq. ft.	50-003-F-D
<b>Detention and Correctional Facilities</b>	S	S	S		50-003-F-
<b>Health Clinics/ Methadone Clinics</b>	S	-	-		50-003-F-
<b>Parks and Recreation</b>	P	P	P		50-003-F-D
<b>Postal Services</b>	P	P	P		50-003-F-
<b>Public Safety Services</b>	P	P	P		50-003-F-D
<b>Utilities and Services, Minor</b>	P	P	P		50-003-F-D
<b>Utilities and Services, Major</b>	S	S	S		50-003-F-D
<b>OTHER</b>					
<b>Wireless Communication Facilities</b>					
↳ Co-located on a building or existing tower	P	P	P	40-002-J	None Required
↳ Free-standing tower	S	P	S	40-002-J	None Required
<b>Outdoor Storage, Display, or Work Areas (Accessory Use)</b>	PR	P	P	40-002-J	
<b>Caretaker's Apartment</b>	P	P	P		50-003-F-

- 30-004-D.** Schools (private), and government *buildings* on sites with a net site area of 3 acres or more;
- 30-004-E.** Power generation plants, or wastewater treatment plants;
- 30-004-F.** Movie theaters, live theaters, cultural facilities, or sports stadiums with a net site area of 3 acres or more or a seating capacity of 500 or more persons, whichever is more restrictive;
- 30-004-G.** *Night clubs* and banquet halls with a net site area of 3 acres or more or an occupancy or seating capacity of 300 or more persons, whichever is more restrictive;
- 30-004-H.** Commercial developments including malls, retail stores, and office parks located in a C zoning district where the net site area of the development is 15 acres or more but not including: 1) building additions, expansions, rehabilitation or redevelopment of existing commercial developments with a lot area of 15 acres or more; or 2) to existing unimproved, commercially zoned property with a lot area of 15 acres or more as of April 3, 2008;
- 30-004-I.** Residential developments with multiple *buildings* on a lot excluding town home developments with less than 50 units that conform with Section 40-002-I; and
- 30-004-J.** Residential developments that meet or exceed the following in terms of the number of *dwelling units* except for residential projects where there is an existing tentative plat and the subsequent final plats are approved by City Council and such plats remain in effect.

Zoning District	Thresholds		
	Single-Family Detached	Single-Family Attached (Townhomes)	Multifamily
Residential or Commercial Districts	100 units	50 units	60 units

Where a project includes a mix of single-family, townhouses, and multifamily housing the most restrictive threshold will apply.

**30-005 ELECTIVE PLANNED UNIT DEVELOPMENTS**

Developments that do not meet the minimum criteria for a mandatory planned unit development may nonetheless elect to follow the planned unit development review and approval procedures if the proposed development is at least one acre in area, if the number of units exceeds 35 dwelling units, or if the proposed building or buildings exceed the height limitations within the applicable zoning district.

**30-006 PLANNED UNIT DEVELOPMENTS MEETING UNIQUE LAYOUT AND DESIGN CRITERIA**

Developments that meet a higher standard of design or that provide significant benefits in terms of natural resource protection may be approved as planned unit developments if they meet the specific criteria and standards of Section 30-007. These planned unit developments may include “traditional neighborhood developments”, “conservation subdivisions”, or “activity centers”.

**30-007 DESIGN STANDARDS AND CRITERIA**

Planned unit developments shall be designed to comply with the following general standards and criteria or the specific criteria for those types of planned unit developments identified below.

**3. SCREENING**

All service areas, trash storage areas, and ground-mounted mechanical equipment must be *screened* from ground-level view by *fences* or walls.

**40-002-D. GAS STATIONS**

1. Gas stations are subject to compliance with the applicable landscape regulations of Section 52-001 including the interior *landscaping* requirements of Section 52-002-E.4(f).
2. No *signs* are allowed on *fences*.
3. All lighting must be directed downward and shielded to prevent illumination of any nearby residential property.

**40-002-E. NON-ACCESSORY PARKING**

Non-accessory parking is a permitted use in a residential district when located on those grounds of a public elementary or high school that are currently devoted to accessory parking. Such non-accessory parking is permitted only when the school is not in session. All other non-accessory parking in a residential district requires special use approval in accordance with Section 63-002.

**40-002-F. OUTSIDE PARKING OF VEHICLES IN RESIDENTIAL DISTRICTS**

The total number of motor vehicles stored or parked outdoors at any residential *dwelling unit* is limited to no more than four and all such vehicles must be operable and have current year vehicle registration and licensing from the State of Illinois governing authority.

1. Autos, motorcycles, vans, and *trucks* with passenger license plates must be parked on a paved surface not within a *front yard*. They may be parked in a *driveway* located within a *front yard* in any R-1, R-1U, or R-2 district.
2. Motor homes, campers, and travel trailers, up to 30 feet in length, may be stored in side or *rear yards*, providing that any stored in *side yards* are located a minimum of 6 feet from any property line. No motor home, camper, or travel trailer may be stored in any area located between the front property line and the street facing wall of the residential building. *Recreational vehicles* stored within residential districts may not be used for any residential purpose. *Recreational vehicles* stored on residential property must be parked on a paved surface.
3. Boats, snowmobiles, waverunners, jet skis, all-terrain vehicles, and golf carts when stored on trailers for hauling the vehicles or recreational equipment may be stored in the side or *rear yards*, providing those stored in *side yards* are located a minimum of 6 feet from the property line. No boats, snowmobiles, waverunners, jet skis, all-terrain vehicles, or golf carts may be stored in any area located between the front property line and the street facing wall of the residential building. Vehicles or recreational equipment stored on trailers in residential districts must be parked on a paved surface.
4. For the purposes of loading or unloading a *recreational vehicle*, such vehicles may be temporarily stored anywhere on a lot for a period not to exceed 6 hours within any 24 hour time period.

PART 5 | DEVELOPMENT STANDARDS

ARTICLE 50 | PARKING AND LOADING | 50-003 OFF-STREET PARKING RATIOS

District	Minimum Automobile Parking Ratio (per unit or gross floor area)	Minimum Bike Parking
	potential occupancy of classrooms or assembly rooms. 1 space for every 10 seats and 1 for every 10 of rated capacity.	
<b>Parking Group E (Cultural Exhibits and Libraries)</b>		
All Districts except C-4	2 spaces for every 1000 square feet of floor area.	1 per 8 auto spaces and a minimum of 4
<b>Parking Group F (Hospitals)</b>		
All Districts except C-4	1 space per 600 square feet	1 per 20 auto spaces
<b>Parking Group G (Lodges and Private Clubs)</b>		
All districts except C-4	1 per 10 persons of rated capacity	1 per 20 auto spaces
<b>Parking Group H (Religious Assembly)</b>		
All districts except C-4	1 per 4 seats in the principal assembly area or 1 space per <del>75-200</del> square feet whichever is greater	1 per 20 auto spaces
<b>Parking Group I (Sexually-Oriented Businesses)</b>		
All C and I districts	Entertainment related: 1 per 4 seats or 1 per 5 persons of rated capacity, whichever is greater Retail Related: 4 spaces per 1000 square feet of floor area	1 per 20 auto spaces
<b>Parking Group J (Shelter/Boarding Kennel, Veterinary)</b>		
C-1, C-2, C-3 and all I Districts	2 spaces per 1000 square feet of floor area excluding those areas devoted to animal pens and other non-public areas	None
<b>Parking Group K (Professional Office, Animal Sales and Grooming, Communication Service, Financial Service, Business Support Services, Employment Agencies)</b>		
C-1, C-2, C-3 and all I Districts	3.3 spaces per 1000 square feet of floor area. Financial services with drive-up facilities: 3.3 parking spaces per 1000 square feet plus 5 stacking spaces per service window and 3 stacking spaces per drive-up ATM.	1 per 20 auto spaces
<b>Parking Group L (Retail Sales, Personal Services, Participant Sports and Recreation, Auto Supply/Accessory Sales, Artist's Work and Sales Space, Copying and Reproduction)</b>		
C-1, C-2, C-3 and all I Districts	Participant Sports and Recreation Facilities including health clubs: 1 per 10 of rated capacity. <del>Furniture, carpet and appliance sales; 1.6 spaces per 1,000 square feet.</del> All other retail or service uses: 4 spaces per 1000 square feet.	1 per 10 auto spaces
<b>Parking Group M (Eating and Drinking Establishments and Food and Beverage Sales)</b>		
C-1, C-2, C-3 and all I Districts	Restaurants and take-out food stores: 13.3 spaces per 1000 square feet; fast food restaurants: 13.3 spaces per 1000 square feet plus 8 stacking spaces per drive-up window.	1 per 10 auto spaces
<b>Parking Group N (Building Maintenance, Business Equipment Sales and Service, Repair or Laundry Service, Vehicle Sales and Service)</b>		
C-1, C-2, C-3 and all I Districts	1 space per 1000 square feet of sales area excluding storage areas not open to the public	None
<b>Parking Group O (Construction Sales and Service)</b>		
C-1, C-2, C-3 and all I Districts	1.66 spaces per 1000 square feet of area	1 per 20 auto spaces

**50-007 USE OF OFF-STREET PARKING AREAS; LEASING OF REQUIRED SPACES**

1. Required off-street parking areas are to be used solely for the parking of licensed motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, or *recreational vehicles* or *building materials*.
2. Required off-street parking spaces are intended to serve residents, tenants, patrons, employees, or guests of the *principal use*. Off-street parking spaces that are required by this Zoning Ordinance must be maintained for the life of the *principal use*. The following are deemed non-accessory parking spaces and may not be counted toward satisfaction of minimum off-street parking requirements:
  - (a) spaces that have been sold to or are owned by persons or entities who do not at the same time also own a *dwelling unit* used as a residence or other permitted *principal use*, unless the parking space is rented to or is otherwise being used by residents, tenants, patrons, employees, or guests of the *principal use*; and
  - (b) spaces used by persons who are not residents, tenants, patrons, employees, or guests of the *principal use*.
  - (c) parking spaces located within a permitted driveway located within a front or side yard.
3. No motor vehicle repair work of any kind is permitted in conjunction with accessory parking facilities located in R, C-1, C-2, C-3, or C-4 district.
4. No motor vehicle repair work of any kind is permitted in conjunction with open (outdoor) accessory parking facilities located in C districts.
5. No motor vehicle repair work of any kind is permitted in conjunction with open (outdoor) accessory parking facilities located in I districts if such parking facilities are located within 500 feet of a residential district.

**50-008 LOCATION OF OFF-STREET PARKING****50-008-A. R DISTRICTS**

The following standards apply in all R districts.

1. Off-street parking is prohibited in a front setback for residential uses however a driveway needed to access parking is permitted within the required front yard. Off-street parking for nonresidential uses must be set back a minimum of 20 feet from the property line adjacent to any public street.
2. Required off-street parking spaces for residential uses must be located on the same *zoning lot* as the *dwelling units* served unless there is a cross easement recorded with the Winnebago County recorder of deeds.
3. Required off-street parking and non-required accessory parking serving nonresidential uses in R districts (e.g., religious assembly) must be located on the same *zoning lot* as the use served, except that such parking may be located off site if approved as a special use.

must comply with required setbacks unless smaller setbacks are authorized by a variation consistent with [Article 64](#).

## 80-003 NONCONFORMING USES AND CONTINUANCE OF NONCONFORMING USES

### 80-003-A. DEFINITION

Any use of a structure or land lawfully established prior to the effective date of this Ordinance that does not conform to the use regulations of the district in which it is located, is considered a legally *nonconforming use* and may be continued except as otherwise provided herein.

### 80-003-B. CHANGE OF USE

1. The ~~zoning administrator~~ City Council is authorized to ~~may~~ approve an ~~administrative adjustment~~ special use permit in accordance with the procedures of Article 63 allowing a nonconforming use to be changed to another nonconforming use that is classified in the same use category or ~~to another~~ similar use provided that ~~the Zoning Administrator~~ City Council determines that the substituted use will create no greater ~~adverse~~ impacts on the surrounding area than the previous use. In making such a determination, ~~the Zoning Administrator~~ City Council must consider the following factors:
  - (a) Hours of operation;
  - (b) Vehicular traffic;
  - (c) The number of employees and other people expected to be attracted to the use; and
  - (d) Other factors likely to affect the neighborhood in which it is located.
2. A nonconforming use of open land may not be changed to any other nonconforming use of open land.

### 80-003-C. EXPANSION OF A NONCONFORMING USE

1. Except as otherwise expressly prohibited, the Zoning Administrator is authorized to approve an administrative adjustment allowing an existing nonconforming use to be expanded into another part of the same building, provided that the Zoning Administrator determines that such expansion:
  - (a) Will not result in a violation of off-street parking or loading requirements;
  - (b) Will not violate any applicable bulk or density regulations;
  - (c) Will not result in greater adverse impacts on the surrounding area; and
  - (d) Is not expressly prohibited by Section [80-003-C.2](#).
2. The following nonconforming uses may not be expanded:
  - (a) a nonconforming use of open land;
  - (b) a nonconforming adult use or night club;

**91-0114 SIGN, DEVELOPMENT SITE**

A temporary sign used for advertising the construction of a commercial, industrial or residential development.

**91-0115 SIGN, ELECTRONIC GRAPHIC DISPLAY**

A sign or portion thereof that displays electronic images, graphics or pictures. Such sign may be with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within display area. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays.

**91-0116 SIGN, ELECTRONIC GRAPHIC DISPLAY BILLBOARD (OFF PREMISE ADVERTISING SIGN)**

A sign which directs the attention of the public, business or activity conducted or product or service sold or offered at a location not on the same premises where such sign is located using an electronic graphic display sign.

**91-0117 SIGN HEIGHT**

Freestanding Signs: Height from the adjacent top of curb to the highest point of the sign or sign structure. Wall Signs: Height from the grade directly below the sign.

**91-0118 SIGN, GARAGE OR YARD SALE**

A sign either on premise or off premise, which identifies, describes, directs attention to, or gives direction for locating a garage sale or yard sale or rummage sale or similar type of sale.

**91-0119 SIGN, GROSS AREA**

The area within the perimeter of a sign; includes only one side of a double-faced sign

**91-0120 SIGN, INFLATABLE**

Any sign that is expanded to its full dimension or supported by gases within the sign, or sign parts, included but not limited to a pressure greater than the atmospheric pressure.

**91-0121 SIGN, INSIDE**

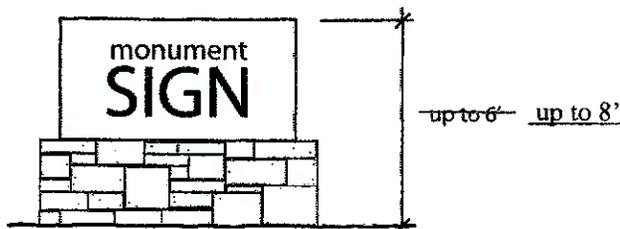
Signs inside a building but visible from a public right-of-way.

**91-0122 SIGN, LANDMARK STYLE:**

A detached sign mounted on or incorporated into a solid base, and shall be a self-supporting structure.

**91-0123 SIGN, LOW-PROFILE: (ALSO "MONUMENT SIGN")**

A sign mounted directly on the ground with maximum height not to exceed ~~six (6)~~ eight (8) feet.



PART 9 | TERMINOLOGY AND MEASUREMENTS

ARTICLE 92 | MEASUREMENTS | 92-010 FEATURES ALLOWED TO ENCROACH IN REQUIRED COMMERCIAL AND INDUSTRIAL SETBACKS

Obstruction/Projection into Required Setback	Front	Side	Rear
setback and are located at least 4 feet above grade at their lowest point			
Chimneys that project no more than 24 inches into the setback	Yes	Yes	Yes
Satellite dish antennas, not exceeding 1 meter in diameter	No	Yes	Yes
Satellite dish antennas, over 1 meter but not exceeding 2.4 meters in diameter	No	No	Yes
Decks and swimming pools at least 6 feet from a property line	No	Yes	Yes
Eaves and gutters projecting 24 inches or less into setback	Yes	Yes	Yes
Eaves and gutters projecting 3 feet or less into setback	Yes	No	Yes
Fences, non-sight obstructing	See Article 55	See Article 55	See Article 55
Fences, partial sight obstructing	See Article 55	See Article 55	See Article 55
Fences, sight obstructing	See Article 55	See Article 55	See Article 55
Flagpoles	Yes	Yes	Yes
Gazebos, tree houses, play equipment	No	No	Yes
Parking spaces, enclosed, provided that (attached or detached) garages that are accessed from alleys must be set back at least 2 ½ feet from the rear and side property line	No	Yes	Yes
Parking spaces, unenclosed in R1, R2 and R3 districts	No	No/Yes	Yes
Patios that are not over 4 feet above the average level of the adjoining ground (See Section 40-002-1.10)	No	Yes	Yes
Porches and balconies and that are open on at least 3 sides	No	Yes	Yes
Recreational equipment (e.g., swing sets and basketball hoops)	Yes	Yes	Yes
Roof projecting from garage over open patio not to exceed 8 feet	No	No	Yes
Sills, belt courses, cornices, buttresses and other architectural features projecting no more than 3 feet into the setback	Yes	Yes	Yes
Steps no more than 6 feet above Grade that are necessary for access to a permitted building or for access to zoning lot from a street or alley	Yes	Yes	Yes
Wheelchair lifts and ramps that meet federal, state and local accessibility standards	Yes	Yes	Yes

**92-010 FEATURES ALLOWED TO ENCROACH IN REQUIRED COMMERCIAL AND INDUSTRIAL SETBACKS**  
 Required setbacks in C and I districts must be unobstructed and unoccupied from the ground to the sky except that features are allowed to encroach into required setbacks to the extent indicated in the following table:

Obstruction/Projection into Required Setback	Front	Side	Rear
Accessory buildings used for storage (e.g., sheds and tool rooms)	No	Yes	Yes
Air conditioning units	Yes	Yes	Yes
Free-standing antennas subject to Section 40-002-1.13.	No	Yes	Yes
Awnings, canopies, or flagpoles	Yes	Yes	Yes
Satellite dish antennas, not exceeding 1 meter in diameter	No	Yes	Yes
Satellite dish antennas, over 1 meter but not exceeding 2.4 meters in diameter	No	No	Yes
Fences, non-sight obstructing	See Article 55	See Article 55	See Article 55
Fences, partial sight obstructing	See Article 55	See Article 55	See Article 55