City of Centralia

ZONING CODE REGULATIONS

DIVISION 1 – ADMINISTRATION

TABLE OF CONTENTS

ARTICLE I – PLAN & ZONING COMMISSION

10-1-1-101 Creation of Commission

10-1-1-102 Intent and Purpose

10-1-1-103 Composition , Appointment, Term, Removal

10-1-1-104 Officers and Support Services

10-1-1-105 Rules and Regulations

10-1-1-106 Powers and Duties

10-1-1-107 Commission Data, Reports

ARTICLE II – ZONING ADMINISTRATOR

10-1-2-101 Appointment, Purpose

10-1-2-102 Powers and Duties

ARTICLE III – ZONING BOARD OF APPEALS

10-1-3-101 Establishment and Purpose

10-1-3-102 Composition , Appointment, Term, Removal

10-1-3-103 Officers

10-1-3-104 Rules and Regulations

10-1-3-105 Powers and Duties

DIVISION 2 – ZONING

TABLE OF CONTENTS

ARTICLE I – INTRODUCTORY PROVISIONS

10-2-1-101 Short Title

10-2-1-102 Intent and Purpose

10-2-1-103 Authority

10-2-1-104 District Classifications

10-2-1-105 Zoning Map District Boundaries

10-2-1-106 Interpretation

10-2-1-107 Rules of Construction

10-2-1-108 Prohibited Conduct and Use of Property

10-2-1-109 Validity, Separability

ARTICLE II – GENERAL REGULATIONS

10-2-2-101 Access

10-2-2-102 Height Exceptions

10-2-2-103 Visibility at Intersections

10-2-2-104 Permitted Obstructions in Required Yards

10-2-2-105 Continued Conformity

10-2-2-106 Division of Real Property

10-2-2-107 Required Yards for Existing Structures

10-2-2-108 Airport Hazard Areas

10-2-2-109 Temporary Uses

ARTICLE III – DISTRICT REGULATIONS

10-2-3-101 **AG - Agricultural District**

10-2-3-101.1	Intent and Purpose
10-2-3-101.2	Permitted Uses
10-2-3-101.3	Special Uses
10-2-3-101.4	Bulk and Area Regulations
10-2-3-101.5	Development Standards
10-2-3-101.6	Procedures
10-2-3-101.7	Use Limitations

10-2-3-102 **SR-E - Single Family Residential Estate**

10-2-3-102.1	Intent and Purpose
10-2-3-102.2	Permitted Uses
10-2-3-102.3	Special Uses
10-2-3-102.4	Bulk and Area Regulations
10-2-3-102.5	Development Standards
10-2-3-102.6	Procedures

10-2-3-103 **SR-1 - Single Family Residential District**

10-2-3-103.1	Intent and Purpose
10-2-3-103.2	Permitted Uses
10-2-3-103.3	Special Uses
10-2-3-103.4	Bulk and Area Regulations
10-2-3-103.5	Development Standards
10-2-3-103.6	Procedures

10-2-3-104 **SR-2 - Single Family Residential District**

10-2-3-104.1	Intent and Purpose
10-2-3-104.2	Permitted Uses
10-2-3-104.3	Special Uses
10-2-3-104.4	Bulk and Area Regulations
10-2-3-104.5	Development Standards
10-2-3-104.6	Procedures

10-2-3-105 **MR - Multiple Family Residential District**

10-2-3-105.1	Intent and Purpose
10-2-3-105.2	Permitted Uses
10-2-3-105.3	Special Uses
10-2-3-105.4	Bulk and Area Regulations
10-2-3-105.5	Development Standards
10-2-3-105.6	Procedures

10-2-3-106 **MH – Mobile Home Overlay District**

10-2-3-106.1	Intent and Purpose
10-2-3-106.2	Permitted Uses

10-2-3-106.3 Special Uses
10-2-3-106.4 Bulk and Area Regulations
10-2-3-106.5 Development Standards

10-2-3-107 B-1 – Neighborhood Business District
10-2-3-107.1 Intent and Purpose
10-2-3-107.2 Permitted Uses
10-2-3-107.3 Special Uses
10-2-3-107.4 Bulk and Area Regulations
10-2-3-107.5 Development Standards
10-2-3-107.6 Procedures
10-2-3-107.7 Use Limitations

10-2-3-108 B-2 – Central Business District
10-2-3-108.1 Intent and Purpose
10-2-3-108.2 Permitted Uses
10-2-3-108.3 Special Uses
10-2-3-108.4 Bulk and Area Regulations
10-2-3-108.5 Development Standards
10-2-3-108.6 Procedures
10-2-3-108.7 Use Limitations

10-2-3-109 B-3 – Highway/Arterial Business District
10-2-3-109.1 Intent and Purpose
10-2-3-109.2 Permitted Uses
10-2-3-109.3 Special Uses
10-2-3-109.4 Bulk and Area Regulations
10-2-3-109.5 Development Standards
10-2-3-109.6 Procedures
10-2-3-109.7 Use Limitations

10-2-3-110 I-1 – Light Industrial District
10-2-3-110.1 Intent and Purpose
10-2-3-110.2 Permitted Uses
10-2-3-110.3 Special Uses
10-2-3-110.4 Bulk and Area Regulations
10-2-3-110.5 Development Standards
10-2-3-110.6 Procedures
10-2-3-110.7 Use Limitations

10-2-3-111 I-2 – Industrial District
10-2-3-111.1 Intent and Purpose
10-2-3-111.2 Permitted Uses
10-2-3-111.3 Special Uses
10-2-3-111.4 Bulk and Area Regulations
10-2-3-111.5 Development Standards

10-2-3-111.6 Procedures
10-2-3-111.7 Use Limitations

10-2-3-112 **S-1 Flood Plain Overlay District**
10-2-3-112.1 Intent and Purpose
10-2-3-112.2 Permitted Uses
10-2-3-112.3 Special Uses
10-2-3-112.4 Bulk and Area Regulations
10-2-3-112.5 Development Standards
10-2-3-112.6 Procedures
10-2-3-112.7 Additional Restrictions

10-2-3-113 **S-2 Airport District**
10-2-3-113.1 Intent and Purpose
10-2-3-113.2 Permitted Uses
10-2-3-113.3 Special Uses
10-2-3-113.4 Special Development Standards

10-2-3-114 **INS – Institutional District**
10-2-3-114.1 Intent and Purpose
10-2-3-114.2 Permitted Uses
10-2-3-114.3 Special Uses
10-2-3-114.4 Bulk and Area Regulations
10-2-3-114.5 Development Standards
10-2-3-114.6 Procedures

10-2-3-115 **B-4 – Corridor Business District**
10-2-3-115.1 Intent and Purpose
10-2-3-115.2 Permitted Uses
10-2-3-115.3 Special Uses
10-2-3-115.4 Bulk and Area Regulations
10-2-3-115.5 Development Standards
10-2-3-115.6 Procedures
10-2-3-115.7 Use Limitations

10-2-3-116 **Wireless Communications Facilities**
10-2-3-116.1 Intent and Purpose
10-2-3-116.2 Definitions
10-2-3-116.3 Exclusion
10-2-3-116.4 Collocation Requirements
10-2-3-116.5 Nonconforming & Abandoned WCF's
10-2-3-116.6 Tower Construction Requirements
10-2-3-116.7 Development Standards
10-2-3-116.8 Application Materials
10-2-3-116.9 Temporary WCF's
10-2-3-116.10 Revocation of TUP's

10-2-3-117 **Preservation Overlay District**
10-2-3-117.1 Intent and Purpose
10-2-3-117.2 Definitions
10-2-3-117.3 Permitted Uses
10-2-3-117.4 Special Uses
10-2-3-117.5 Designation Procedures
10-2-3-117.6 Design Standards
10-2-3-117.7 Regulation of Alteration, Construction and Demolition
10-2-3-117.8 Fees

ARTICLE IV – SUPPLEMENTARY REGULATIONS

10-2-4-101 Nonconformities
10-2-4-101.1 Intent and Purpose
10-2-4-101.2 Nonconforming Uses
10-2-4-101.3 Nonconforming Bulk and Area Regulations

10-2-4-102 Accessory Uses and Structures
10-2-4-102.1 Authorization
10-2-4-102.2 Permitted Accessory Uses and Structures
10-2-4-102.3 Specifically Prohibited Uses
10-2-4-102.4 Bulk Regulations
10-2-4-102.5 Use Limitations

10-2-4-103 Home Occupations
10-2-4-103.1 Authorization
10-2-4-103.2 Use Limitations
10-2-4-103.3 Permitted Home Occupations
10-2-4-103.4 Prohibited Home Occupations

10-2-4-104 Special Uses
10-2-4-104.1 Intent and Purpose
10-2-4-104.2 Permitted Uses
10-2-4-104.3 Application and Submissions Requirements
10-2-4-104.4 Review Standards

10-2-4-105 Provisions for Churches, Public Schools, Public Utilities and Governmental Facilities
10-2-4-105.1 Intent and Purpose
10-2-4-105.2 Development Standards
10-2-4-105.3 Procedures

10-2-4-106 Planned Development Regulations
10-2-4-106.1 Intent and Purpose
10-2-4-106.2 Density Transfer Subdivisions

10-2-4-107 Fences, Walls

10-2-4-108 Parking, Storage, or Use of Recreational Vehicles

10-2-4-109 Swimming Pools

10-2-4-110 Utility Substations

10-2-4-111 Storage and Placement of Mobile Homes

ARTICLE V – DEVELOPMENT STANDARDS

10-2-5-101 Off-Street Parking and Loading
- 10-2-5-101.1 Applicability
- 10-2-5-101.2 General Provisions
- 10-2-5-101.3 Design and Maintenance Standards for Automobile Parking Areas
- 10-2-5-101.4 Schedule of Required Parking Spaces
- 10-2-5-101.5 Off-Street Loading Requirements
- 10-2-5-101.6 Existing Parking and Loading Facilities

10-2-5-102 Stormwater Runoff Design
- 10-2-5-102.1 Intent and Purpose
- 10-2-5-102.2 Applicability
- 10-2-5-102.3 Stormwater Discharge Design Criteria

10-2-5-103 Environmental Design Standards
- 10-2-5-103.1 Intent and Purpose
- 10-2-5-103.2 Applicability
- 10-2-5-103.3 Relationship of Building to a Site
- 10-2-5-103.4 Landscape and Site Treatment
- 10-2-5-103.5 Site, Building and Environmental Accessibility and Utility for Disabled Persons

10-2-5-104 Environmental Performance Standards
- 10-2-5-104.1 Administration and Enforcement
- 10-2-5-104.2 Noise
- 10-2-5-104.3 Vibration
- 10-2-5-104.4 Toxic Matter
- 10-2-5-104.5 Glare and Heat
- 10-2-5-104.6 Radiation Standards
- 10-2-5-104.7 Smoke and Particulate Matter
- 10-2-5-104.8 Odor

ARTICLE VI – PROCEDURES

10-2-6-101 Applications, Petitions, Filing

10-2-6-102 Zoning Code Amendments
- 10-2-6-102.1 Proposed Amendments
- 10-2-6-102.2 Filing
- 10-2-6-102.3 Notice and Hearing
- 10-2-6-102.4 Advisory Report, Finding of Fact
- 10-2-6-102.5 Action by Council

10-2-6-103 Special Use Permits
- 10-2-6-103.1 Intent and Purpose
- 10-2-6-103.2 Authorization
- 10-2-6-103.3 Application and Submission Requirements
- 10-2-6-103.4 Public Hearing
- 10-2-6-103.5 Standards
- 10-2-6-103.6 Conditions and Restrictions
- 10-2-6-103.7 Expiration

10-2-6-104 Density Transfer Subdivision Procedures
- 10-2-6-104.1 Intent and Purpose
- 10-2-6-104.2 Application and Submission Requirements
- 10-2-6-104.3 Review Procedure

10-2-6-105 Variations
- 10-2-6-105.1 Authorizations
- 10-2-6-105.2 Application and Submission Requirements
- 10-2-6-105.3 Hearing and Procedural Rules
- 10-2-6-105.4 Standards for Variations
- 10-2-6-105.5 Review Considerations
- 10-2-6-105.6 Conditions and Restrictions
- 10-2-6-105.7 Decisions and Records
- 10-2-6-105.8 Period of Validity
- 10-2-6-105.9 Finality

10-2-6-106 Building Permits
- 10-2-6-106.1 Permit Required
- 10-2-6-106.2 Applications
- 10-2-6-106.3 Issuance of Permits
- 10-2-6-106.4 Certification of Zoning Compliance
- 10-2-6-106.5 Inspection
- 10-2-6-106.6 Expiration

10-2-6-107 Appeals
10-2-6-107.1 Authorization
10-2-6-107.2 Filing
10-2-6-107.3 Notice and Hearing
10-2-6-107.4 Decisions on Appeals
10-2-6-107.5 Stay of Proceedings

10-2-6-108 Notice and Hearing

10-2-6-109 Fees

10-2-6-110 Enforcement
10-2-6-110.1 Zoning Administrator
10-2-6-110.2 Notice of Violation and Sanctions
10-2-6-110.3 Conformance with Approved Plans and Conditions

10-2-6-111 Violations and Penalties
10-2-6-111.1 Violations
10-2-6-111.2 Persons Liable for Violation
10-2-6-111.3 Instituting Action
10-2-6-111.4 Corrective Action Orders
10-2-6-111.5 Penalties
10-2-6-111.6 Emergency Measures

ARTICLE VII – DEFINITIONS

Definitions

DIVISION 3 – SUBDIVISIONS

TABLE OF CONTENTS

ARTICLE I – INTRODUCTORY PROVISIONS

10-3-1-101 Short Title

10-3-1-102 Intent and Purpose

10-3-1-103 Scope and Application

ARTICLE II – SUBDIVISION REVIEW AND APPROVAL PROCESS

10-3-2-101 Outline of Procedures

10-3-2-102 Step One – Predesign Conference
- 10-3-2-102.1 Intent and Purpose
- 10-3-2-102.2 Submission Requirements
- 10-3-2-102.3 Submission and Review Procedures

10-3-2-103 Step Two – Preliminary Plat
- 10-3-2-103.1 Intent and Purpose
- 10-3-2-103.2 Submission Requirements
- 10-3-2-103.3 Submission and Review Procedures

10-3-2-104 Step Three – Voluntary Technical Design Conference
- 10-3-2-104.1 Purpose
- 10-3-2-104.2 Submission Requirements
- 10-3-2-104.3 Submission and Review Procedures

10-3-2-105 Step Four – Improvement Plans
- 10-3-2-105.1 Intent and Purpose
- 10-3-2-105.2 Submission Requirements
- 10-3-2-105.3 Review Procedures

10-3-2-106 Step Five – Final Plat
- 10-3-2-106.1 Intent and Purpose
- 10-3-2-106.2 Submission Requirements
- 10-3-2-106.3 Review Procedures

ARTICLE III – LAND SUBDIVISION STANDARDS

10-3-3-101 General Principles
- 10-3-3-101.1 Conformance to Rules and Regulations
- 10-3-3-101.2 Character of the Land
- 10-3-3-101.3 Adequacy of Public Facilities and Services
- 10-3-3-101.4 Subdivision and Street Names

10-3-3-102 Blocks

10-3-3-103 Lots

10-3-3-104 Utility and Drainage Easements
- 10-3-3-104.2 Drainage Easements

10-3-3-105 Streets
- 10-3-3-105.1 General Guidelines
- 10-3-3-105.2 Street Design Standards
- 10-3-3-105.3 Dead End Streets and Cul-de-Sacs
- 10-3-3-105.4 Minor Subdivisions
- 10-3-3-105.5 Intersections and Street Alignments
- 10-3-3-105.6 Design Characteristics of Street Pavement

10-3-3-106 Sidewalks

10-3-3-107 Stormwater Drainage

10-3-3-108 Erosion Control
- 10-3-3-108.1 Erosion and Stormwater Runoff Control
- 10-3-3-108.2 Temporary Control Measures
- 10-3-3-108.3 Long Term Erosion Control

10-3-3-109 Utilities
- 10-3-3-109.2 Water Facilities
- 10-3-3-109.3 Sewers

10-3-3-110 Street Signs

ARTICLE IV – ENFORCEMENT

10-3-4-101 Grading Permit

10-3-4-102 Subdivision Construction Permit

10-3-4-103 Inspections
- 10-3-4-103.1 Inspection of Improvements
- 10-3-4-103.2 Construction Inspections
- 10-3-4-103.3 Additional Inspections

10-3-4-104 Bonds and Other Security Arrangements
- 10-3-4-104.1 Purpose
- 10-3-4-104.2 Certification of Completion of Improvements
- 10-3-4-104.3 Alternate Security Arrangements
- 10-3-4-104.4 Maintenance Bond

10-3-4-105 Enforcement

10-3-4-106 Violations and Penalties

ARTICLE V – GENERAL REGULATIONS

10-3-5-101 Recording of Plats

10-3-5-102 Changes in Approved Subdivisions

10-3-5-103 Interpretation

10-3-5-104 Severability

10-3-5-105 Amendment

ARTICLE VI – DEFINITIONS

Definitions

DIVISION 1 - ADMINISTRATION

ARTICLE I PLAN AND ZONING COMMISSION

10-1-1-101 CREATION OF COMMISSION

The Plan and Zoning Commission of the City of Centralia, heretofore created pursuant to the authority of Article 11, Division 13, of the Illinois Municipal Code, is hereby continued without interruption.

10-1-1-102 INTENT AND PURPOSE

The Centralia Plan and Zoning Commission has been established to advise the City Council on the preservation and protection of the existing residential and business community and as agents of the City Council to plan, guide and direct the land use change, development, and redevelopment activities in the City of Centralia and its area of extraterritorial jurisdiction.

10-1-1-103 COMPOSITION, APPOINTMENT, TERM, REMOVAL

The Commission shall consist of nine (9) members, in addition to three (3) members ex-officio, who shall: (1) be citizens of the United States and of the State of Illinois, and (2) have attained the age of 21 years, and (3) reside within the corporate limits of the City, or within one and one-half (1 1/2) miles thereof and within no other city, village or incorporated town; provided, however, that at least six (6) of such members, in addition to members ex-officio, shall reside within the corporate limits of the City. The members of the Commission shall be appointed by the Mayor, with the advise and consent of the Council, for a term of three (3) years. Each member of the Commission on the effective date of this Chapter shall serve for the term for which he or she was appointed, or until his or her respective successor is appointed; provided, however, that the terms shall be staggered so that the terms of not more than three (3) of the members shall expire in any one year. Vacancies shall be filled for the balance of the unexpired term in the same manner as an original appointment.

The Mayor, one Councilman selected by the Council, and the Zoning Administrator shall be ex-officio members of the Commission. The Mayor and Council representative shall serve during the term of their elective office.

The City Council may remove any citizen member from the Commission for cause stated in writing, following a public hearing with adequate notice. Upon removal, such statement of cause shall be on file in the Office of the City Clerk.

10-1-1-104 OFFICERS AND SUPPORT SERVICES

The Commission shall elect from among its citizen members such officers as it may deem necessary, in addition to a Chairman, Vice Chairman and Secretary. No ex-officio member shall hold any office of the Commission.

The Commission may, subject to approval of the Council and in accordance with appropriate budgetary provisions, recommend the employment of such personnel and the securing of technical and professional services, as may be necessary to perform the work of the Commission.

10-1-1-105 RULES AND REGULATIONS

As necessary, and as long as not inconsistent with the provisions of the Centralia City Code, other City ordinances, or the statutes of the State of Illinois, the Commission may adopt such rules and regulations as it may deem necessary to carry out the provisions of this Chapter. The Commission shall be rule establish a regular meeting time and procedures for giving notice of these meetings, and shall file such regulations in the Office of the City Clerk. The Commission shall have the authority to call special meetings as it deems necessary, pursuant to adopted procedures for giving notice of such special meetings which shall also be on file in the Office of the City Clerk. The Commission shall keep written records of its proceedings which shall be open at all times to public inspection. The Commission shall file an annual report of its transactions and recommendations with the City Council during May of each year.

No member shall hear, discuss with other members of the Commission, or act on any items before the Commission which constitute a conflict of interest for that member.

10-1-1-106 POWER AND DUTIES

The Commission shall have the following powers and duties:

(a) The power and duties set forth in the Illinois Municipal Code.

(b) To prepare and recommend to the Council a comprehensive plan for the present and future development, redevelopment and growth of the City. Such a plan, after its approval and adoption by the Council, shall be known as the “Official Comprehensive Plan for Centralia, Illinois”.

Such plan may include reasonable requirements with reference to streets, alleys, public grounds, and other public improvements within the corporate limits and in contiguous territory outside of but not more than one and one-half (1 1/2) miles from the corporate limits, and not included in any other city, village or incorporated town.

(c) To prepare and recommend to the Council from time to time, such changes in the plan as necessary to keep it current and maintain it as a primary resource in analyzing, recommending and deciding on land use change issues and guiding the City growth and development into the future.

(d) To prepare and recommend to the Council from time to time, plans and/or recommendations for specific public improvements in pursuance of such official plan.

(e) To give aid to the officials of the City charged with the direction of projects for improvements embraced within the official plan, to further the making of such improvements, and generally to promote the realization of the official plan.

(f) To originate and recommend to the Council the amendment, change, supplement, or repeal of this Code; the reclassification of property; and the classification of property upon its annexation to the City.

(g) To receive and consider applications for special uses, planned developments, and other uses provided by the Zoning Code to be referred to the Commission, and render a decision thereon, and petitions for amendment of the Zoning Code, reclassification of property pursuant to annexation, and submit its recommendations thereon to the City Council for action and decision.

(h) Before directing the issuance of a zoning certificate for a special use, or other use, or making recommendation to the Council of this Code, reclassification of property, or classification of property upon its annexation to the City, the Commission hold a public hearing as prescribed.

(i) To initiate, at least once every two (2) years, a comprehensive review of the provisions of this Code, and to make a report of its findings and recommendations to the Council.

(j) To arrange and conduct any form of publicity relative to its activities for the general purpose of public understandings.

(k) To cooperate with municipal or regional planning commissions and other agencies or groups to further local planning programs and to assure harmonious and integrated planning within the area.

10-1-1-107 <u>COMMISSION DATA, REPORTS</u>

The City Clerk shall furnish each Commission member, for its consideration, a copy of all ordinances, plans and data relative to public improvements of any nature. The Commission may report in relation thereto if it deems necessary or advisable for the consideration of the Council.

ARTICLE II ZONING ADMINISTRATOR

10-1-2-101 APPOINTMENT, PURPOSE

The Zoning Administrator shall be appointed by the City Manager and shall receive such compensation as may be authorized by the City Council. He shall be accountable to the City Manager and shall be responsible for the administration of this Chapter and enforcement of the regulations established.

10-1-2-102 POWERS AND DUTIES

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

(a) To certify zoning compliance for all building permits.

(b) To inspect land, structures, and uses to determine compliance with this chapter and to initiate appropriate corrective action when there are violations.

(c) To review and forward to the Board of Appeals all applications for variations and appeals.

(d) To review all applications for special use permits and zoning amendments.

(e) To maintain current and permanent records of the administration of this chapter including, but not limited to, zoning district maps, certificates of zoning compliance, special use permits, variations, interpretive decisions of the Board of Appeals, amendments, and all applications related to any of these matters.

(f) To periodically review the provisions of this Code to determine whether revisions are needed, and to make recommendations on these matters to the Plan and Zoning Commission at least once each year.

(g) To publish, as necessary, up-to-date copies of this chapter including the zoning district map and any amendments thereto.

(h) To provide information to the general public on matters related to this chapter.

(i) Provide such clerical, technical, and consultative assistance as may be required by the Plan and Zoning Commission and Board of Appeals in the exercise of their duties relating to these regulations.

ARTICLE III BOARD OF APPEALS

10-1-3-101 ESTABLISHMENT AND PURPOSE

The Centralia Board of Appeals is hereby established pursuant to ILCS Statutes, Chapter 23, Section 11-13-3, to further the general intent and purpose of this chapter by varying its terms in appropriate circumstances, subject to conditions and safeguards, and in accordance with the other provisions herein.

10-1-3-102 COMPOSITION, APPOINTMENT, TERM, REMOVAL

The Board of Appeals shall consist of seven (7) members appointed by the Mayor, with the advice and consent of the Council. Each member of said Board shall be appointed for a term of five (5) years and shall serve for such term and until his or her respective successor is appointed. The Mayor of the City shall have the power to remove any member of said Board for cause and after a public hearing. Vacancies upon said Board 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 member. The members appointed to the Board of Appeals created pursuant to the provisions of Ordinance No. C-604 as amended (and repealed by this Code) and serving as members of said Board upon the effective date of this Code shall constitute the Board of Appeals created hereby, and such persons will continue for the terms to which they have been appointed, and thereafter until their successors are appointed.

10-1-3-103 OFFICERS

The Board of Appeals shall elect annually its own Chairman, Vice-Chairman and such other officers as it deems necessary from among its members.

10-1-3-104 RULES AND REGULATIONS

As necessary, and as long as not inconsistent with the provisions of the City Code, other ordinances of the City, or applicable Illinois statutes, the Board may establish such rules and regulations as it may deem necessary to carry out the provisions of this chapter. The Commission shall by rule establish procedures for giving notice of and conducting its meetings, and shall file these regulations in the Office of the City Clerk. All meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board may determine.

All hearings conducted by said Board shall be open to the public. Any person may appear and testify at a hearing, either in person or by a duly authorized agent, or attorney. The Chairman or, in the absence of the Chairman, the Acting Chairman may administer oaths and compel the attendance of witnesses. The Zoning Administrator shall act as clerk for the Board and shall make and keep a record of all its meetings and official acts of the Board of Appeals. The Board

shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall also keep records of its hearings and other official actions. Every order, requirement, decision, or determination of the Board shall be filed immediately in the Office of the City Clerk and shall be a public record. The Board shall adopt its own rules of procedure, not in conflict with this Code or with the applicable Illinois statutes, a copy of which shall be filed in the Office of the City Clerk.

10-1-3-105 POWERS AND DUTIES

The Board of Appeals is hereby vested with the following jurisdiction and authority:

(a) To hear and decide appeals from and review any order, requirement, decision, or determination made by the Building Official under this chapter.

(b) To hear and pass upon applications for variations from a strict application of the terms of this Code as hereinafter provided in Section 10-2-6-105.

10-1-3-106 QUORUM

Four (4) members of the Board of Appeals shall constitute a quorum, and an affirmative vote of at least four (4) members shall be necessary to authorize any Board action.

DIVISION 2 - ZONING

ARTICLE I. INTRODUCTORY PROVISIONS

10-2-1-101 SHORT TITLE

The regulations and provisions of this Division, Chapter 17, Municipal Planning, of the Code of the City of Centralia including amendments and the zoning district map made a part hereof, shall be referred to and cited as the "Centralia Zoning Code."

10-2-1-102 INTENT AND PURPOSE

This Code is adopted to the end that adequate light, air, and safety from fire and other dangers may be secured; that the taxable value of land and buildings throughout the municipality and the unincorporated areas within one and one-half (1 1/2) miles of the corporate limits may be conserved; that congestion in the public streets may be lessened or avoided; that the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood water may be lessened or avoided; and that the public health, safety, comfort, morals and welfare may otherwise be promoted. To carry out such intent and purpose, this Zoning Code shall:

(a) Divide the City and the unincorporated areas within one and one-half (1 1/2) miles of the city limits into districts of such number, shape, area, and of such different classes to carry out the intent and purpose of this Code;

(b) Classify, regulate and restrict the location of trades and industries and the location of buildings designed for industrial, business, residential, and other uses;

(c) Establish, regulate, and limit building or setback lines within said districts;

(d) Regulate and limit the intensity of use of land, and regulate the area of open space within and surrounding buildings;

(e) Prohibit uses, buildings, or structures incompatible with the character of such districts;

(f) Prevent additions to and alterations or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed by the Zoning Code.

10-2-1-103 AUTHORITY

The Zoning Code is adopted pursuant to the authority of Article 11, Division 13,

of the Illinois Municipal Code, as amended, so that the objectives stated therein may be realized within the corporate limits and within contiguous territory not more than one and one-half (1 1/2) miles beyond the corporate limits and not included within any municipality.

10-2-1-104 DISTRICT CLASSIFICATIONS

The zoned territory is hereby divided and classified into zoning use districts as follows:

DISTRICT I.D.	USE
AG	Agricultural
SR-E	Single-Family Residential-Estate
SR-1	Single-Family Residential
SR-2	Single-Family Residential
MR	Multiple Family Residential
MH	Mobile Home Overlay
B-1	Neighborhood Business
B-2	Central Business
B-3	Highway Arterial Business
B-4	Corridor Business
I-1	Light Industry
I-2	Industrial
S-1	Flood Plain overlay
S-2	Airport
INS	Institutional
WCF	Wireless Communication Facilities

10-2-1-105 ZONING MAP DISTRICT BOUNDARIES

The boundaries of the several zoning districts are established as shown on the Official Zoning Map. Said map, including all notations and other information thereon, is incorporated in and made a part of this Code by this reference. Said map certified by signing by the Zoning Administrator and attested by the City Clerk, in duplicate original counterparts, shall be kept on file, one in the Zoning Administrator's Office and one in the City Clerk's Office.

The Zoning Administrator shall cause the Map to be published annually not later than March 31 of each year, provided, however, that no map need be published if there have been no changes during the preceding calendar year. Copies of the Map as published may be purchased at a price determined by the City Council.

(a) Where district boundaries follow streets, alleys, highways, or railroad lines, the center line of the street, alley, highway or railroad right-of-way is the boundary line.

(b) Where district boundaries appear to follow lot lines, section or section division lines, the nearest such line is the boundary line.

(c) Where district boundaries appear to be a stream, lake, or other body of water, the boundary line shall be the middle of the waterway.

(d) The boundary lines of the Flood Plain Overlay District shall be the land contour line - feet above mean sea level which encloses said district.

10-2-1-106 INTERPRETATION

The provisions of the Code shall be held to be minimum requirements adopted for the promotion of the public health, safety, and general welfare. Whenever the regulations of this Code require a higher standard than that required by other regulations, order of a public official, private deed restriction or private convenants, this Code shall govern. If the requirements of such other regulation, order, private deed restriction or private covenant are the more restrictive, then those requirements shall govern. This provision does not require and shall not be interpreted to require the City to enforce private deed restrictions.

10-2-1-107 RULES OF CONSTRUCTION

Unless a contrary intention clearly appears, the following words and phrases shall have for the purposes of this Code the meanings given in the following clauses. Words and phrases which are not defined shall be given their usual meaning except where the context clearly indicates a different or specific meaning. For the purposes of this Code, words and phrases used herein shall be interpreted as follows:

(a) Words used in the present tense include the future.

(b) The singular includes the plural and vice versa.

(c) The masculine gender includes the feminine and the neuter.

(d) The term “shall” is mandatory; the term “may” is permissive.

(e) The word “herein” means “in this Zoning Code”.

(f) The word “person” includes a corporation, a partnership, and an association as well as an individual.

(g) The word “lot” includes the word “plot” or “parcel”.

(h) The word “used” or “occupied” as applied to any land or building shall be

construed to include the words “intended, arranged or designed to be used or occupied”.

(i) The term “City” means the City of Centralia, Illinois.

(j) “Commission” refers to the Plan and Zoning Commission of the City of Centralia, Illinois.

(k) “Board” means the Board of Appeals of the City of Centralia, Illinois.

(l) The term “Zoning Administrator” shall include the Zoning Administrator of the City of Centralia or a designated assistant.

Other words appearing in the text of the Code shall be set forth in Article VII, Definitions.

10-2-1-108 PROHIBITED CONDUCT AND USE OF PROPERTY

10-2-1-108.1 No building, structure or land may be used or occupied and no building or structure or part thereof, may be erected, constructed, reconstructed, moved or structurally altered except in conformity with the provisions of this zoning code. No mobile home or manufactured housing unit intended to be used as a residence may be placed or occupied within the zoning territory except in a MH district in compliance with the requirements thereof, in a licensed mobile home park, or when and where permitted as a conditional use.

10-2-1-108.2 No building or other structure may be erected or altered:

(a) to exceed the height or bulk regulations;

(b) to accommodate or house a greater number of families;

(c) to occupy a greater percentage of lot area;

(d) which causes narrower or small yards or other open spaces;

than required for the district in which such building or other structure is located.

10-2-1-108.3 No part of a yard, or other open space, or off-street parking or loading space required in connection with any building or use shall be included as part of the yard, open space, off-street parking or loading space similarly required for another building or use.

10-2-1-108.4 No lot may be created or reduced in dimension or area to less than the minimum requirements for the district in which such lot is situated.

10-2-1-108.5 No more than one (1) principal building and buildings accessory thereof may be built or placed on a lot unless district regulations so permit. No accessory buildings may be used as a dwelling.

10-2-1-108.6 The use of land, any building or structure other than as permitted within a zoning district, except a lawful nonconforming use, is unlawful.

10-2-1-109 VALIDITY, SEPARABILITY

Should any section or provision of this Code be declared invalid by a court of competent jurisdiction, such decision shall not affect or impair the integrity or validity of the Code as a whole, or any portion thereof, other than the portion so declared to be invalid.

ARTICLE II. GENERAL REGULATIONS

10-2-2-101 ACCESS

Every structure hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located and related site improvements shall be made such as to provide safe and convenient access for servicing, fire protection, and required off-street parking and loading. (See Section 10-2-5-101).

10-2-2-102 HEIGHT EXCEPTIONS

Chimney, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers, or scenery lofts, tanks, water towers, ornamental towers and spires, church steeples, radio towers, or necessary mechanical appurtenances, may be erected to a height in accordance with existing or hereafter adopted ordinances of the City of Centralia, Illinois.

10-2-2-103 VISIBILITY AT INTERSECTIONS

Nothing shall be erected, placed, planted or allowed to grow on any corner of intersecting streets in such a manner as to obstruct or impede vision between a height of two and one-half (2 1/2) and ten (10) feet above the center line grades of the intersecting streets in the area defined by the right-of-way lines of the two intersecting streets and a line joining points on each right-of-way line thirty (30) feet from the point of their intersection.

10-2-2-104 PERMITTED OBSTRUCTIONS IN REQUIRED YARDS

Every part of the required yard shall be open to the sky and unobstructed, except for accessory buildings in the rear yard, terraces, cornices and ornamental features, and fences.

(a) Fences and hedges are permitted in any required yard, or along the edge of any yard, provided that no fence, or hedge obstructing required intersection vision clearance, or encroaching upon any public sidewalk or right-of-way is permitted. No fence except fences erected upon public or parochial school grounds or in public parks and in public play grounds shall exceed eight (8) feet in height provided that any fence hedge extending into a required front yard shall not exceed four (4) feet except as may be otherwise provided herein.

(b) Open or lattice-enclosed fire escapes, fireproof outside stairways, unenclosed porches, marquees, and balconies opening upon fire towers projecting into a yard not more than five (5) feet, and the ordinary projections of chimneys and flues may be permitted by the Building

Official when placed so not to obstruct light and ventilation.

(c) An unenclosed porch or canopy may project from the main building into a required front yard for a distance not to exceed ten (10) feet.

10-2-2-105 CONTINUED CONFORMITY

No legally required yards, courts, other open space or minimum lot area allocated to any structure shall, by virtue of change of ownership or for any other reason, be used to satisfy yards, courts, legally required parking areas, other open spaces or minimum lot area requirements for any other structure, and there shall be no permitted obstructions in required yards except as specifically provided herein.

10-2-2-106 DIVISION OF REAL PROPERTY

(a) No lot unimproved or improved with a structure or structures shall hereinafter be subdivided into two (2) or more lots and no portion of any lot which is unimproved or improved with a structure or structures, shall be sold unless all lots resulting from each such subdivision meet one of the two following criteria:

1. Improved lots containing a structure or structures shall conform with all regulations of the zoning district in which the property is located.

2. Unimproved lots shall be of such configuration as to allow for the development of permitted uses within the prevailing zoning district.

(b) All subdivided lots shall be appropriately recorded Record Plats as required by Chapter 10, Division 3, Subdivision Regulations.

10-2-2-107 REQUIRED YARDS FOR EXISTING STRUCTURES

No yards now or hereafter provided for a structure existing on the effective date of this Code shall subsequently be reduced below the minimum yard requirements of this Code for equivalent new construction.

If already less than such yard requirements, it shall not be further reduced.

10-2-2-108 AIRPORT HAZARD AREAS

Not withstanding any other provision of this ordinance all structures erected within any airport hazard area as defined by state law shall conform to the location, height and identification requirements imposed by the Illinois Department of Aeronautics pursuant to “an act relating to airport zoning” (ILCS) and “An act in relation to zoning to eliminate airport hazards” (ILCS) and all subsequent revisions thereof.

10-2-2-109 TEMPORARY USES

Except as specifically provided otherwise in this ordinance, no temporary structure shall be used or occupied for any purpose and no land shall be used for any temporary enterprise, whether for profit or not-for-profit, unless a temporary use permit has been obtained. No temporary use permit shall be valid for more than one (1) year unless it is properly renewed.

ARTICLE III. DISTRICT REGULATIONS

10-2-3-101 AGRICULTURAL DISTRICT

10-2-3-101.1 INTENT AND PURPOSE

The intent of the Agricultural District is to preserve and protect prime agricultural land within the City of Centralia and its extraterritorial area of jurisdiction from inefficient and disorderly development or more intense use. Further, this district recognizes agriculture as a desirable land use on large tracts of undeveloped land, which contain highly productive soils.

10-2-3-101.2 PERMITTED USES

Farming, including the production of crops and/or livestock; livestock shall not be penned within two hundred (200) feet of a residential district.
Open air non-commercial recreational uses including parks and playgrounds.
Sale of farm produce which is produced on the premises.
Detached single-family farm dwellings; one by right plus one for each additional twenty (20) acres. Farm dwelling may be mobile homes provided that at least one (1) permanent habitable dwelling exists on the farm and the farm is twenty (20) acres or larger in size.
Farm implement dealers
Cemeteries
Churches and related uses
Schools
Public utility facilities
Accessory uses
Home occupations
Sale of nursery and greenhouse products where production of growth of products takes place on property.

10-2-3-101.3 SPECIAL USES

Country clubs, golf courses
Animal hospital
Veterinary office
Commercial radio and television transmission equipment
Mobile home parks including associated convenience retail uses
Commercial greenhouses
Utility substations

10-2-3-101.4 BULK AND AREA REGULATIONS

(a) Minimum Site Area: Four (4) acres

(b) Minimum Lot Width: 200 feet

(c) Maximum Building Height: 35 feet except silos and barns

(d) Minimum Setbacks:

		Non-Residential Farm Structure	Residence	Commercial Structure
1.	Front Yard:	75 ft.	60 ft.	60 ft. (no parking)
2.	Side Yard:	35 ft.	15 ft.	35 ft.
3.	Rear Yard:	50 ft.	45 ft.	50 ft.

10-2-3-101.5 DEVELOPMENT STANDARDS

(a) Parking and Loading: See Section 10-2-5-101

(b) Stormwater: See Section 10-2-5-102

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104

10-2-3-101.6 PROCEDURES

See Article VI

10-2-3-101.7 USE LIMITATIONS

(a) Mobile home parks shall be developed in accordance with all applicable regulations of the State of Illinois and the City of Centralia.

(b) Sanitary landfills must comply with appropriate State regulations and licensing procedures.

10-2-3-102 SR-E SINGLE FAMILY RESIDENTIAL – ESTATE

10-2-3-102.1 Intent and Purpose

The Single Family Residential- Estate District is intended to allow large lot single family detached development and to provide that such development will adequately protect against soil erosion and water supply contamination through the application of sound development standards and procedures.

10-2-3-102.2 Permitted Uses

Detached single family residence
Private parks, open space and recreational facilities owned in common and used exclusively by subdivision residents
Churches and related uses (See Section 10-2-4-105)
Schools (See Section 10-2-4-105)
Public utility facilities (See Section 10-2-4-105)
Accessory uses (See Section 10-2-4-102)
Home occupations (See Section 10-2-4-103)
Group Home (4 residents or less)

10-2-3-102.3 Special Uses (See Sections 10-2-4-104 and 10-2-6-103)

Planned Unit Developments – Residential
Manufactured Housing Unit or double-wide mobile home (must comply with all requirements of Section 10-2-3-106.4 and Section 10-2-3-106.5)

10-2-3-102.4 Bulk and Area Regulations

(a) Minimum Lot Size per Dwelling Unit: .3 (one-third) Acre

(b) Minimum Lot Width: 200 feet

(c) Maximum Height: 35 feet

(d) Minimum Setbacks:

1. Front Yard: 60 feet from public road

2. Side Yard: 15 feet each side

3. Rear Yard: 45 feet

4. Transitional Yard: Where a side or rear lot line of a non-residential use coincides with or is across an alley or easement from a side or rear lot line of any lot in a residential zoning district or residential use a

landscaped yard of at least fifteen (15) feet in width shall be provided along such a lot. In addition, for any use which involves the construction of a new structure or the expansion of an existing structure, a decorative wall or fence of at least six (6) feet, but not more than eight (8) feet in height shall be provided in such transitional yard along the property line.

Where the rear or side wall of any non-residential structure is located directly across the street from the front yard of any residential structure located in a residential district, a landscaped yard of at least twenty (20) feet in width shall be provided along the entire length of such rear or side wall.

10-2-3-102.5 Development Standards

(a) Parking and Loading: See Section 10-2-5-101

(b) Stormwater: See Section 10-2-5-102

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104

10-2-3-102.6 Procedures
See Article VI

10-2-3-103 SR-1 SINGLE FAMILY RESIDENTIAL DISTRICT

10-2-3-103.1 Intent and Purpose

The intent of the SR-1 Single Family Residential District is to protect and conserve areas of predominantly detached single family residences and provide a mechanism for accommodating future demand for such residences.

10-2-3-103.2 Permitted Uses

Detached single family dwellings
Private parks, open space and recreational facilities owned in common and used exclusively by subdivision residents
Schools (See Section 10-2-4-105)
Public utility facilities (See Section 10-2-4-105)
Accessory uses (See Section 10-2-4-102)
Group Home (4 residents or less)
Home occupations (See Section 10-2-4-103)

10-2-3-103.3 Special Uses (See Sections 10-2-4 and 10-2-6-103)

Churches and related uses (See Section 10-2-4-109)
Day nursery or day care center
Off-street parking within three hundred (300) feet of a commercial zoning district
Density transfer subdivision (See Section 10-2-4-106.2)
Nursing, shelter care homes
Planned unit development
Convent
Manufactured housing unit or double wide mobile home (must comply with all requirements of Section 10-2-3-106.4 and section 10-2-3-106.5)

10-2-3-103.4 Bulk and Area Regulations

(a) Minimum Lot Size per Dwelling Unit: 13,000 square feet

(b) Minimum Lot Width: 80 feet

(c) Maximum Height: 35 feet

(d) Minimum Setbacks:

1. Front Yard:

a. There shall be a front yard having a depth of not less than thirty (30) feet unless forty percent (40%) or more of the block frontage between two (2) intersecting streets is improved with buildings and has

a front yard line varying in depth not more than six (6) feet, in which case no building shall project beyond the average front yard so established; provided, however, that this regulation shall not in the event be interpreted to require a front yard of more than seventy-five (75) feet.

b. Where lots have a double frontage, the required front yard shall be provided on both streets. The orientation of the structure accommodating the primary use shall be on the street on which the adjacent uses are oriented except when the predominant orientation of uses on the block is contrary to the orientation of the adjacent uses. The predominant orientation of the block shall govern in those cases.

c. Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each of the intersecting streets except that the buildable width of such lot shall not be reduced to less than twenty-eight (28) feet. No accessory building shall project beyond the front yard line on either street

2. Side Yard: There shall be a side yard of not less than ten (10) feet on each side.

3. Rear Yard: There shall be a rear yard having a depth of not less than thirty-five (35) or twenty percent (20%) of the depth of the lot, whichever is larger, but it need not exceed fifty (50) feet.

4. Transitional Yard: Where a side or rear lot line of a non-residential use coincides with or is across an alley or easement from a side or rear lot line of any lot in a residential zoning district or residential use a landscaped yard of at least fifteen (15) feet in width shall be provided along such a lot. In addition, for any use which involves the construction of a new structure or the expansion of an existing structure, a decorative wall or fence of at least six (6) feet, but not more than eight (8) feet in height shall be provided in such transitional yard along the property line.

   Where the rear or side wall of any non-residential structure is located directly across the street from the front yard of any residential structure located in a residential district, a landscaped yard of at least twenty (20) feet in width shall be provided along the entire length of such rear or side wall.

(e) Minimum Ground Floor Area: All one (1) story single family residences shall have a minimum ground floor area of 1,000 square feet. Two (2) story residences shall have a minimum ground floor area of 960 square feet.

(f) Percentage of Lot Coverage: All buildings including accessory structures shall not cover more than thirty-five percent (35%) of the total area of the lot.

10-2-3-103.5 Development Standards

(a) Parking and Loading: See Section 10-2-5-101

(b) Stormwater: See Section 10-2-5-101

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104

10-2-3-103.6 Procedures

See Article VI

10-2-3-104 SR-2 SINGLE FAMILY RESIDENTIAL DISTRICT

10-2-3-104.1 Intent and Purpose

The intent of the SR-2 Single Family Residential District is to protect and conserve areas of predominately single family detached residences on lots of 7,000 sq. ft. or greater and to provide additional residential development of this type.

10-2-3-104.2 Permitted Uses

Detached single family dwellings
Private parks, open space and recreational facilities owned in common and used exclusively by subdivision residents
Schools (see Section 10-2-4-105)
Public utility facilities (See Section 10-2-4-105)
Accessory uses (See Section 10-2-4-102)
Group Home (4 residents or less)
Home occupations (See Section 10-2-4-103)

10-2-3-104.3 Special Uses (See Sections 10-2-4-104 and 10-2-6-103)

Churches and related uses (See Section 10-2-4-105)
Day nursery or day care center
Nursing home
Off-street parking within three hundred (300) feet of a commercial zoning district.
Density transfer subdivisions (See Section 10-2-4-106.2)
Mobile Home Park
Convent
Manufactured Housing Unit or double wide mobile home (must comply with all requirements of Section 10-2-3-106.4 and Section 10-2-3-106.5)

10-2-3-104.4 Bulk and Area Regulations

(a) Minimum Lot Area: 7,000 sq. ft.

(b) Minimum Lot Dimension: 60 ft.

(c) Maximum Height: 35 ft.

(d) Minimum Setbacks:

1. Front Yard:

a. There shall be a front yard having a depth of not less than twenty-

five (25) feet, unless forty percent (40%) or more of the block frontage between two (2) intersecting streets is improved with buildings and has a front yard line varying in depth not more than six (6) feet, in which case no building shall project beyond the average front yard so established; provided, however, this regulation shall not be interpreted to require a front yard of more than fifty (50) Feet.

b. Where lots have a double frontage, the required front yard shall be provided on both streets. The orientation of the structure accommodating the primary use shall be on the street on which the adjacent uses are oriented except when the predominant orientation of uses on the block is contrary to the orientation of the adjacent uses. The predominant orientation of the block shall govern in those cases.

c. Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each of the intersecting streets except that the buildable width of such lot shall not be reduced to less than twenty-eight (28) feet. No accessory building shall project beyond the front yard line on either street.

2. Side Yard: Except as provided in the following paragraph, there shall be a combined total of fourteen (14) feet devoted to the two side yards and side yard shall not be less than five (5) feet.

3. Rear Yard: There shall be a rear yard having a depth of not less than twenty (20) feet or twenty percent (20%) of the depth of the lot, whichever is larger, but it need not exceed thirty-five (35) feet.

4. Transitional Yard: Where a side or rear lot line of a non-residential use coincides with or is across an alley or easement from a side or rear lot line of any lot in a residential zoning district or residential use a landscaped yard of at least fifteen (15) feet in width shall be provided along such a lot. In addition, for any use which involves the construction of a new structure or the expansion of an existing structure, a decorative wall or fence of at least six (6) feet, but not more than eight (8) feet in height shall be provided in such transitional yard along the property line.

   Where the rear or side wall of any non-residential structure is located directly across the street from the front yard of any residential structure located in a residential district, a landscaped yard of at least twenty (20) feet in width shall be provided along the entire length of such rear or side wall.

(e) Minimum Ground Floor Area: All one story single family residences shall have a minimum ground floor area of 960 square feet and dwelling having more than one story not less than 720 square feet.

(f) Percentage of Lot Coverage: All buildings including accessory structures shall not cover more than thirty-five percent (35%) of the total area of the lot.

10-2-3-104.5 Development Standards

(a) Parking and loading: See Section 10-2-5-101

(b) Stormwater: See Section 10-2-5-102

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104

10-2-3-104.6 Procedures

See Article VI

10-2-3-105 MR-MULTIPLE FAMILY RESIDENTIAL DISTRICT

10-2-3-105.1 INTENT AND PURPOSE

The intent of the Multiple Family Residential District is to provide for the development, protection and conservation of attached single family residences owned in condominium or as attached dwellings on individual lots, as well as multiple family residential dwellings constructed for rental occupancy or condominium ownership of individual units within a multi-family building.

10-2-3-105.2 PERMITTED USES

Detached single family dwellings
Duplexes
Attached single family dwellings or townhouse apartments
Garden or walk-up apartments
Multi-Family housing
Private parks, open space, and recreational facilities owned in common and for the exclusive use of residents of a multi-family complex
Public Utility facilities (See Section 2-4-105)
Accessory Uses (See Section 2-4-102)
Home occupations (See Section 2-4-103)
Group Home

10-2-3-105.3 SPECIAL USES (See Sections 2-4-104 & 2-6-103)

Day Nursery or day care center
Nursing Home
Off-street parking within three hundred (300) feet of a commercial zoning district
Density transfer subdivisions (See Section 2-4-106)
Mobile Home Parks
Churches and related uses (see Section 2-4-105)
Schools (see Section 2-4-105)
Manufactured Housing Unit or doublewide mobile home (must comply with all requirements of Section 2-3-106.4(e) and 106.5)
Health Spa
Restaurants
Physicians, Dentists and Similar Professions

10-2-3-105.4 BULK AND AREA REGULATIONS

(a) Attached and Detached Single Family Residences

	Detached Dwellings	Attached Duplex	Dwellings Townhouse
1. Minimum Lot Size or site Area per Attached Unit	6,000 s.f./unit	4,000 s.f./unit	2,000 s.f./unit
2. Minimum Lot Width	60 ft/unit	40 ft/unit	20 ft/unit
3. Minimum Building Width	NA	NA	20 ft/unit
4. Maximum Building Coverage (including accessory structures)	25%	30%	40%
5. Minimum Private Open Space	1,500 s.f./unit	1,000 s.f./unit	600 s.f./unit
6. Front Yard Setback (from right-of-way)	25 ft.	20 ft.	20 ft.
7. Minimum Distance Between Buildings or Clusters of Units	20 ft.	20 ft.	15 ft.
8. Side Yard Setback (where units not attached)	14 ft. both, min 5 ft. one side	10 ft.	None or 5 ft. or 10 ft. to ROW
9. Minimum Project Size, No. of Units	NA	2	6
10. Rear Yard Setback	30 ft.	30 ft.	20 ft.
11. Minimum Livable Floor Area, sq. ft. per unit	1,000	800	900

(b) Multiple Family Residential

1. Maximum Density: Twenty (20) units per net acre (exclusive of public rights-of-way or the right-of-way of major private internal circulation streets). Apartments designed exclusively for the elderly with corresponding parking according to 2-5-101.4(a) may be built at a maximum density of thirty (30) units per acre.

2. Maximum Structure Height: Three (3) stories or thirty-five (35) feet except by Special Use Permit. (See Sections 2-4-104 & 2-6-103).

3. Yard and Setback Requirements:

   (a) Minimum Front Yard: Twenty-five (25) feet.

   (b) Minimum side or rear yard: No multiple family building built within this district shall be located closer than ten (10) feet from any side or rear property line. In the event that any property adjacent to the site is zoned to SR-1, or SR-2, all buildings less than thirty-five (35) feet in height shall be set back a minimum of fifty (50) feet from the property line abutting such a district. All buildings taller than thirty-five (35) feet shall be set back a minimum of seventy-five (75) feet from property zoned SR-1 or SR-2. Only landscaping and fences serving as a buffer may be located within the first twenty-five (25) feet of the resulting setbacks.

   (c) Transitional Yard: Where a side or rear lot line of a non-residential use coincides with or is across an alley or easement from a side or rear lot line of any lot in a residential zoning district or residential use a landscaped yard of at least fifteen (15) feet in width shall be provided along such a lot. In addition, for any use which involves the construction of a new structure or the expansion of an existing structure, a decorative wall or fence of at least six (6) feet, but not more than eight (8) feet in height shall be provided in such transitional yard along the property line.

   Where the rear or side wall of any non-residential structure is located directly across the street from the front yard of any residential structure located in a residential district, a landscaped yard of at least twenty (20) feet in width shall be provided along the entire length of such rear or side wall.

   (d) Where lots have a double frontage, the required front yard shall be provided on both streets. The orientation of the structure

accommodating the primary use shall be on the street on which the adjacent uses are oriented except when the predominant orientation of uses on the block is contrary to the orientation of the adjacent uses. The predominant orientation of the block shall govern in those cases and

(e) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each of the intersecting streets except that the buildable width of such lot shall not be reduced to less than twenty-eight (28) feet. No accessory building shall project beyond the front yard line on either street.

4. Maximum Site Coverage: Fifty Percent (50%)

10-2-3-105.5 DEVELOPMENT STANDARDS

(a) Parking and Loading: See Section 2-5-101

(b) Stormwater: See Section 2-5-102

(c) Environmental Design: See Section 2-5-103

(d) Environmental Performance Standards: See Section 2-5-104

10-2-3-105.6 PROCEDURES

See Article VI

10-2-3-106 MH - MOBILE HOME RESIDENTIAL OVERLAY DISTRICT

10-2-3-106.1 INTENT AND PURPOSE

The Mobile Home Overlay District (MH) is created to meet the unique needs of many persons living in mobile homes and manufactured housing. In this district, mobile homes can be situated on individual lots subject to the requirements herein. Mobile homes, double wide mobile homes and mobile home modules shall be permitted only in the MH Overlay District.

10-2-3-106.2 PERMITTED USES

Within the "MH Overlay" District the placement of and use of mobile homes and manufactured housing units with closed construction for one family dwelling purposes shall be permitted in addition to any other uses as permitted within the zoning district in which said territory is situated upon compliance with the regulations as herein provided.

10-2-3-106.3 SPECIAL USES

None Specified

10-2-3-106.4 BULK AND AREA REGULATIONS

(a) Minimum lot size: Each mobile home shall be located on a lot having an area of not less than 4,000 square feet.

(b) Minimum lot width: Forty (40) Feet

(c) Maximum Height: Thirty-five (35) Feet

(d) Setbacks:

1. Front Yard: There shall be a front yard having a depth of not less than twenty (20) feet. Where lots have double frontage the required front yard shall be provided on both streets.

2. Side Yard: Not less than ten (10) feet on each side.

3. Rear Yard: Not less than ten (10) feet shall be provided.

(e) Minimum Ground Floor Area: All mobile homes to be used for single-family residences shall be at least twelve (12) body feet in width and have a minimum gross floor area of seven hundred twenty (720) square feet.

(f) Percentage of Lot Coverage: Only one mobile home may be located on a

lot. The mobile home and all accessory structures shall not cover more than forty (40%) of the total area of the lot.

10-2-3-106.5 DEVELOPMENT STANDARDS

(a) Off Street Parking: Each lot upon which a mobile home is located shall provide for two (2) parking spaces situated upon said lot.

(b) Permanent Foundation: Each mobile home shall be placed upon a permanent foundation that is to be designed and constructed to provide adequate support and tie-down of the mobile home. All mobile homes and manufactured housing units except those located in a licensed mobile home park shall be placed upon a permanent perimeter foundation.

(c) Removal of Wheels and Transporting Mechanisms: The wheels and transporting mechanisms of the mobile home or manufactured housing unit shall be removed and the unit shall be bolted, tied or otherwise attached to the foundation in accordance with the requirements of the "Illinois Mobile Home Tie Down Act" (ILCS 111 1/2) and all subsequent revisions thereof.

(d) Skirting: Skirting of each mobile home is a licensed mobile home park shall be of durable all-weather, fire resistant materials as manufactured specially for the purpose of covering the undercarriage area. Skirting shall be fastened in accordance with manufacturer's instructions and provide for adequate ventilation as necessary and shall be equipped with an access area(s).

(e) Water and Sewer Connections: Each mobile home or manufactured housing unit shall be connected to the City's water supply and sanitary sewer systems (or to an approved septic system if sanitary sewer is not available) in conformity with City codes thereof.

(f) Mobile Home/Manufactured Housing Construction Standards: (1) Each mobile home or manufactured housing unit of closed construction must comply with the provisions of the Illinois Manufactured Housing and Mobile Home Safety Act and with the applicable safety codes and revisions as adopted by the Illinois Department of Public Health and provisions of the "Mobile Home Construction and Safety Standards" promulgated by the United States Department of Housing and Urban Development and the applicant shall provide certificate or seal evidencing such compliance. (2) All double-wide mobile homes and manufactured housing units must have a pitched, shingled roof.

(g) Certificate of Tax Assessment: The applicant, when installation is complete, and before a "Certificate of Occupancy" may be issued shall

service and furnish the zoning officer a statement or certificate from the appropriate tax assessor that the mobile home or manufactured housing unit has qualified and will thereafter be classified and assessed for ad valorem tax purposes as real estate.

10-2-3-107 B-1 NEIGHBORHOOD BUSINESS DISTRICT

10-2-3-107.1 INTENT AND PURPOSE

The Neighborhood Business District is intended to accommodate convenience retail and service uses in predominantly residential areas at a scale and intensity which are compatible with such residential uses.

10-2-3-107.2 PERMITTED USES

Churches and related uses (See Section 10-2-4-105)
Convenience retail goods stored, as defined in Article VII
Offices
Physicians, Dentists and similar professions.
Public utility facilities. (See Section 10-2-4-105)
Residential use meeting requirements of Section 2-3-105
Retail service establishments as defined in Article VII
Schools (See Section 10-2-4-105)
Stores which sell beverages, pharmaceuticals, household supplies and personal use items at retail

10-2-3-107.3 SPECIAL USES (See Sections 10-2-4-104 & 10-2-6-103)

Automobile Service Stations
Automotive parts and accessories
Food processing for wholesale with a floor area not to exceed 18,000 sq. ft.; this use must comply with environmental performance standard set forth in 10-2-5-104
Out-of-door storage (See section 10-2-3-107.7(c)
Package liquor and party supply stores; taverns and cocktail lounges
Restaurant or cafe without curb service or drive-up service
Retail service uses with net leasable floor area exceeding 7,500 square feet

10-2-3-107.4 BULK AND AREA REGULATIONS

(a) Minimum Site Area: 8,000 square feet

(b) Minimum Lot Width: 70 feet

(c) Maximum Height: 35 feet

(d) Maximum Site Coverage: Seventy-five percent (75%)

(e) Minimum Yard Setbacks:

1. Front Yard: There shall be a front yard having a depth of not less than

twenty-five (25) feet, unless forty percent (40%) or more of the block frontage between intersecting streets is improved with buildings and has a front yard varying in depth not more than six (6) feet, in which case no building shall project beyond the average front yard so established; provided, however, this regulation shall not require a front yard of more than forty-five (45) feet. No parking shall be allowed in the front yard.

2. Side Yard: None required except where a site abuts a residential district or use. A transitional yard as herein defined shall be provided along property lines which abut residential districts or uses.

3. Rear Yard: Twenty (20) feet when abutting an alley to the rear. In addition, a transitional yard as herein defined shall be provided when the boundary of the site abuts a residential district or use.

4. Transitional Yard: Where a side or rear lot line of a non-residential use coincides with or is across an alley or easement from a side or rear lot line of any lot in a residential zoning district or residential use a landscaped yard of at least fifteen (15) feet in width shall be provided along such a lot. In addition, for any use which involves the construction of a new structure or the expansion of an existing structure, a decorative wall or fence of at least six (6) feet, but not more than eight (8) feet in height shall be provided in such transitional yard along the property line.

   Where the rear or side wall of any non-residential structure is located directly across the street from the front yard of any residential structure located in a residential district, a landscaped yard of at least twenty (20) feet in width shall be provided along the entire length of such rear or side wall.

10-2-3-107.5 DEVELOPMENT STANDARDS

(a) Parking and Loading: See Section 10-2-5-101

(b) Stormwater: See Section 10-2-5-102

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104

10-2-3-107.6 PROCEDURES

See Article VI.

10-2-3-107.7 USE LIMITATIONS

(a) No single use, activity or business establishment shall exceed 7,500 sq. ft. gross floor area except by Special Use Permit.

(b) All businesses established shall sell goods or services at retail or directly to the consumer or customer. Any goods produced or treated on the premises shall be sold at retail on the premises where produced.

(c) No equipment, materials, inventory, or supplies shall be stored out-of-doors with the exception of outdoor automobile parking for the users, occupants, employees, customers, or normal visitors to the property or unless expressly permitted by Special Use Permit.

(d) No commercial or service establishment shall offer goods or service directly to customers waiting in parked motor vehicles, or sell food or beverages for consumption on the premises in parked motor vehicles.

10-2-3-108 B-2 CENTRAL BUSINESS DISTRICT

10-2-3-108.1 INTENT AND PURPOSE

The Central Business District is created to preserve and support the maintenance of a physically sound, economically strong, functionally efficient and convenient central business district in Centralia. In addition, this district can accommodate appropriate initial development and redevelopment of a type complimentary with the function and purpose of a central business district, serving as the focus of commerce and business activity for the Centralia region of influence.

10-2-3-108.2 PERMITTED USES

Antique shops
Automotive parts and accessories
Baking and processing of food products when prepared for retail sale on the premises
Banks, financial institutions, and savings and loan establishments
Bicycle sales, rental and repair stores
Blueprinting and photostating establishments
Book and stationery stores
Business machine sales and services
Businesses or financial services, and suppliers such as stock brokers, title companies, stationery stores
Catering establishments
Churches and related uses (See Section 10-2-4-105)
Coin and philatelic stores
Commercial parking lot
Custom dressmaking and tailoring
Dairy products
Dry cleaning and pressing of goods received on the premises from retail customers, provided chemicals and processes used are approved by the Fire Department
Florist shops
Funeral homes and mortuaries
Garden supply, tool and seed stores
Gift shops
Household apparel and furnishing stores as defined in Article VII
Mail order, catalog stores
Medical clinics
Offices
Private clubs, lodges or organizations of a fraternal or religious nature
Public or private parks, plazas or open space
Public utility facilities (See Section 10-2-4-105)
Retail service establishments and convenience retail goods stores as defined in Article VII

Schools (See Section 10-2-4-105)
Service establishments
Residential use meeting requirements of Section 2-3-105
Restaurant, tavern or cocktail lounge

10-2-3-108.3 SPECIAL USES (See Sections 10-2-4-104 & 10-2-6-103)

Automobile Service Stations
Drive-in or carry-out sales of food or other goods or services including drive-in bank facilities
Hotel or motel
Indoor or outdoor commercial entertainment or recreational facilities including theatres, bowling alleys, swimming pools, billiard parlors, etc.
Mortuary
Nursing Home
Orphanage or children's home
Out-of-door storage (See Section 10-2-3-108.7 (e)
Repair, maintenance, washing or installation of accessories, tires and batteries for automobiles, trucks, recreational vehicles, or motorized farm equipment.
Sales, rental, leasing or long-term storage (in excess of 24 hours) of motor vehicles, trailers or boats

10-2-3-108.4 BULK AND AREA REGULATIONS

(a) Minimum Site Area: None

(b) Maximum Height: 35 feet

(c) Maximum Site Coverage: Eighty percent (80%)

(d) Minimum Yard Setbacks:

1. Front Yard: No front yard shall be required when all frontage between two (2) intersecting streets lies within this district.

However, when lots within this district are adjacent to and adjoining lots in an "SR" District, all of which front on the same street between two (2) intersecting streets, the same front yard setback shall be established for all of commercially zoned frontage as has been established in the abutting "SR" District.

When existing buildings between two (2) intersecting streets in this district have an established building line at the street line less than required above, then all new buildings may conform to the same building line, except for the first fifty (50) feet of the B-2 District frontage adjacent to the "SR" District. In this case, a front setback of

not less than ten (10) feet shall be provided.

2. Side and Rear: None required except to provide off-street loading (new structures), parking and loading, transitional yard as defined where applicable.

10-2-3-108.5 DEVELOPMENT STANDARDS

(a) Parking and Loading: See Section 10-2-5-101

(b) Stormwater: See Section 10-2-5-102

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104

10-2-3-108.6 PROCEDURES

See Article VI.

10-2-3-108.7 USE LIMITATIONS

(a) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced or treated on the premises shall be sold at retail on the premises where produced.

(b) All businesses services, storage, merchandise display, repairing and processing shall be conducted wholly within an enclosed building, except for accessory off-street automobile parking for customers, employees, residents, or visitors, and off-street loading or unless expressly permitted by a Special Use Permit. (See Sections 10-2-4-104 and 10-2-6-103)

(c) All dry cleaning establishments shall have the approval of the Centralia Fire Department.

(d) No single use, activity, or business establishment shall exceed 12,000 sq. ft. gross floor area except by Special Use Permit. (See Sections 10-2-4-104 and 10-2-6-103).

(e) No equipment, materials, inventory, or supplies shall be stored out-of-doors with the exception of outdoor automobile parking for the users, occupants, employees, customers, or normal visitors to the property, or unless expressly permitted by Special Use Permit.

10-2-3-109 B-3 HIGHWAY/ARTERIAL BUSINESS DISTRICT

10-2-3-109.1 INTENT AND PURPOSE

The Highway/Arterial Business District is intended to accommodate and regulate those business and commercial uses which draw customers primarily by automobile and for which a location on a highway or arterial street is therefore desirable if not necessary. The purpose of the regulations in this district is to control the impact of uses with respect to the efficiency and safety of traffic movement, as well as the character of adjacent commercial and residential uses.

10-2-3-109.2 PERMITTED USES

Those uses as permitted in the B-2 District
Automotive parts and accessories
Baking and processing of food products when prepared for retail sale on the premises but not for consumption on the premises
Banks, financial institutions, and savings and loan establishments
Churches and related uses (See Section 10-2-4-105)
Commercial parking lot
Dry cleaning and pressing of goods received on the premises from retail customers, provided chemicals and processes used are approved by the Fire Department
Household apparel and furnishing stores as defined in Article VII
Mini Storage Facility
Offices
Private clubs, lodges, organizations of a fraternal or religious nature
Public or private parks, plazas, or open space
Public utility facilities (See Section 10-2-4-105)
Recreational Vehicle Storage Facility
Residential use meeting requirements of Section 2-3-105
Retail service establishments and convenience retail goods stores as defined in Article VII
Schools (See Section 10-2-4-105)

10-2-3-109.3 SPECIAL USES (See Sections 10-2-4-104 & 10-2-6-103)

Automobile Service Stations
Bill boards and off-premises advertising signs
Drive-in or carry-out sales of food or other goods or services including drive-in facilities
Drive-in theatres
Hotel or motel
Indoor or outdoor commercial entertainment or recreational facilities including theatres, bowling alleys, swimming pools, billiard parlors, etc.
Kennel and animal hospitals

Mortuary
Nursing Home
Orphanage or children's home
Repair, maintenance, washing or installation of accessories, tires and batteries for automobiles, trucks, recreational vehicles, or motorized farm equipment.
Restaurant, tavern or cocktail lounge
Sales, rental, leasing or long-term storage (in excess of 24 hours) of motor vehicles, trailers or boats
Utility substations
Warehousing and wholesaling of goods except explosives, flammable gases, or liquids

10-2-3-109.4 BULK AND AREA REGULATIONS

(a) Minimum Lot Size: 18,000 square feet

(b) Maximum Lot Width: 80 feet

(c) Maximum Height: 35 feet

(d) Maximum Lot Coverage: Eighty-five percent (85%)

(e) Setbacks: No building or structure shall be constructed or enlarged unless the following yards are provided and maintained in connection with such use:

1. Front: 25 feet without parking in the front yard setback:
   50 feet with parking provided in the front yard.

2. Side and Rear: None required except to provide off-street loading Section 10-2-5-101.5 parking 10-2-5-101 and transitional yard (10-3-106.4(d)(4) as applicable.

3. Transitional Yard: Where a side or rear lot line of a non-residential use coincides with or is across an alley or easement from a side or rear lot line of any lot in a residential zoning district or residential use a landscaped yard of at least fifteen (15) feet in width shall be provided along such a lot. In addition, for any use which involves the construction of a new structure or the expansion of an existing structure, a decorative wall or fence of at least six (6) feet, but not more than eight (8) feet in height shall be provided in such transitional yard along the property line.

   Where the rear or side wall of any non-residential structure is located directly across the street from the front yard of any residential structure located in a residential district, a landscaped yard of at least

twenty (20) feet in width shall be provided along the entire length of such rear or side wall.

10-2-3-109.5 DEVELOPMENT STANDARDS

(a) Parking and Loading: See Section 10-2-5-101

(b) Stormwater: See Section10-2-5-102

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104

10-2-3-109.6 PROCEDURES

See Article VI.

10-2-3-109.7 USE LIMITATIONS

(a) Outdoor open storage of equipment, materials, supplies or inventory sold or used in conjunction with any business or service shall be permitted if provided with adequate screening, or buffered by means of distance, landscaping or fencing from the normal view of the occupants of adjacent properties at ground level or from passenger vehicles passing on adjacent streets or highways.

(b) Transitional yard when lot abuts to residential use (Sec. 10-2-3-107.4 (e)(4)).

10-2-3-110 I-1 LIGHT INDUSTRIAL DISTRICT

10-2-3-110.1 INTENT AND PURPOSE

The Light Industrial District is to allow and encourage warehousing and component assembly in areas of the City most suited to that type of use. This district is particularly applicable to the warehousing areas adjacent to the railroad tracks and established industrial uses situated within the City. Adequate buffering shall be provided between such areas and abutting residential and business areas.

10-2-3-110.2 PERMITTED USES

Warehousing or wholesaling of manufactured goods, except explosives, flammable gases or liquids as finished products
Research laboratories and facilities
Retail activities conducted as an accessory to the assembly, fabrication and/or warehousing of commodities. For the purpose of this provision, the term "accessory" shall mean a retail activity limited to not more than thirty percent (30%) of the floor area of a building; otherwise, devoted primarily to related assembly, fabrication or warehousing activities
Offices
Enclosed or open recreational uses, including tennis, handball or paddleball, swimming, skating, gymnasiums or health club, bowling, etc., but excluding outdoor theatres
Dairy products processing and/or manufacturing
Food manufacture, packaging and processing
Public utility facilities (See Section 10-2-4-105)
Railroad switching equipment
Private clubs, lodges or organizations of a fraternal or religious nature

10-2-3-110.3 SPECIAL USES (See Sections 10-2-4-104 &10-2-6-103)

Restaurants: drive-in or sit down
Veterinary hospital
Automobile service stations and repair including major body work
Junk and salvage yards

10-2-3-110.4 BULK AND AREA REGULATIONS

(a) Minimum Lot Area: 12,000 square feet

(b) Maximum Height: 45 feet except by Special Use Permit

(c) Minimum Setbacks

1. Front: None

2. Side and Rear: None required except to provide off-street loading, parking and transitional yard as applicable.

10-2-3-110.5 DEVELOPMENT STANDARDS

(a) Parking and Loading: See Section 10-2-5-101

(b) Stormwater: See Section 10-2-5-102

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104

10-2-3-110.6 PROCEDURES

See Article VI.

10-2-3-110.7 USE LIMITATIONS

All permitted and special uses in this I-1 Light Industrial District shall comply with the Environmental Performance Standards in Section 10-2-5-104.

(a) Outdoor open storage of equipment, materials, supplies or inventory sold or used in conjunction with any business or service shall be permitted if provided with adequate screening, or buffered by means of distance, landscaping or fencing from the normal view of the occupants of adjacent properties at ground level or from passenger vehicles passing on adjacent streets or highways.

(b) Whenever any industrial use located in this district abuts a residential 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.

10-2-3-111 I-2 INDUSTRIAL DISTRICT

10-2-3-111.1 INTENT AND PURPOSE

The Industrial District provides for heavy and light industrial activities and wholesale and warehouse uses which represent a major component of the City's employment and tax base. The district is intended to be located in areas which are connected to truck, rail and/or air transport services yet buffered from commercial and residential districts to protect the value, character and function of non-industrial areas.

10-2-3-111.2 PERMITTED USES

The following uses are permitted provided they fulfill the Environmental Performance Standards set forth in Division 2, Section 5-104.

Manufacturing, processing or fabrication of any commodity except explosives or flammable gases or liquids.
Research laboratories and facilities.
Retail activities conducted as an accessory to manufacturing, fabrication or warehousing of commodities. For the purpose of this provision, the term "accessory" shall mean a retail activity limited to not more than thirty percent (30%) of the floor area of a building devoted to such other primary manufacturing, fabrication or warehouse activities.
Offices.
Enclosed or open recreational uses, including tennis, handball or paddleball, swimming, skating, bowling, gymnasiums or health club, etc. but excluding outdoor theatres.
Public utility facilities (See Section 10-2-4-105).

10-2-3-111.3 SPECIAL USES (See Sections 10-2-4-104 & 10-2-6-103)

Retail sales of goods and services
Private clubs, lodges, or organizations of a fraternal or religious nature
Drive-in or carry-out sales of food or other goods or services including drive-in bank facilities
Restaurant, tavern or cocktail lounge
Plants for the manufacture, warehouse, or wholesale of explosives, flammable gases or liquids

10-2-3-111.4 BULK AND AREA REGULATIONS

(a) Minimum Site Area: 20,000 square feet

(b) Minimum Lot Width: 125 feet

(c) Maximum Height: 60 feet

(d) Setbacks:

1. One hundred (100) feet from nearest occupied residential lot or residential zoning district.

2. Front: 75 feet
   Side: 25 feet
   Rear: 35 feet

3. Within one hundred fifty (150) feet of an occupied residential lot or residential zoning district, all outdoor storage shall be enclosed by a solid wall or fence including solid doors or gates at least eight (8) feet high.

10-2-3-111.5 DEVELOPMENT STANDARDS

(a) Parking and Loading: See Section 10-2-5-101

(b) Stormwater: See Section 10-2-5-102

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104.

10-2-3-111.6 PROCEDURES See Article VI.

10-2-3-111.7 USE LIMITATIONS

(a) Outdoor open storage of equipment, materials, supplies or inventory sold or used in conjunction with any business or service shall be permitted if provided with adequate screening, or buffered by means of distance, landscaping or fencing from the normal view of the occupants of adjacent properties at ground level or from passenger vehicles passing on adjacent streets or highways.

(b) Landscape development shall be required to include an area of at least twenty (20) feet in width along all streets with the exception of approved entrances which border the proposed development to be planted and maintained with trees and shrubbery to serve as a screen for the parking and storage areas.

(c) A planting screen, consisting of suitable shrubbery and trees maintained at a height of twenty (20) feet by twenty (20) feet width to be planted wherever the industrial use abuts any other district.

10-2-3-112 S-1 FLOOD PLAIN OVERLAY DISTRICT

10-2-3-112.1 INTENT AND PURPOSE

The intent of the Flood Plain Overlay District is to protect future development from those areas within the jurisdiction of the City of Centralia which are subject to property damage from water level fluctuation on area lakes, streams, storm water drainage channels or sewers, and rivers due to periodic stormwater events and subsequent runoff. The district boundary shall be the 100-year flood level as determined by the Federal Insurance Administration, U.S. Department of Housing and urban Development and adopted by the City of Centralia as the official flood plain boundaries within the City. The regulations of this district shall supersede the regulations of all other zoning categories herein.

10-2-3-112.2 PERMITTED USES

The following uses shall be permitted in all areas designated as 100-year flood plain on the Official Zoning Map.

Permitted uses in the basic underlying zoning district, according to established procedures under the Flood Plain Overlay District and in accordance with Federal Flood Insurance Administration Regulations. (FIA regulations shall be on file in the Office of the Building Commissioner).

Parks, parkways, scenic areas, and wildlife refuges.

Public and private non-commercial golf courses, picnic grounds, swimming pools, and boat docks.

Off-street parking for automobiles.

Yard areas for residences.

Accessory uses, and activities customarily incidental to any of the above uses or uses permitted in non-flood plain portions of a legally subdivided parcel but excluding permanent structures related to or used by such accessory use or activity (See Section 2-4-102)

10-2-3-112.3 SPECIAL USES (See Sections 10-2-4-104 & 10-2-6-103)

No special uses are permitted other than those allowed in the underlying zoning district. Special uses in the Flood Plain Overlay District are subject to the Federal Flood Insurance Administration Regulations, as well as review procedures of the standards and procedures for special use permits provided in Division 2, Section 6-103.

10-2-3-112.4 BULK AND AREA REGULATIONS

All bulk and area regulations of the underlying zoning district shall apply to the Flood Plain Overlay District.

10-2-3-112.5 DEVELOPMENT STANDARDS

All development standards of the underlying zoning district shall apply to the Flood Plain Overlay District.

10-2-3-112.6 PROCEDURES

All applicable procedures of the underlying zoning district shall apply to the Flood Plain Overlay District.

10-2-3-112.7 ADDITIONAL RESTRICTIONS

All uses, whether permitted or special, that are located in the area covered by the Flood Plain Overlay District shall not only meet all the applicable requirements of the primary district, but shall also be adequately protected against flood damage. To assure such protection, the Administrator, following consultation with technically-qualified persons, may require as necessary:

(a) Anchorage or addition of weight to structures to resist flotation.

(b) Installation of watertight doors and bulkheads.

(c) Use of special paints, membranes, or mortars so as to reduce seepage through walls.

(d) Installation of pumps to lower water levels in structures or to relieve external foundation wall flood pressure.

(e) Reinforcement of walls to resist rupture or collapse caused by water pressure or floating debris.

(f) Installation of valves or controls on sanitary and storm drains so that the drains can be closed to prevent backup of sewage or storm runoff into structures.

(g) Location of electrical equipment and appliances above the level of the regulatory flood elevation.

(h) Location of storage facilities for chemicals, explosives, flammable liquids, toxic substances, etc. above the regulatory flood elevation.

(i) Filling and earth-moving to raise the level of the proposed building site above the regulatory flood elevation and/or

(j) Any other reasonable floor protection measures.

In no case shall the Administrator approve any proposed flood protection measure which would result in an increase in the volume or velocity of floodwater leaving the lot in question.

10-2-3-113 S-2 AIRPORT DISTRICT

10-2-3-113.1 INTENT AND PURPOSE

The Airport District is created to provide for the air service needs of the City of Centralia and surrounding communities by establishing development standards which designate appropriate location criteria and safety specifications for the development, maintenance and expansions of airport facilities within the City's area of jurisdiction.

10-2-3-113.2 PERMITTED USES

Airport, including customary terminal functions such as related office and customer service uses, aircraft maintenance, runways, support vehicle storage, and maintenance and aircraft storage.

Farming including the production of crops and/or livestock; livestock shall not be penned within two hundred (200) feet of a residential district.

10-2-3-113.3 SPECIAL USES (See Sections 10-2-4-104 & 10-2-6-103)

Planned business and offices parks
Offices
Industrial and warehouse uses as limited in the I-2 District
Aircraft sales and repair
Convenience retail uses
Restaurants

10-2-3-113.4 SPECIAL DEVELOPMENT STANDARDS

(a) The airport owner or operator shall control either in fee simple and/or easements the air rights within the approach (clear) zone of the runway. Evidence of such control shall be provided.

(b) An aeronautical evaluation of the proposed facility or uses by the Federal Aviation Administration (FAA) must be submitted with the application for zoning request.

(c) No structure shall be located in the established clear zone.

(d) It shall be unlawful to erect, construct, reconstruct, or establish any structure or to plant or replant any tree or other object of natural growth on an aircraft landing, taxi or parking surface or within fifteen thousand (15,000) feet of the nearest boundary of a landing area which will have or attain a height greater than one (1) foot above ground level for each hundred (100) feet or fraction thereof, of the distance that such structure is

or will be situated from the nearest boundary of a landing area, without first obtaining a building permit (in accordance with Section 6-108), the application for which permit shall include a written statement of approval from the Federal Aviation Agency obtained by the applicant.

(e) All proposed uses shall be first referred to the Airport Advisory Board for recommendations and to determine if the use is in conformance with the overall Airport Master Plan as adopted by the corporate authorities.

10-2-3-114 INS - INSTITUTIONAL DISTRICT

10-2-3-114.1 INTENT AND PURPOSE

The intent of the Institutional Zoning District is to protect, preserve and encourage those areas devoted to the care of persons suffering from physical limitations because of health, and where such persons are harbored for medical, psychiatric, obstetrical or surgical care on a 24-hour basis.

10-2-3-114.2 PERMITTED USES

Hospital
Residential-Custodial Care Facilities
Structures or uses providing support services for either of the above

10-2-3-114.3 SPECIAL USES

Nursing, shelter care homes
Pharmacies
Professional Offices

10-2-3-114.4 BULK AND AREA REGULATIONS

(a) Minimum Site Size: 76,800 sq. ft.

(b) Minimum Site Width: 240 ft.

(c)	Maximum Height & Area:	As set forth in Table 501 BOCA Basic/National Building Code/1984
(d)	Minimum Setbacks:	30 ft. from property line or on site parking facilities
(e)	Percentage of Site Coverage:	All buildings including accessory structures shall not cover more than 80% of the total area of the site

10-2-3-114.5 DEVELOPMENT STANDARDS

(a) Parking and Loading: See Section 10-2-5-101

(b) Stormwater: See Section 10-2-5-102

(c) Environmental Design: See Section 10-2-5-103

(d) Environmental Performance Standards: See Section 10-2-5-104

10-2-3-114.6 PROCEDURES

See Article VI

10-2-3-115 B-4 CORRIDOR BUSINESS DISTRICT

10-2-3-115.1 INTENT AND PURPOSE

The Corridor Business District is intended to accommodate a transition from or to B-3, or a residential district for business development along major corridors through the city.

10-2-3-115.2 PERMITTED USES

Automotive parts and accessories
Banks, financial institutions, and savings and loan establishments
Churches and related uses (See Section 2-4-105)
Convenience retail goods stored, as defined in Article VII
Drive thru facilities with adequate queuing space with each queuing space 9 feet wide and 24 feet long
Funeral Home, Mortuary
Household apparel and furniture stores, as defined in Article VII
Neighborhood parks and open space
Offices
Physicians, Dentists and similar profession
Residential use meeting requirements of Section 2-3-105
Retail service establishments as defined in Article VII
Schools (See Section 2-4-105)
Tanning Salons

10-2-3-115.3 SPECIAL USES (See Sections 2-4-104 & 2-6-103)

Car washes
Day Nursery or Day Care Centers
Expansion of any non-conforming use in existence by owner of record as of December 14, 1998
Restaurant or cafes
Retail service with net leasable floor area exceeding 8,000 sq. ft.
Sales, rental or leasing of motor vehicles, trailers or boats

10-2-3-115.4 BULK AND AREA REGULATIONS

(a) Minimum Site Area: None

(b) Minimum Lot Width: None

(c) Maximum Height: 35 feet

(d) Maximum Site Coverage: Seventy-five percent (75%)

(e) Minimum Yard Setbacks:

1. Front Yard: 25 feet without parking in front yard. 50 feet with parking in front yard.

2. Side Yard: Ten (10) feet or a transitional yard as herein defined shall be provided along property lines which abut residential districts or uses.

3. Rear Yard: Twenty (20) feet when abutting an alley to the rear. In addition, a transitional yard as herein defined shall be provided when the boundary of the site abuts a residential district or use.

4. Transitional Yard: Where a side or rear lot line of a non-residential use coincides with or is across an alley or easement from a side or rear lot line of any lot in a residential zoning district or residential use a landscaped yard of at least fifteen (15) feet in width shall be provided along such a lot. In addition, for any use which involves the construction of a new structure or the expansion of an existing structure, a decorative wall or fence of at least six (6) feet, but not more than eight (8) feet in height shall be provided in such transitional yard along the property line.

   Where the rear or side wall of any non-residential structure is located directly across the street from the front yard of any residential structure located in a residential district, a landscaped yard of at least twenty (20) feet in width shall be provided along the entire length of such rear or side wall.

10-2-3-115.5 DEVELOPMENT STANDARDS

(a)	Parking and Loading:	See Section 2-5-101
(b)	Stormwater:	See Section 2-5-101
(c)	Environmental Design:	See Section 2-5-103
(d)	Environmental Performance Standards:	See Section 2-5-104

10-2-3-115.6 PROCEDURES

See Article VI

10-2-3-115.7 USE LIMITATIONS

(a) No single use, activity, or business establishment shall exceed 8,000 square feet gross floor area except by Special Use Permit.

(b) No equipment, materials, inventory, or supplies shall be stored out-of-doors with the exception of outdoor automobile parking for the users, occupants, employees, customers, or normal visitors to the property or unless expressly permitted by Special Use Permit.

Definition: Outside storage -

The keeping of equipment, material, or goods in any yard or on any open area outside of a building, but not including vehicular parking which complies with this code or the temporary storage of construction material on a construction site.

10-2-3-116 WIRELESS COMMUNICATION FACILITIES

10-2-3-116.1 PURPOSE: The primary intent of this code is to regulate telecommunications towers and equipment to be located within the City of Centralia, its zoning jurisdiction or on property owned by the City. Therefore, the purpose of this Code shall be to:

(a) Comply with all federal and state regulations regarding the placement, use, and maintenance of telecommunications towers and equipment.

(b) Encourage the continued improvement of wireless telecommunications service in the City.

(c) Minimize, to the extent permitted by law, the proliferation of towers and equipment throughout the City.

(d) Promote both property maintenance and renovation of telecommunications equipment.

(e) Encourage the use of collocation of telecommunications towers by multiple providers so as to reduce the number of towers needed within the City.

(f) Ensure that these regulations are compatible with the zoning regulations.

(g) Recognize the commercial communication requirements of all sectors of the business and residential community.

10-2-3-116.2 DEFINITIONS:

Antenna - Any structure or device not exceeding 20 feet in height which is used for the purpose of collecting or transmitting electromagnetic waves, including, but not limited to, directional antennas, such as panels, microwave dishes, and satellite dishes and omni directional antennas, such as whip antennas.

Attached Wireless Communication Facility (Attached WCF) - An attached WCF is an Antenna that is attached to an existing building or structure, which structures shall include but not be limited to church steeples, signs, water towers, with any accompanying pole or device which attaches the Antenna to the existing building or structure and associated connection cables, and an accessory building which may be located either inside or outside of the Attachment Structure.

Collocation/Site Sharing - Collocation/Site Sharing shall mean use of a common WCF or common site by two or more wireless devices for more than one type of communications technology and/or placement of a WCF on a structure owned or operated by a utility or other public entity.

Commercial wireless telecommunication services – licensed or unlicensed commercial wireless telecommunication services, including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, Internet, and similar services that are marketed to the general public.

Equipment Facility - shall mean a shelter, building or similar structure used to contain ancillary equipment for a WCF which includes cabinets, shelters, a buildout of an existing structure, pedestals, and other similar structures.

FAA - shall mean the Federal Aviation Administration.

FCC - shall mean the Federal Communications Commission.

FTA - shall mean the Federal Telecommunications Act of 1996.

Height - when referring to a WCF, shall mean the distance measured from ground level to the highest point on the WCF, excluding the Antenna Array. In all other circumstances, "Height" shall have its common meaning.

Setback - shall mean the required distance from the property line of the parcel on which the WCF is located to the perimeter fence surrounding the Support Structure, or, in the case of guy-wire supports, the guy anchors.

Support Structure -A Support Structure is a structure designed and constructed specifically to support an Antenna, and may include a monopole, self supporting (lattice) tower, guy-wire-support tower and other similar structures. Any device which is used to attach an Attached WCF to an existing building or structure shall be excluded from the definition of Support Structures.

Temporary Wireless Communication Facility - (hereinafter referred to as "Temporary WCF") shall mean a WCF to be placed and used for ninety (90) or fewer days.

Tower - any ground or roof-mounted pole, spire, antenna, structure, or combination thereof, taller than 15 feet, including supporting lines, cables, wires, braces and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.

Tower Use Permit - (hereinafter referred to as "TUP") shall mean a permit issued by the City specifically for the location, construction and use of a WCF subject to an approved site plan and any special conditions determined by the Zoning Administrator to be appropriate under the provision of this Ordinance.

Wireless Communications - Wireless Communications shall mean any personal

wireless services as defined in the Telecommunications Act of 1996, which includes FCC licensed or unlicensed commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, Internet and similar services that currently exist or that may in the future be developed.

Wireless Communication Facility - (hereinafter referred to as "WCF") shall mean any facility used for the transmission and/or reception of wireless telecommunications services, and consisting of all or a part of the following: an Antenna Array, connection cables, an Equipment Facility, and a Support Structure.

10-2-3-116.3 EXCLUSION: This ordinance shall not govern the installation of any amateur radio facility that is owned and operated by a federally licensed amateur radio station operator. Such installations shall comply with all other applicable provisions of the zoning code.

10-2-3-116.4 COLLOCATION REQUIREMENTS: All commercial wireless telecommunication towers erected, constructed, or located within the City shall comply with the following requirements:

(a) All applications shall be by Special Use Permit. The Plan and Zoning Commission shall review every application and determine its compliance with this Ordinance.

(b) A proposal for a new commercial wireless telecommunication service tower shall not be approved unless the Plan & Zoning Commission finds that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or previously approved tower or building, particularly on publicly owned land within a one-half (1/2) mile search radius of the proposed tower due to one or more of the following reasons:

1. The planned equipment would exceed the structural capacity of all existing or approved towers or buildings, as documented by a qualified and licensed professional engineer, and all of the existing or approved towers cannot be reinforced, modified, or replaced to accommodate the planned or equivalent equipment at a reasonable cost.

2. The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at a tower or building as documented by a qualified and licensed professional engineer and interference cannot be prevented at a reasonable cost.

3. Existing or approved towers and buildings within the search radius cannot accommodate the planned equipment at a height necessary to

function reasonably as documented by a qualified and licensed professional engineer.

4. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

5. Other unforeseen reasons that make it unfeasible to locate the planned telecommunications equipment upon an existing or approved tower or building.

(c) Any proposed commercial wireless telecommunication service tower shall be designed, structurally, electrically, and in all respects to accommodate both the applicant's antennas and comparable antennas for at least two additional users if the tower is over one hundred (100) feet in height, or for at least one additional user if the tower is over sixty (60) feet in height. Towers must be designed to accept antennas mounted at varying heights.

(d) The following sites shall be considered by applicants as the preferred order to location of proposed wireless facilities including antenna(e), equipment, and accessory buildings. As determined feasible, and in order of preference, the sites are:

1. Existing Broadcast, Relay Towers and Water Tanks, Roof Tops and Attachments to existing structures excluding residential structures.

2. Public Structures and Sites: Attached to existing public facilities such as utility properties and other public assets within non-residential zoning districts.

3. Industrial Zones

4. Business Zones

5. Agricultural Zone

10-2-3-116.4 <u>NONCONFORMING & ABANDONED WCF's</u>: - Antenna Array, Attached WCF's and WCF's in existence on the effective date of this Ordinance which do not comply with the requirements of this Ordinance (hereinafter referred to as "Nonconforming WCF") are subject to the following provisions:

(a) Expansion - Nonconforming WCF's may continue to be used for that purpose existing as of the effective date of this Ordinance now used, but neither the use nor size, nor the height, nor the physical structure, nor the number of Antenna Arrays of the WCF may be increased, renewed, or

expanded without complying with this Ordinance.

(b) Repairs or Reconstruction - Nonconforming WCF's which are damaged due to any reason or cause, may be repaired and restored to its former use, location, and physical dimensions; provided, however, that:

1. The Nonconforming WCF may not (i) be expanded (ii) have its height increased, (iii) increase the number or size of Antenna Array, or (iv) otherwise increase its size or use.

2. If the damage to the Nonconforming WCF exceeds fifty percent (50%) of its replacement cost, said Nonconforming WCF shall not be reconstructed or repaired.

(c) Abandonment -All abandoned or unused towers and associated facilities shall be removed within twelve (12) months of the cessation of operations. A copy of the relevant portions of a signed lease which requires the applicant to remove the tower and associated facilities upon cessation of operations at the site shall be submitted at the time of application. In the event that a tower is not removed in a timely manner as provided herein, the tower and associated facilities may be removed by the City and the cost of removal assessed against a bond or other financial security as required elsewhere in this ordinance. If the owner of an abandoned WCF cannot be located at its address as indicated on the application, or is no longer in business, compliance with this Section, including but not limited to payment of the cost of removal of the abandoned WCF shall be the responsibility of the landowner on whose real estate the abandoned WCF is located.

(d) Non-Utilized -Unused portions of towers above utilized communications or other electrical equipment shall be removed within six (6) months of the time of antenna relocation. The replacement of portions of a tower previously removed requires the issuance of a new building permit and special use permit as applicable.

10-2-3-116.5 <u>TOWER CONSTRUCTION REQUIREMENTS</u>:

(a) Permits

1. It shall be unlawful for any person, firm, or corporation to erect, construct in a place, place, replace, or re-erect any tower without first making application to the City and securing a permit therefore as hereinafter provided.

2. The applicant shall provide, at the time of application sufficient information to indicate that construction, installation, and maintenance

of the antenna and tower will not create a safety hazard or damage to the property of other persons.

3. The applicant shall provide written certification from a licensed engineer that the provision of commercial wireless communication services would be prohibited unless a tower is constructed at or near the location requested.

(b) Fee. The applicant shall pay a building permit fee in accordance with Centralia Municipal Code, Section 6-3.

1. Tower owners shall carry an annual use permit fee in the amount of 25% of the construction fee.

2. Tower owner shall acquire and maintain a bond sufficient to provide for cost of removal in the case of abandonment. Such bond may only be cancelled upon written approval by the City of Centralia.

3. The fee for the location of a WCF on an existing municipal building or Water Tower is set forth in section 10-3-2-116-10 (Fees).

(c) Construction Requirements. All antennas and towers erected, constructed, or modified within the City, and all wiring therefore, shall comply with the following requirements:

1. All applicable provisions of the City of Centralia Municipal Code.

2. The tower shall be certified by a qualified and professional engineer licensed in the State of Illinois to conform to the latest structural standards and wind loading requirements of the National Building Code (BOCA) and the Electronics Industry Association.

3. With the exception of necessary electric and telephone service connection lines, no part of any antenna or tower, nor any lines, cable, equipment or wires or braces in connection with either, shall at any time extend across or over any part of the right-of-way, public street, highway, sidewalk or property line.

4. Towers and associated antennas shall be designed to conform with accepted electrical engineering methods and practices.

5. All signal and remote control conductors of low energy extending substantially horizontally above the ground between a tower and antenna and a structure, or between towers, shall be at least eight (8) feet above the ground at all points unless buried underground.

6. Every tower affixed to the ground shall be protected and enclosed by a security fence not less than eight (8) feet in height to discourage climbing of the tower by unauthorized persons. Fence shall be set back from facility a minimum of ten (10) feet.

7. All towers shall be constructed to conform with the requirements of the Occupational Safety and Health Administration.

8. Antennas and towers shall not be erected in Residential Zoning Districts.

9. Metal towers shall be constructed of, or treated with corrosive resistant material. Wood poles are prohibited.

10. The applicant must request approval of a Special Use Permit from the Centralia Plan & Zoning Commission for placement of any tower.

11. For municipal properties, attached WCF's and new support structures should be allowable with approved building permit and necessary agreements.

10-2-3-116.6 DEVELOPMENT STANDARDS

TOWER AND ANTENNA DESIGN REQUIREMENTS: Proposed or modified towers and antennas in all zoning districts shall meet the following design requirements:

(a) Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities, such as the Federal Aviation Administration. For the purpose of this subsection, camouflaging architectural treatment shall consist of disguising the applicable tower as an object which would otherwise be fully consistent with the surrounding area, such as a tree, church steeple, or building spire, as appropriate. The camouflaging shall disguise the existence of the tower, while retaining the natural or improved appearance of the surrounding area, to the maximum extent possible.

(b) Commercial wireless telecommunication service towers shall be of a monopoly design unless the Plan & Zoning Commission determines that an alternative design would better blend into the surrounding environment.

TOWER SETBACKS: Towers shall conform with the following minimum setback requirement.

(a) Attached WCF's are exempt from any setback standards beyond those of the existing structure upon which WCF is to be attached. An attached WCF Antenna may extend up to five feet horizontally beyond the edge of the Attachment Structure so long as the antenna does not encroach upon an adjoining parcel.

(b) Minimum setback for WCF's with support structures shall be as follows:

Industrial Zone:	75 feet front 25 feet side 35 feet rear
Business Zone:	25 feet front w/o parking, 50 feet w/parking 10 feet side 20 feet rear
AG Zone:	60 feet front 35 feet side 50 feet rear

TOWER HEIGHT: Towers placed within any Industrial, Business, or Districts shall not exceed one hundred seventy-five (175) feet in height from existing grade or, if attached to an existing building, two hundred (200) feet less the distance from the existing grade to the point of attachment. In no case shall a tower exceed a height equal to the distance from the base of the antenna and tower to the nearest overhead electrical power line which serves more than one dwelling or place of business. Those antennas and towers originally attached to a building, and whose base is not on the ground shall not exceed an overall height from the point of attachment to the top of tower which is greater than the distance from the point of attachment to the nearest overhead electrical power line serving more than one dwelling or business.

A variation to this height requirement may be granted by the Zoning Board of Appeals after receiving an application therefore and holding a public hearing at a regularly scheduled meeting. A variation from the height requirement in this section shall be granted by the Zoning Board of Appeals only if the applicant establishes by clear and convincing evidence that it will be unable to provide wireless communication services without such a variation. Under no circumstance shall a tower be erected to a height greater than that required to provide wireless communication services.

TOWER LIGHTING: Towers shall not be illuminated by artificial means and shall not display any strobe or flashing lights unless such lighting is required by the Federal Aviation Administration or other federal or state authority for a particular tower.

SIGNS AND ADVERTISING: Signs no larger than six (6) square feet may display warning, equipment information, emergency telephone numbers and may be placed on towers. All other signs, including signs used for advertising purposes, logos, decals, flags, or symbols are prohibited.

SECURITY FENCING: WCF's and support structures shall be enclosed by a security fence not less than eight (8) feet in height as approved by the Building Official. Security features may be incorporated into the buffer, landscaping and screening requirements for the site. Fence shall be set back from facility a minimum of ten (10) feet.

RADIO FREQUENCY EMISSIONS/SOUND: The FCC maintains jurisdiction over Radio Frequency (RF) emissions. WCF's shall comply with FCC standards, as amended from time to time. The Permittee, upon the written request of the Building Official, shall provide evidence to the City that the Permittee's WCF is in compliance with said FCC standards governing RF emissions. TUP's shall not be denied on the basis of RF emissions. TUP applicants shall provide information with the application on the measurement of the effective radiated power of the facility and how this meets the FCC standards.

10-2-3-116.7 APPLICATION MATERIALS: All development applications for towers shall include written documentation evidencing compliance with each provision of this Code as well as the applicable zoning regulations in addition to the following supplemental information:

(a) A report from a qualified and professional engineer licensed in the State of Illinois which:

1. Describes the tower height and design, including a cross section in elevation;

2. Documents the height above grade for all potential mounting positions for collocated antennas and the minimum separation distances between antennas;

3. Describes the tower's capacity, including the number and type of antennas that it can accommodate;

4. Documents what steps the applicant will take to avoid interference with established public safety telecommunications;

5. Includes an engineer's stamp and registration number;

6. Includes other information necessary to evaluate the request.

(b) Architectural drawings depicting the constructed tower with camouflaging

treatment set in the surrounding area. These drawings shall include at least one perspective from the North, South, East, and West.

(c) An overhead map of the site showing a one mile radius of the subject tower's location, as well as the location of each of the applicant's existing and planned future tower sites.

(d) For all commercial wireless telecommunication service towers, a letter of intent committing the tower owner and his or her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.

(e) Before the issuance of a building permit, the following supplemental information shall be provided:

1. Proof that the proposed tower complies with regulations administered by the Federal Aviation Administration; and

2. Proof that the proposed tower complies with the emission standards promulgated by the Federal Communications Commission and ANSI and IEEE; and

3. Report from a qualified and licensed professional engineer which demonstrates the tower's compliance with the aforesaid structural and electrical standards.

4. Proof of technological evidence which indicates that the height of the tower requested is the minimum necessary to fulfill the cell site's function.

5. Proof of bond or financial security sufficient to provide for cost of removal in the case of abandonment.

10-2-3-116.8 <u>TEMPORARY WCF's:</u> Temporary WCF's may be allowed by the Building Official for a period not to exceed 90 days.

10-2-3-116.9 <u>REVOCATION OF TUP's:</u> All TUP's issued pursuant to this Ordinance shall be revocable pursuant to this Section.

A. Upon discovery of a violation of this Ordinance, the Building Official shall serve a Notice of Violations on the Permittee by mailing such written notice by certified mail, return receipt requested to the Permittee's address shown on the TUP. The Notice of Violation shall identify the Permittee, the TUP, the nature of the violation, the date of discovery of the violation, and a statement that the Permittee's TUP may be revoked for such violation. The Permittee shall have 15 days to correct said violation. After the 15 days, if compliance is not received, a

citation shall be issued.

PENALTY: Violation of this Ordinance shall be deemed a civil ordinance violation and shall be punishable in accordance with the Centralia Municipal Code.

10-2-3-116.10 GUIDELINES FOR THE USE OF COMMUNICATION TRANSMITTERS ON EXISTING NON-RESIDENTIAL BUILDINGS.

DEVELOPMENT STANDARDS: Wireless Communication Facilities may be mounted on certain nonresidential buildings and structures with administrative approval, provided that the following conditions are met:

(a) The Wireless Communication Facility is co-located on an existing wireless communication facility and conforms to Section 10-2-3-116.4; or

(b) The Wireless Communication Facility consists of a microcell or a minor facility as follows:

1. The combined antenna(e) and supporting hardware shall not extend more than 15 feet above the existing or proposed roof structure. Antenna(e) may be mounted to rooftop appurtenances provided they do not extend beyond 15 feet above the roof proper; and

2. The antenna(e) and supporting hardware shall be mounted on the building upon which they are located and designed to minimize visual and aesthetic impacts to surrounding land uses and structures and shall, to the greatest extent practical, blend into the existing environment.

3. The minimum setback in each direction from the edge of the building or structure shall be one and one-half feet of setback for each foot of combined antenna and supporting hardware height, which minimum setback shall not be subject to variance.

4. No welding is allowed on City of Centralia water towers without prior written approval from the City.

5. The owner of the building or structure where the WCF is to be placed assumes no liability for the repair or eventual removal of the antennae or equipment.

FACILITY REMOVAL: In instances where a Wireless Communication Facility is to be removed, the removal shall be in accordance with the following procedures:

(a) The operator of a Wireless Communication Facility shall notify the City upon the discontinued use of a particular facility. The Wireless Communication Facility shall be removed by the facility owner within ninety (90) days of the date the site's use is discontinued, it ceases to be operational, the permit is revoked, or if the facility falls into disrepair or is abandoned. Disrepair includes structural features, paint, landscaping, or general lack of maintenance which could result in safety or visual impacts; and

(b) If the provider fails to remove the facility upon ninety (90) days of its discontinued use or abandonment or disrepair, the responsibility for removal falls upon the landowner on which the facility has been located. If any facility is not removed within said ninety (90) days same shall constitute a nuisance and shall be subject to removal by the City at the expense of the WCF owner.

FEES:

(a) In Addition to any other applicable fees, prior to administrative approval, the applicant shall reimburse the City for costs of professional engineers and other consultants hired by the City to review and inspect the applicant's proposal. By way of illustration and not limitation, these professional services may include engineering and technical review, legal review, planning review, Hearing Examiner services, environmental review, critical areas review, financial and accounting review, soils review, and mechanical and structural engineering review.

(b) Antennae placed upon City of Centralia water towers will be charged a flat fee per month per antenna. The City will provide free electricity to such antennae. Beginning in 2006, a minimum annual adjustment of 3% will be assessed per antenna. The fees by month are as follows:

Unlicensed Antennae:

Year	Charge
2006	$ 200.00
2007	$ 206.00
2008	$ 212.18
2009	$ 218.55
2010	$ 225.10
2011	$ 231.85
2012	$ 238.81
2013	$ 245.97
2014	$ 253.35
2015	$ 260.95

Licensed Antennae:

Year	Charge
2006	$ 500.00
2007	$ 515.00
2008	$ 530.45
2009	$ 546.36
2010	$ 562.75
2011	$ 579.64
2012	$ 597.03
2013	$ 614.94
2014	$ 633.39
2015	$ 652.39

(c) The City may, at its sole discretion, engage in a quid pro quo agreement with any communications provider desiring usage of City of Centralia towers and/or properties for communication devices. This agreement shall be enacted under the following parameters:

1. The City of Centralia may offer the use of towers in exchange for services provided by the communications provider.

(d) Defaulting on monthly payments to the City of Centralia for a period of three (3) consecutive months will result in the forfeiture of any contractual rights between the City of Centralia and lessee. After this period, the City of Centralia reserves the right to seize and dispose of, or sell at auction, any equipment and assess any expenses to the lessee.

REPAIRS:

(a) Antenna Repair. In the event that any antenna(e) attached to or situated on City of Centralia property falls into disrepair, it shall be incumbent upon the owner of said antenna(e) to repair such antenna(e) at owner's cost. All malfunctioning antenna(e) must be repaired within 90 days or be liable for removal under section 21-500.8 of this code.

(b) Tower and/or Land Maintenance. In the event that City-owned towers and/or land and/or properties used for communication devices of any type necessitate servicing or repair, and the servicing and/or repair thereof is obstructed by any communications device; the owner of said devices will be immediately notified and given seven (7) days to remove said devices, after which time the communication devices will be removed by the City of Centralia at the owner's expense; after which time, should any owner be negligent in removing said communication device, any damage to said devices by the City of Centralia in the removal thereof will not be liable upon the City, and any expenses to repair said devices will not be reimbursed to the respective owner(s) by the City of Centralia.

(c) Tower Repair. Should damage to City of Centralia towers and/or properties occur caused by any communications device, for any reason, regardless of negligence, the owner of said device(s) shall be held liable for the cost of any repair to City of Centralia tower(s) and/or land, resultant in restoration back to original specifications.

10-2-3-116-11 RULES AND REGULATIONS OF THE CITY

Nothing in this Ordinance shall operate to restrict or limit the City's ability to adopt and enforce all appropriate ordinances requirements for telecommunications carriers' and provider's use of the rights-of-way and public property, procedures for application and approval of telecommunication business registrations,

telecommunications rights-of-way use authorizations, franchises and facilities leases, and describing violations and establishing penalties. Nothing in this Ordinance shall operate to release in whole or in part any applicant for a Wireless Communication Facility from the obligation to comply with such ordinances, rules and regulations of the City of Centralia.

10-2-3-116-12 SEVERABILITY

If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

10-2-3-117 PD – PRESERVATION OVERLAY DISTRICT

10-2-3-117.1 INTENT AND PURPOSE

The Preservation Overlay District (PD) is established to recognize that movements and shifts in population and changes in residential, commercial and industrial land use and customs that threaten with deterioration and disappearance the property and improvements of the city which are sources of its tradition and stability. In the interest of the public's health, safety and general welfare and to advance sound urban planning, it is necessary that those properties and improvements having special historical, architectural, community or aesthetic significance be preserved, enhanced and continued in or restored to use. The preservation district is an overlay district and shall impose appropriate regulations on designated property, in addition to the requirements contained in the basic underlying zoning district. The purposes of the preservation district are the following:

(a) To survey, identify, designate, preserve, enhance, and perpetuate those properties and improvements which reflect the historical, cultural, political, economic, artistic, social, ethnic or other heritage of nation, state or community; or which have a special community or aesthetic interest or value to the city or which may be representative of an architectural or engineering type inherently valuable for the study of a period, style, craftsmanship, method of construction, or use of indigenous materials;

(b) To preserve and protect the character and vitality of traditional neighborhoods from the adverse effects of inappropriate development that could detract or have a blighting effect on the quality of life in these areas;

(c) To preserve the existing housing stock to conserve and improve the city's tax base and to promote economic development through restoration, rehabilitation and maintenance;

(d) To foster civic pride in the beauty and noble accomplishments of the past and to promote education of the general public concerning preservation;

(e) To protect and enhance the attractiveness of the city to home owners, home buyers, tourists, visitors, businesses and shoppers, and thereby support and stimulate business, commerce and industry and provide an economic benefit to the city;

(f) To foster and encourage preservation, restoration, and rehabilitation of structures, areas and neighborhoods, and thereby prevent future urban blight and in some cases reverse current urban deterioration;

(g) To encourage the continued private ownership and use of designated properties and improvements to the maximum extent consistent with the above objectives.

10-2-3-117.2 DEFINITIONS

ALTERATION: Any act or process which changes one or more of the exterior features and/or interior features of a property and/or improvements on the property which is subject to the design standards for the district in which the property is located.

CERTIFICATE OF APPROPRIATENESS: A certificate issued by the Commission indicating its approval of plans for alteration, construction or demolition on property or improvements in a designated district.

CERTIFICATE OF ECONOMIC HARDSHIP: A certificate issued by the Commission authorizing an alteration, construction or demolition of property or improvements even though a certificate of appropriateness has previously been denied.

CITY COUNCIL: The City Council of the city of Centralia, Illinois.

COMMISSION: The Centralia Preservation Commission of Centralia, Illinois

CONSTRUCTION: Any act or process which adds an addition onto an existing structure or erects a new principal or accessory structure on a lot which is subject to the design standards for the district in which the property is located.

DEMOLITION: Any act or process which destroys or removes, in whole or in part, a feature of a property and/or improvement on the property which is subject to the design standards for the district in which the property is located.

DESIGN STANDARDS: The guidelines that regulate alteration, construction and demolition in a designated district.

DESIGNATED DISTRICT: An area within the zoning jurisdiction of the City of Centralia that has been approved by ordinance of the City Council as a landmark, historic district or neighborhood preservation district.

ECONOMIC HARDSHIP: Circumstances affecting a property owner wherein the owner cannot in accordance with the design standards of a designated district maintain, construct, alter, or demolish property without experiencing substantial financial harm or loss of reasonable use of the property. The absence of current or potential profit in the sale, lease or other use of the property without acquisition of a certificate of appropriateness is not, in itself, considered economic hardship.

EXECUTIVE SECRETARY: The City of Centralia staff member assigned as the official staff liaison to the Centralia Preservation Commission.

EXTERIOR FEATURES: The architectural character, general composition and/or general appearance of an improvement, including, but not limited to, the kind,

color and texture of building materials, the type, design and character of windows, doors, light fixtures, signs, fences and appurtenant elements.

HISTORIC DISTRICT: An area designated by ordinance of the City Council, according to criteria and pursuant to procedures prescribed in subsection 10-2-3-117.5 of this section, which contains within definable geographic boundaries properties or structures, which may or may not be landmarks, which contribute to the overall historic characteristics of the designated area.

IMPROVEMENT: Any building, structure, landscaping, work of art, parking facility, fence, gate, wall or other object constituting a physical addition to real property, or any part of such addition.

INTERIOR FEATURES: The architectural character, general composition and/or general appearance within an improvement, including, but not limited to, the kind, color and texture of building materials, the type, design and character of windows, doors, light fixtures, ornamental plasterwork, moldings, ceiling and wall materials, flooring, stairways and appurtenant elements.

LANDMARK: A property or structure designated by ordinance of the City Council, according to criteria and pursuant to procedures prescribed in subsection 10-2-3-117.5 of this section, which is worthy of rehabilitation, restoration and preservation because of its historic and/or architectural significance to the city.

NEIGHBORHOOD PRESERVATION DISTRICT: An area designated by ordinance of the City Council, according to criteria and pursuant to procedures prescribed in subsection 10-2-3-117.5 of this section, which contains within definable geographic boundaries properties or structures which may not necessarily be of historic and/or architectural significance, but which may be considered traditional in character and which may be threatened by inappropriate development that could detract or have a blighting effect on the quality of life in the area.

NOMINATION: Property(ies) and/or structure(s) for which an application for a proposed designation as a landmark, historic district or neighborhood preservation district has been filed.

OWNER OF RECORD: The person, corporation or other legal entity listed as the owner on the records of the county recorder of deeds.

PARCEL OF LAND: A distinct piece of real property, which is assigned a separate tax identification number (permanent parcel number).

10-2-3-117.3 PERMITTED USES

Within the Preservation Overlay District, any uses shall be allowed as are permitted within the zoning district in which said territory is situated upon compliance with the regulations as herein provided.

10-2-3-117.4 SPECIAL USES

Within the Preservation Overlay District, any special uses shall be allowed as are permitted within the zoning district in which said territory is situated upon compliance with the regulations as herein provided.

10-2-3-117.5 DESIGNATION PROCEDURES

(a) Nominations and Regulation of Demolition During Nomination Review:

(1) Nominations: Nominations for landmarks, historic districts, and neighborhood preservation districts shall be made to the Preservation Commission on a form prepared by it and may be submitted by any person. The City Council and/or Preservation Commission can direct the executive secretary by motion to file an application in its behalf. At a minimum all applications shall contain the following:

(a) A petition in support of the nomination signed by the owners of record of twenty five percent (25%) of the parcels of land located within the boundaries of the proposed designation.

(b) A map delineating the proposed boundaries and a legal description of all property within the boundaries.

(c) A written statement setting forth the reason(s) the property, structure or area is eligible for nomination. The statement shall indicate and substantiate which of the criteria in subsection D2 of this section are met by the nomination.

(2) Regulation Of Demolitions During Nomination Review: Upon receipt by the executive secretary of a properly completed nomination, no building or structure nominated and under consideration to be a landmark or part of a historic district pursuant to subsections D1 through D4 of this section shall be demolished without compliance with the following provisions:

(a) Written notice of the proposed demolition shall be given to the Preservation Commission through the executive secretary, and the applicant for the demolition permit shall be notified in writing of the need and procedure for Preservation Commission review.

(b) The Preservation Commission shall consider the proposed demolition. If the commission has no objection to the demolition, the commission chairperson shall promptly notify the building and code enforcement officer or designee. In the event the commission objects or takes no action within sixty (60) days from the date the

demolition application was accepted by the code enforcement officer or designee, then the code enforcement officer or designee shall proceed to issue a demolition permit at the end of the sixty (60) day period if all other applicable city code requirements are met.

(c) Provided, however, that when circumstances exist that pose an imminent threat to the health, safety or welfare of the public, the City Council may authorize by motion the demolition of property without following steps (1) and (2) above. Prior to the City Council taking action, it shall be provided with a written report from an Illinois licensed structural engineer or architect. The report shall describe the condition of the structure and identify factors that may constitute an imminent threat to the health, safety or welfare of the public. When possible, notice of such potential council action shall be sent to the Preservation Commission members.

(b) Preliminary Review: Upon receipt of a properly completed nomination, the Nomination and Hardship Review Committee shall make a preliminary determination within forty five (45) days as to whether the nominated property, structure or area meets one or more of the following criteria for designation:

(1) Its character, interest or value as part of the development, heritage or cultural characteristics of the community, county, state or country;

(2) Its location as a site of a significant local, county, state or national event;

(3) Its identification with a person or persons who significantly contributed to the development of the community, county, state or country;

(4) Its embodiment of distinguishing characteristics of an architectural and/or landscape style valuable for the study of a period, type, method of construction or use of indigenous materials;

(5) Its identification as the work of a master builder, designer, architect or landscape architect whose individual work has influenced the development of the community, county, state or country;

(6) Its overall embodiment of elements of design, detailing, materials or craftsmanship which renders it architecturally significant;

(7) Its overall embodiment of design elements that make it structurally or architecturally innovative;

(8) Its unique location or singular physical characteristic that makes it an established or familiar visual feature;

(9) Its character as a particularly fine or unique example of a utilitarian structure or group of such structures, including, but not limited to, farmhouses, gas stations or other commercial structures, with a high level of integrity or architectural significance; and/or

(10) Its recognition as a Centralia neighborhood, commercial area, or public activity center characterized by solid housing or commercial buildings (which are not necessarily significant or homogeneous in architectural design), and whose properties and structures are threatened by deterioration, demolition, or disharmonious alteration.

Any structure, property, or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. If a nomination is found to meet the above criteria, it shall proceed to the preliminary conference phase with the Nomination and Hardship Review Committee. If a nomination does not meet the above criteria, the committee shall deny the application and notify the applicant within seven (7) days of the preliminary determination of the reason(s) for the denial.

(c) Preliminary Conference: Within seven (7) days following a preliminary determination that a nomination meets one or more of the criteria in subsection 10-2-3-117.5 (b) of this section, the Nomination and Hardship Review Committee shall notify the applicant and establish a meeting time between the applicant, and representatives of the property owners within the proposed boundaries, and draft proposed design standards for the designation. The first meeting shall be held within thirty (30) days of the preliminary determination and additional meetings may be required. The design standards shall be based on the design guidelines contained in subsection E1 of this section and will provide a guide for evaluating applications for certificates of appropriateness within the designated district. The design standards may be more specific for the proposed designation depending on the character of the properties, structures or areas within the boundaries of the proposed designation.

(d) Regulation During Consideration Period: From the date that a petition in support of the nomination and the specific design standards signed by the owners of record of more than twenty five percent (25%) of the parcels of land in a proposed designation area is filed with the executive secretary, until the City Council acts on the nomination, the provisions of subsection 10-2-3-117.7, "Regulation Of Alteration, Construction And Demolition", of this section, shall apply as if the property were designated as requested. Provided, however, that the interim regulations shall in no case apply to property within public right of way, or if the applicant withdraws the nomination, or for a period of more than one hundred seventy five (175) days after the petition bearing the required signatures of the owners of record of more than twenty five percent (25%) of the parcels in the designation area is filed.

The City Council may authorize by formal resolution the alteration, construction or demolition of property within a proposed designation area when circumstances exist that pose an imminent threat to the health, safety or welfare of the public. Prior to the City Council taking action, it shall be provided with a written report from an Illinois licensed structural engineer or architect or the city's building and neighborhood services manager. The report shall describe the condition of the structure and identify factors which may constitute an imminent threat to the health, safety or welfare of the public. When possible, notice of such potential council action shall be sent to the Preservation Commission members. Whenever possible, measures shall be taken to preserve the architecturally or historically significant features associated with the property.

(e) Public Hearing: Within thirty (30) days of the executive secretary validating the petition in support of the nomination and proposed design standards a public hearing shall be scheduled before the Preservation Commission. Notice shall be given of the time, date, place and purpose of the public hearing, not more than thirty (30) days nor less than fifteen (15) days prior to the date of the hearing by publishing a notice thereof at least once in one or more newspapers in general circulation in the city of Centralia. The notice shall state the location and legal description of the proposed designation, and a statement summarizing how the proposed designation meets the criteria set forth in this section.

The executive secretary shall cause a notice to be posted on the subject property according to the procedures specified in this chapter; provided, however, that the notice shall also specify the type of designation being proposed and information as to how to obtain a copy of the proposed design standards for the nomination.

The executive secretary shall serve written notice on the applicant and the owners, as appear from authentic tax records of such county, of all property within the boundaries of the proposed designation and within two hundred fifty feet (250') of the proposed designation. The procedures specified in subsection 10-2-3-117.5 (e) of this chapter, for notifying adjoining property owners shall be followed; provided, however, that the notice shall also specify the type of designation being proposed including a copy of the proposed design standards for the nomination and a statement summarizing how the proposed designation meets the criteria set forth in subsection 10-2-3-117.5 (b) of this section.

The executive secretary shall serve written notice by regular mail or by personal delivery on the members of the Preservation Commission at least ten (10) days prior to the Preservation Commission hearing. Said notice shall contain the same information required above to be provided to property owners.

At the hearing the Preservation Commission shall take testimony from the applicants, the owner(s) and any other interested parties. In addition, the Preservation Commission shall consider all written comments received by the Preservation Commission prior to the hearing. The Preservation Commission may present expert testimony or present its own evidence on the proposed designation.

The hearing shall be closed upon completion of all testimony. A record of the proceedings shall be made and retained as a public record. The Preservation Commission shall review and evaluate all of the available information according to the criteria for designation contained in subsection 10-2-3-117.5 (b) of this section. The Preservation Commission shall make findings of fact on the criteria for designation, the boundaries of the proposed designation and the design standards for the proposed designation.

If a petition in opposition to the designation is received prior to the closing of the hearing, signed by the owners of the majority of the parcels in the designation, a sixty five (65) day continuance may be passed by the commission to review the petition and discuss objections. The commission shall take action on the nomination during the continuance period and make a recommendation to the City Council.

Within thirty (30) days after the public hearing the Preservation Commission shall make a recommendation on the nomination. The recommendation shall be submitted to the City Council after opportunity is provided for Plan & Zoning Commission review as specified below. The recommendation shall include:

(1) A statement as to the nomination's compliance with the criteria for designation.

(2) The property to be included in the boundaries of the proposed designation. The commission may not expand the boundaries beyond the property described in the application; however, the commission may recommend that property be deleted from the boundaries.

(3) The design standards for the proposed designation. The commission may modify the design standards from those proposed at the preliminary conference.

(f) Plan & Zoning Commission Review: If the design standards proposed for the designation would impact general zoning regulations applicable to the district, then the designation shall be reviewed by the Plan & Zoning Commission. The Community Development Director, or designee, shall make this ruling. A copy of the minutes of the Preservation Commission's public hearing and its recommendation and nomination shall be forwarded to the Plan & Zoning Commission for its review and comment. Within thirty (30) days of the Preservation Commission's recommendation action, the Plan & Zoning Commission shall commence its review of the proposed nomination at a regular Plan & Zoning Commission meeting. Within forty five (45) days, the Plan & Zoning Commission shall make a recommendation or comment on the nomination to the City Council.

(g) City Council Action: Within thirty (30) days after receiving at a City Council meeting the recommendation of the Preservation Commission and the recommendation or comment of the Plan & Zoning Commission, if applicable,

the City Council shall take formal action on the nomination. The City Council shall either deny the nomination by resolution or approve the nomination, including the design standards by ordinance. The council may modify the boundaries and design standards for a nomination; however, the boundaries may not include property not included in the application.

The executive secretary shall notify by regular mail the applicants and the owner(s) of record of the property in the original application of the City Council's action. If a nomination is approved it shall be noted on the official zoning maps on file in the city clerk's office.

(h) Amending or Rescinding Designations:

(1) Amending a Designated District's Design Standards: The procedures contained in this subsection shall be followed except that:

(a) The written statement referred to in subsection 10 -2-3-117.5 (a)(1)(c) of this section shall set forth the reasons for the proposed amendments to the design standards rather than the reasons for eligibility.

(b) The preliminary review referred to in subsection 10-2-3-117.5(b) of this section shall be omitted and the application shall be reviewed in a preliminary conference within forty five (45) days of the receipt of a properly completed nomination as set forth in subsection 10-2-3-117.5 (c) of this section; provided however, that the conference shall draft revised design standards for the designated district.

(c) The Preservation Commission's recommendation referred to in subsection 10-2-3-117.5 (e) of this section shall be limited to the proposed amendments to the design standards.

(d) Subsection 10-2-3-117.5 (d), "Regulation during Consideration Period", of this section, shall not apply and the existing design standards for the designated district shall remain in effect.

(2) Amending a Designated District's Boundaries by The Addition of Property, Structures or Area: The procedures contained in this subsection shall be followed except that:

(a) The written statement referred to in subsection 10 -2-3-117.5 (a)(1)(c) of this section shall also substantiate that the criteria for designation for the proposed addition is similar to and compatible with the criteria for designation that were found to be present for the designated district.

(b) The preliminary review outlined in subsection 10 -2-3-117.5 (b) of this section shall also include a determination by the

committee that the criteria for designation is similar to and compatible with the criteria for designation found to be present for the designated district to which the nomination is applying to be added.

(c) The preliminary conference outlined in subsection 10-2-3-117.5 (c) of this section shall be omitted and the design standards for the proposed addition shall be identical to the design standards for the designated district to which the nomination is applying to be added throughout the designation procedures.

(d) The Preservation Commission's recommendation referred to in subsection 10-2-3-117.5 (e) of this section shall include a statement as to the nomination's similarity to and compatibility with the criteria for designation found to be present for the designated district to which it is applying to be added. Subsection 10-2-3-117.5 (e)(3) of this section shall be omitted because the design standards for the proposed addition shall be identical to the design standards for the designated district to which the nomination is applying to be added.

(3) Amending A Designated District's Boundaries By The Deletion of Property, Structures or Areas, or By Rescinding a Designated District: The procedures contained in this subsection shall be followed except that:

(a) The written statement referred to in subsection 10-2-3-117.5 (a)(1)(c) of this section shall set forth the reasons the property, structure or area should be deleted from a designated district or the designated district should be rescinded.

(b) The preliminary review outlined in subsection 10-2-3-117.5 (b) of this section shall either find that the application does not meet any of the criteria for designation, in which case the committee shall send the application to the commission for final review; or the committee shall find that the nomination does meet the criteria for designation and should therefore be denied.

(c) The Preservation Commission's recommendation referred to in subsection 10-2-3-117.5 (e)(1) of this section shall include a statement as to the nomination's lack of compliance with the criteria for designation, rather than its compliance. Subsection 10-2-3-117.5 (e)(2) of this section shall refer to the boundaries to be deleted rather than the boundaries to be included in the designation. Subsection 10-2-3-117.5 (e)(3) of this section shall be omitted.

(d) Subsection 10-2-3-117.5 (d), "Regulation During Consideration Period", of this section, shall not apply. The existing design

standards shall remain in effect.

10-2-3-117.6 DESIGN STANDARDS

(a) Guidelines: The design standards for the regulation of alteration, construction and demolition in a designated district shall be based upon the standards and recommendations contained in the secretary of the interior's standards for rehabilitation and guidelines for rehabilitating historic buildings, and any architectural preservation guidelines, Centralia, Illinois, existing on the date this section is adopted and as hereafter amended.

(b) Specific Standards for Each District: The specific design standards for a district shall be based upon any or all of the guidelines contained in subsection 10-2-3-117.6(a) of this section and any other guidelines deemed appropriate by the City Council.

Specific design standards shall be established in accordance with the procedures set forth in subsection 10-2-3-117.5 of this section. The design standards for each district shall be included as an exhibit to the ordinance approving the district. The design standards for each designated district shall be kept on file by the city clerk and by the executive secretary of the Preservation Commission.

10-2-3-117.7 REGULATION OF ALTERATION, CONSTRUCTION AND DEMOLITION

(a) Certificate of Appropriateness: Any alteration, construction or demolition work on property within a designated district, that is subject to the design standards for the district in which it is located, shall be issued a certificate of appropriateness by the Preservation Commission prior to the work commencing. No building permit shall be issued for property within a designated district until the certificate of appropriateness has been issued to the applicant, who shall be the property owner or owner's agent, or until the executive secretary of the commission determines that the proposed work is not subject to the applicable design standards. A certificate of appropriateness shall be valid for a period of one year from the date of issuance. The executive secretary shall regularly submit to the commission a list of all zoning certificates and building permits that have been issued for property within each designated district for which an application for a certificate of appropriateness was not required. The executive secretary shall be responsible for notifying property owners within designated districts of the need to submit an application for a certificate of appropriateness for work subject to applicable design standards, but for which a zoning certificate and/or building permit is not required.

When circumstances exist that pose an imminent threat to the health, safety or welfare of the public, the City Council may authorize by formal resolution the alteration, construction or demolition of property within a designated district without a certificate of appropriateness. Prior to the City Council taking action, it shall be provided with a written report from an Illinois licensed structural engineer or architect or the city's building and neighborhood services manager.

The report shall describe the condition of the structure and identify factors which may constitute an imminent threat to the health, safety or welfare of the public. When possible, notice of such potential council action shall be sent to the Preservation Commission members. Whenever possible, measures shall be taken to preserve the architecturally and historically significant features associated with the property.

(b) Application For Certificate of Appropriateness: An application for a certificate of appropriateness shall be filed with the executive secretary on a form provided by the commission and shall be accompanied by such information, plans, elevations, specifications and other documents as may be required by the commission. Any applicant may request a meeting with the commission before submitting an application and may consult with the commission during the review of the application.

(c) Review and Determination by the Preservation Commission: The commission shall review an application for a certificate of appropriateness at its next regularly scheduled meeting or within forty five (45) days of the date the application is filed, whichever comes first. In reviewing the application the commission shall solely determine if the proposed work is in accordance with the design standards established for the district in which the property is located. The commission shall either; approve the application as submitted, approve the application with modifications, deny the application, or table the application. If the applicant does not agree with the commission's decision to modify an application, the application shall be denied.

The commission can table an application to a subsequent meeting which shall be held within thirty (30) days and direct the executive secretary to notify appropriate property owners and historic or neighborhood organizations of the pending application and the time of the meeting.

Written notice of the commission's action shall be provided to the applicant within seven (7) days following the commission's determination and shall be accompanied by a certificate of appropriateness in the case of an approval. A denial of the application shall be accompanied by a statement of the reasons for denial that shall include recommendations concerning amendments to the application that would cause the commission to reconsider its denial. An application that has been denied may be resubmitted with amendments within thirty (30) days for reconsideration by the commission at its next regularly scheduled meeting.

(d) Review and Determination of Routine Applications: The commission may establish guidelines for the executive secretary to determine applications for certificates of appropriateness that are clearly in accordance with the applicable design standards for the district in which the property is located and that are considered routine in nature.

The commission may establish a subcommittee of three (3) members to review routine applications. The executive secretary shall refer applications to the subcommittee based upon guidelines adopted by the commission for determining if an application qualifies as being routine. The subcommittee shall meet as soon as a convenient time can be arranged at which all three (3) members and the applicant can be present. The subcommittee meeting shall be open to the public and conform to the requirements of the Illinois open meetings act.

The subcommittee may approve an application as submitted or approve an application with modifications upon the unanimous vote of all three (3) members. Written notice of the subcommittee's action shall be provided the applicant within seven (7) days of the determination and shall be accompanied by a certificate of appropriateness. A copy of the notice shall also be sent to all commission members with their next regularly scheduled agenda. An application not receiving the unanimous approval of the subcommittee shall be forwarded to the commission for review at the next regularly scheduled meeting or within forty five (45) days of the date the application is filed, whichever comes first.

(e) Appeal of Denied Application: An applicant whose application for a certificate of appropriateness is denied by the Preservation Commission may appeal the commission's decision in writing to the City Council. Within thirty (30) days after receiving at a City Council meeting the written appeal, the City Council shall take action.

The council may affirm or modify the decision after due consideration of the facts contained in the record submitted by the Preservation Commission and the denied application. The council may receive comments on the content of the record, but no new matter may be considered by the council, and its decision shall be based solely on a determination as to whether the proposed work is in accordance with the design standards established for the district in which the property is located. If the City Council approves the application as submitted, or approves the application with modifications, the executive secretary shall notify the applicant of the approval in writing within seven (7) days following the council's determination. The Preservation Commission shall receive a copy of the written notice and the executive secretary shall issue the applicant a certificate of appropriateness. If the City Council concurs with the decision of the Preservation Commission to deny the application the council's decision shall be final. The executive secretary shall notify the applicant and the Preservation Commission of the denial in writing within seven (7) days following the council's determination. Any further appeal shall be to the courts as provided by law.

(f) Certificate of Economic Hardship: An applicant whose application for a certificate of appropriateness has been denied may apply for a certificate of economic hardship within sixty (60) days of the denial. An application for a certificate of economic hardship shall include the information on the proposed work contained in the denied application for a certificate of appropriateness and shall be on a form provided by the commission. The Preservation Commission

shall schedule a public hearing concerning the application and provide notice in the same manner as provided in subsection 10-2-3-117.5 (e) of this section, except that only property owners within two hundred fifty feet (250') of the property subject to the application shall receive written notice. The public hearing shall be conducted in the same manner as specified in subsection 10-2-3-117.5 (e) of this section, except that the commission shall make findings of fact on the information submitted to determine economic hardship.

The Preservation Commission may solicit testimony or require that the applicant submit any or all of the following information before the commission makes a determination on the application for economic hardship:

(1) Estimate of cost of the proposed alteration, construction or demolition and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the approval of a certificate of appropriateness.

(2) Reports from professionals with experience in rehabilitation as to the structural soundness of the structures and their suitability for rehabilitation; and in the case of a proposed demolition, the economic feasibility of rehabilitation or other use of the structure.

(3) Estimated market value of property in current condition and after completion of proposed work, including any appraisals obtained by the applicant or owner in connection with the purchase, financing or ownership of the property.

(4) If the property is income producing, the annual gross income of the property for the previous two (2) years, itemized operating and maintenance expenses for the previous two (2) years, and depreciation deduction and annual cash flow before and after debt service, if any, during the same time period.

(5) Any real estate sales or rental listing or advertisement for sale or rent of the property, price asked and offers received, if any.

(6) Any other information that the Preservation Commission considers necessary to determine if the property owner or owner's agent will experience an economic hardship by not being issued a certificate of appropriateness for work specified in the application.

(7) Any plans, ideas or other considerations of the owner or owner's agent as to alternative uses of the property or alternative alterations, construction or scope of demolition work.

Within thirty (30) days after the public hearing the Preservation Commission shall take one of the two (2) following actions on the application and direct the executive secretary to notify the applicant in

writing of its decision. The commission shall either: 1) deny the application, or 2) delay final action for a period not to exceed ninety (90) days to investigate possible alternative plans for the property.

If the application is denied as indicated in the preceding paragraph, the applicant may appeal the decision to the City Council in the same manner that is specified in subsection F5 of this section; provided, however, that the City Council shall determine either that it concurs with the Preservation Commission's decision to deny the application for a certificate of economic hardship, or that the application be delayed for ninety (90) days and sent back to the Preservation Commission to investigate possible alternative plans for the property.

If the application is delayed the commission shall investigate alternatives with the applicant that would not require a certificate of economic hardship and allow for a reasonably beneficial use of or reasonable economic return from the property, or to otherwise preserve the property. Such alternatives may include, but are not limited to: relaxing provisions of the design standards for the district in which the property is located, seeking financial assistance, recommending amending the zoning regulations, and modifying the work proposed in the application for a certificate of appropriateness. If by the end of the ninety (90) day period the commission and applicant agree on an alternate plan for the property, appropriate action should be taken to implement the plan, which may include the issuance of a certificate of appropriateness. If by the end of the ninety (90) day period the commission determines that alternative plans exist that would allow for a reasonably beneficial use or reasonable economic return, but an agreement with the applicant for implementing these plans cannot be reached, then the commission shall deny the application for a certificate of economic hardship.

If the application is denied as indicated in the preceding paragraph, the applicant may appeal the decision to the City Council in the same manner that is specified in subsection 10-2-3-117.5 (g) of this section; provided, however, that the City Council shall either concur with the Preservation Commission's decision to deny the application, agree on an alternative plan with the applicant, or direct the executive secretary to issue a certificate of economic hardship in accordance with the following paragraph.

If by the end of the ninety (90) day period the commission finds that: 1) no alternate plan will allow for a reasonably beneficial use of or a reasonable economic return from the property, 2) the work proposed in the application will not alter the essential character of the area, and 3) the hardship is the result of the application of the ordinance and is not the result of any act or omission of the applicant, the commission shall direct the executive secretary to issue a certificate of economic hardship. In

granting the certificate of economic hardship, the commission shall prescribe any conditions that it deems necessary. It shall be unlawful to deviate from the plans, including modifications made thereto in the certificate of economic hardship. Any relief granted by the commission in issuance of the certificate of economic hardship shall be in conformance with the objectives of this section and shall be limited to the minimum requirement to effect substantial justice and shall be in harmony with the general intent and purpose of this section.

10-2-3-117.8 FEES

Any fees associated with carrying out the intent of this section shall be established by resolution of the City Council after consultation with the Preservation Commission.

ARTICLE IV SUPPLEMENTARY REGULATIONS

10-2-4-101 NONCONFORMITIES

10-2-4-101.1 INTENT AND PURPOSE

Within the City of Centralia and the unincorporated areas within one and one-half (1 1/2) miles of its corporate limits, certain existing lots, structures and uses of land which were lawful prior to the adoption or amendment of this Chapter are now prohibited under the terms of this Chapter. This Section is intended to declare nonconformities to be incompatible with the permitted uses in each district; to permit nonconformities to continue until they are removed; and to prohibit nonconformities from being extended, expanded, enlarged or increased in intensity.

10-2-4-101.2 NONCONFORMING USES

(a) When Permitted: The lawful use of a lot of record existing at the time of the effective date of this Chapter or resulting from future duly enacted changes in this Chapter may be continued although such use does not conform to the provisions hereof. The nonconforming use of a lot of record may be changed to another nonconforming use of the same or of a more restrictive use. Whenever, a nonconforming use has been changed to a more restrictive use, such lot of record shall not thereafter be changed to a less restrictive use. Whenever a nonconforming use has been changed to a conforming use, such lot of record shall thereafter be maintained in a use conforming with the applicable provisions of this Chapter.

A more restrictive use shall be one which in the determination of the Zoning Administrator is more compatible (e.g., lessens traffic and/or parking conflicts; reduces noise, sound glare, etc.; eliminates unsightly signs) with the predominant conforming uses adjacent to and in the general vicinity of the nonconforming use being changed.

(b) Not Permitted if Discontinued: In the event that a lot of record which accommodated a nonconforming use is unoccupied for a period of one (1) year or more, the use of that lot shall thereafter conform to the uses permitted in the zoning district in which it is located.

(c) Restriction on Expansion: No nonconforming use shall be enlarged or expanded without the prior approval of the Commission. Such approval shall be given only after a public hearing held with prior notice in accordance with the provision of this Code. In considering a request, the Commission shall apply the standards as set forth in Section 2-4-104 et seq. applicable to special uses.

All nonconforming uses expanded pursuant hereto shall be limited to the lot of record upon which such use was located at the time it became nonconforming as defined herein, and shall conform to the bulk and area limitations applicable in the zone within which the nonconforming use is located.

(d) Maintenance of Lots and Structures Accommodating Nonconforming Uses: The owner of a lot or record and/or structure accommodating a nonconforming use may, and is obligated to the same extent as owners of lots of record accommodating conforming uses, to maintain that property in a safe and sound condition as specified by the appropriate codes and ordinances of the City of Centralia, Illinois.

(e) Nonconforming Structure Damaged or Destroyed: When a lot and/or structure accommodating a nonconforming use is damaged by fire, explosion, Act of God, or the public enemy to the extent of more than sixty percent (60%) of its fair market value, it shall not be restored except in conformity with the use regulations and development standards of the zoning district in which the lot is located. Allowable reconstruction of damage as provided herein may only replicate the characteristics of the nonconforming use and/or structure which existed immediately prior to the damage.

10-2-4-101.3 NONCONFORMING BULK, AREA, SETBACKS

(a) When Permitted: Lots of record and structures which do not conform with the bulk, area, setback and other applicable standards of this Code may remain nonconforming provided the nonconformities are not modified to result in a more substantial deviation from the provisions of this Code.

(b) Maintenance of Nonconforming Lots and Structures: The owner of a nonconforming lot of record and/or structure may, and is obligated to the same extent as owners of properties conforming with this Code, to maintain that property in a safe and sound condition as specified in the appropriate codes and ordinances of the City of Centralia, Illinois.

(c) Structures Not in Conformance with Applicable Bulk, Area, and Setback Standards Damaged or Destroyed: When a lot and/or structure which does not conform with the applicable bulk, area, and setback standards of this Code is damaged by fire, explosion, Act of God, or the public enemy to the extent of more than sixty percent (60%) of its fair market value, it shall not be restored except in conformity with the use regulations and development standards of the zoning district in which the lot is located.

10-2-4-102 ACCESSORY USES AND STRUCTURES

10-2-4-102.1 AUTHORIZATION

Accessory uses and structures are permitted in any zoning district in connection with a permitted principal use.

10-2-4-102.2 PERMITTED ACCESSORY USES AND STRUCTURES

A permitted accessory use or structure is any use or structure which complies with the definition of accessory use provided in Article VII, including but not limited to the following typical uses:

(a) Private garages or carports

(b) Off-street parking and loading spaces as allowed by Section 10-2-5-101 and any additional off-street parking or loading spaces which are devoted exclusively to the principal use or activity, unless specifically prohibited under Section 10-2-4-102.3.

(c) A freestanding structure for storage incidental to a permitted use, limited to a floor area equivalent to fifteen percent (15%) of the total gross floor area of the use to which it is accessory.

(d) A child's playhouse

(e) Greenhouses (noncommercial)

(f) Storage of major recreational equipment including boats, camping trailers, and motor homes.

(g) Swimming pools within established yard setback lines of the applicable zoning district and when in conformance with all other applicable standards and ordinances established by the City of Centralia or the State of Illinois.

10-2-4-102.2 SPECIFICALLY PROHIBITED USES

It shall be unlawful for any person, firm or corporation to occupy or use any land, building or part thereof for any accessory use which is specifically prohibited herein.

The following are specifically prohibited as accessory uses:

(a) Repair or service of any motor vehicle in any residential zoning district unless the activities are confined within a completely enclosed building or

unless the repairs are limited to those defined herein as motor vehicle maintenance and are fully completed within a period of twenty-four (24) hours or less; provided that all such repairs shall be limited to the vehicles of the residents or residents living within the principal building.

(b) Storage of inoperable motor vehicles on a residential lot.

(c) An accessory use shall not be used for living, sleeping, or housekeeping purposes.

10-2-4-102.4 BULK REGULATIONS

(a) Accessory structures and uses shall be set back at least five (5) feet from the rear lot line and not over utility easements.

(b) No accessory structure or use shall be permitted in a required front yard in any residential district.

(c) Accessory structures and uses shall maintain a five (5) foot side yard when located on the same zoning lot as the principal structure except that off-street surface parking, fences and walls may be located in required side yards.

(d) An accessory structure shall not cover more than thirty percent (30%) of the required rear yard.

(e) Permanent accessory structures shall not be constructed over utility easements.

(f) Accessory structures and uses shall otherwise comply with the bulk regulations applicable to the district in which they are located.

10-2-4-102.5 USE LIMITATIONS

All accessory structures and uses shall comply with the use limitations applicable to the zoning district in which they are located. In addition, no accessory structure shall be constructed and occupied on any lot prior to the time of the completion of the construction of the principal structure to which it is accessory.

10-2-4-103 HOME OCCUPATIONS

10-2-4-103.1 AUTHORIZATION

Occupations which are customarily incidental to the principal use of a residence and which fulfill the provisions of 10-2-4-103.2 and 10-2-4-103.3 shall be permitted.

10-2-4-103.2 USE LIMITATIONS

In addition to all use limitations applicable to the district in which it is located, no home occupation shall be permitted unless it complies with all the following provisions:

(a) The business shall not employ persons other than members of the family residing on the premises.

(b) No more than twenty-five percent (25%) of the total enclosed floor area, excluding residential accessory uses, may be used for such business including basement, garage, or occupied attic spaces of a dwelling unit.

(c) No alteration of a principal residential structure shall be made to accommodate a home occupation which changes character and function thereof as a dwelling.

(d) No mechanical equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal sense outside the residential structure.

(e) There shall be no exterior storage of equipment or material used in connection with the occupation or business.

(f) Traffic or parking generated by a home occupation shall be no greater than is customary for a residence without a home occupation.

(g) One (1) sign not to exceed one (1) square foot shall be allowed for permitted home occupations. Said sign shall only be placed on the front facade of the residence.

(h) No retail or wholesale sales shall be transacted on the premises, and no warehousing or storage of merchandise or bulk sales-related material shall be allowed.

(i) Off-Street parking shall be provided at one (1) space per 150 sq. ft. of floor area devoted to the Home Occupation in addition to the parking requirements for the dwelling.

10-2-4-103.3 PERMITTED HOME OCCUPATIONS

Permitted home occupations include, but are not limited to, the following list of occupations.

(a) Dressmakers, seamstresses, tailors

(b) Teachers, provided that instructions shall be limited to five pupils at a time.

(c) Artists, sculptors, authors, or composers

(d) Office facilities for architects, engineers, lawyers, realtors, insurance agents, brokers and member of similar professions.

(e) Office or study for a cleric.

(f) Office facilities for salesmen, sales representatives, manufacturers representatives when no exchange of tangible goods is made on the premises.

(g) Home crafts, such as model making, rug weaving, lapidary work, etc. provided that no machinery or equipment be used or employed other than that which would customarily be found in a home. Machinery or equipment which would customarily be found in the home shall include machinery or equipment which would customarily be employed in connection with a hobby not conducted for gain or profit.

(h) Daycare for eight (8) children or less - 1 adult or 12 children - 2 adults same household

(i) Beauty parlor and/or barber shop

(j) Watch, clock and jewelry repair services

(k) Radio, television, phonograph and small appliance repair services.

10-2-4-103.4 PROHIBITED HOME OCCUPATIONS

Permitted home occupations shall not in any event be deemed to include:

(a) Dancing Schools

(b) Funeral homes

(c) Restaurants

(d) Vehicle repair or maintenance for other than the personal convenience of and any vehicles owned or leased by the resident family or families of the subject dwelling unit(s).

(e) Antique stores and furniture sales

10-2-4-103.5 Any proposed home occupation that is neither specifically permitted by Section10-2-4-103.3 nor specifically prohibited by Section 10-2-4-103.4 shall be considered a “Special Use” and be granted or denied by the Plan and Zoning Commission upon consideration of those standards contained in Section 10-2-4-103.2.

10-2-4-104 SPECIAL USES

10-2-4-104.1 INTENT AND PURPOSE

The special use permit procedure provides a basis for the City to determine the suitability of certain specified uses under prescribed conditions within the zoning districts of the City of Centralia, Illinois. These uses are not permitted uses except as otherwise determined suitable and compatible by the Plan and Zoning Commission through the procedures prescribed in Section 10-2-6-103. Thus the City reserves the full discretion to deny any such application or to revoke any such approval based upon a finding that an established special permit usage has become unsuitable and incompatible with its surroundings.

The Commission may, after public hearing, authorize the location of building(s) and/or use(s) allowed in a district by special use permit application, review, and approval as set forth in this Code.

In acting upon any application, the Plan and Zoning Commission shall give due consideration to the foregoing standard and shall grant at its discretion such permit if it finds that such action is in the best interest of the public health, welfare, safety and morals of the residents of the City of Centralia.

10-2-4-104.2 PERMITTED USES

An application and supporting documents may be filed for a special use permit:

(a) For any use allowed in an established zoning district by special use permit.

(b) For temporary buildings, subject to the conditions stipulated by the Plan and Zoning Commission for the maintenance of minimum standards for the public health, safety, and general welfare. Said special permit shall be limited to a period of six (6) months subject to renewal after reapplication.

(c) For any use not listed, the Plan & Zoning Commission shall hold a hearing, in accordance with 10-2-6-103 to consider the application for approval under the following circumstances:

1. The proposed use is judged by the Zoning Administrator and/or the Commission members as being similar in nature, character and effect on surrounding properties to those uses already listed for the particular district;

2. That the proposed use has the same or similar relationship to the overall intent of this ordinance in terms of providing for the public health, welfare, safety and comfort as do listed uses;

3. That the proposed unlisted use positively meets all other qualifying criteria for special uses as provided for within this ordinance.

(d) Any uses that are neither listed as a permitted or special use within a zoning district and do not meet the criteria for an unlisted use as noted within this section are expressly prohibited.

10-2-4-104.3 APPLICATION AND SUBMISSIONS REQUIREMENTS

See Section 10-2-6-103

10-2-4-104.4 REVIEW STANDARDS

See Section 10-2-6-103

10-2-4-105 PROVISIONS FOR CHURCHES, PUBLIC SCHOOLS, PUBLIC UTILITIES AND GOVERNMENTAL FACILITIES

10-2-4-105.1 INTENT AND PURPOSE

The supplementary regulations for churches and related uses, public schools, public utilities, and governmental facilities are to provide basic evaluation criteria to assess the impact these uses, which otherwise are exempt from local zoning regulations, will have on the surrounding environment. These uses may be located in any zoning district in the City provided they do not cause undue hardship with respect to the health, safety and welfare of the City of Centralia, its citizens and property.

10-2-4-105.2 DEVELOPMENT STANDARDS

(a) Setbacks:

1. The setback requirements of the established zoning district shall be applicable to the uses addressed in this Section.

2. Churches and related uses, public schools, and governmental facilities shall provide a minimum transitional yard between all structures, principal and accessory, and parking areas and adjacent properties zoned for and/or in use as single family or multifamily residences.

3. Structures which exceed the maximum height limit of the established zoning district should be set back from the lot line of an adjoining single family residential use or lot zoned for single family residential use five (5) feet for each foot of structure height over the maximum height allowed in the established zoning district. For purposes of this provision the height of the structure shall exclude spires, utility poles, towers, etc.

4. Structures shall, at a minimum, conform to the front yard setback of the established zoning district.

(b) Parking: The parking standards provided in Section 10-2-5-101 shall apply.

(c) Traffic: The impact of traffic on adjacent residential and commercial areas should be minimized through thoughtful site planning. Particular attention should be given to routing traffic to primary streets, avoiding through traffic in residential areas and avoiding a dependence on on-street parking.

(d) Height: The height of structures should respect the character and prevailing height of adjacent uses.

10-2-4-105.3 PROCEDURES

Prior to issuance of a building permit, an application shall be submitted for a Special Use permit according to the procedures established in Section 10-2-4-104. A building permit may be processed after receipt of site plan approval by the applicant.

10-2-4-106 PLANNED DEVELOPMENT REGULATIONS

10-2-4-106.1 INTENT AND PURPOSE

The planned development regulations are designed to encourage sound land planning and quality development by allowing flexibility in site design and the incentive of density bonuses for well-planned developments on relatively large sites and/or sites with unusual geologic and natural characteristics.

10-2-4-106.2 DENSITY TRANSFER SUBDIVISIONS

(a) Intent

The objectives of density transfer subdivisions are:

1. To allow residential development on land having characteristics--such as irregular parcel shape, rugged terrain, etc. -- that would impede conventional development;

2. To preserve the natural topography, scenic features, mature trees, and historic structures on residential developments;

3. To encourage innovative site layouts and the provision of usable common open space in new residential developments; and

4. To facilitate the economical installation of standard streets, sewers, utilities, and other improvements.

(b) Compliance with Ordinances Required

Except as specifically provided otherwise in this Code, density transfer subdivisions shall be developed in conformity with the Zoning Code and the Subdivision Ordinance, and all other applicable codes and ordinances. This board requirement encompasses, but is not limited to, the following specific requirements:

1. Districts Where Allowed:

   Density transfer subdivisions may be allowed, but only by special use permit, in the SR-1, SR-2 and MR Zoning Districts.

2. Permitted Uses:

   Any allowable use in the underlying residential zoning district except as otherwise provided herein.

3. Maximum Density:

   The total number of dwelling units to be built in density transfer subdivisions on the net acreage of said subdivision (the gross area minus the area included within public or private street rights-of-way) shall not exceed the number that could be developed on the same net acreage if the district minimum lot area requirements were observed.

4. Streets, Sewers, Utilities:

   In density transfer subdivisions, all streets, sewers, utilities, and other improvements - - whether dedicated to the City of Centralia or to a public or private homeowners' association or utility company - - shall be constructed/installed in conformity with the Subdivision Ordinance, Chapter 10, Division 3, Municipal Code of the City of Centralia.

5. Number of Parking Spaces:

   The total number of off-street parking spaces provided in any density transfer subdivision shall, at a minimum, equal the number required by Section 10-2-5-101.

6. Minimum Area:

   The gross area of the parcel to be developed as a density transfer subdivision must be at least ten (10) acres.

7. Single Ownership Control:

   Before any construction may begin, the prospective developer of any density transfer subdivision must prove that:

   a. He has acquired legal title to all land within the proposed subdivision; or

   b. He has executed a binding agreement with all the owners of such land granting him effective control over its development.

8. Common Open Space:

At least thirty percent (30%) of the net site area of every density transfer subdivision shall be usable common open space. Such usable common open space shall be defined, improved, and conveyed to assure perpetual maintenance to the satisfaction of the City.

(c) Permitted Deviations from Ordinance Requirements

Density transfer subdivisions may deviate from the generally applicable requirements of the Zoning Code and the Subdivision Regulations, but only as indicated in the subsections below.

1. Lot Size, Setbacks:

   Density transfer subdivisions may deviate from the district lot area, width, depth, and/or setback requirements to the extent the City Council deems reasonable under all the circumstances of the particular case.

2. Location of Parking Spaces:

   Required off-street parking spaces in density transfer subdivisions need not be situated on individual lots, but must be located within one hundred (100) feet of the dwelling unit to which are accessory.

3. Sidewalks:

   Density transfer subdivisions need not comply with the sidewalk requirements of Section 10-3-3-106 of the Subdivision Ordinance if alternate pedestrian ways and/or bicycle trails will be provided.

4. Dedication of Improvements:

   Streets, sewers, utilities, and other improvements in density transfer subdivisions may, at the City's discretion, be either dedicated to the City of Centralia, the appropriate utility company, or conveyed to a homeowner's association by a legal instrument approved by the City Attorney.

10-2-4-107 FENCES, WALLS

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences and walls.

(a) No barbed wire or electrically-charged fence shall be erected or maintained anywhere within the zoning limits except in the I-2 (Industrial) and A-1 (Agricultural) Districts.

(b) No fence, wall or other obstruction shall be erected within any public right-of-way without written permission of the corporate authorities.

(c) No fence, wall or other obstruction shall be erected in violation of the Illinois Drainage Code (ILCS, Chap. 42, Secs. 10-2-1-2-12).

(d) Every fence, wall or other obstruction shall conform to the height restrictions as provided for Section 10-2-2-104.

10-2-4-108 PARKING, STORAGE, OR USE OF RECREATIONAL VEHICLES

For purposes of these regulations, recreational vehicles are defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like.

(a) No recreational vehicle as herein defined shall be used for permanent dwelling purposes.

(b) No travel trailer or other recreational vehicle shall be parked or stored in any required front or side yard except on a driveway.

(c) No travel trailer or other recreational vehicle shall be used as an office or for any other commercial purpose.

10-2-4-109 SWIMMING POOLS

(a) No swimming pool, whether above ground or in ground shall be located in any front yard or close to the side or rear yards as specified within the district as situated in and shall not exceed the maximum lot coverage as required.

(b) Every swimming pool that is more than two (2) feet deep shall be enclosed by a wall or fence at least four (4) feet in height. The passage through such wall or fence shall be equipped with a gate.

10-2-4-110 UTILITY SUBSTATIONS

Every electrical substation, gas regulator station, telephone exchange facility, sewage treatment plant, water storage facility, or similar facility shall be deemed a special use, and shall conform to the following regulations:

(a) Every lot on which any such facility is situated shall meet the minimum area and dimension requirements of the district in which it is located. Every part of any such facility shall be located at least twenty-five (25) feet from all lot lines, or shall meet the district setback requirements, whichever is greater.

(b) In any residential district, every such facility shall be designed, constructed, and operated so that it is compatible with the residential character of the area.

(c) Screening at least ten (10) feet in height and of sufficient density to block the view from adjacent property shall be installed around every such facility. Furthermore, if the Administrator determines that the facility poses a safety hazard (for example, if there are exposed transformers), he shall require that a secure fence at least (8) feet in height be installed behind the planting screen.

10-2-4-111 STORAGE AND PLACEMENT OF MOBILE HOMES

It shall be unlawful to place upon any lot that is zoned residential (except in an MH district) a mobile home(s) for the purpose of storage, display, or repair.

ARTICLE V DEVELOPMENT STANDARDS

10-2-5-101 OFF-STREET PARKING AND LOADING

10-2-5-101.1 APPLICABILITY

For every use hereafter established, there shall be provided sufficient space for access and off-street standing, parking, and unloading of motor vehicles that may be expected to come to an establishment at any time under normal conditions for any purpose, whether as patrons, customers, employees, guests, or otherwise; or when a use is expanded, accessory off-street parking and loading shall be provided in accordance with the following regulations for the area or capacity of such expansion.

(a) No off-street parking or loading spaces shall be required for any permitted use located within that portion of the B-2 Central Business District located east of the railroad tracks bounded by McCord Street and Third Street on the north and south and by Elm Street and Oak Street on the east and west and those properties located west of the railroad tracks bounded by Noleman Street and Second Street on the north and south and Chestnut Street and Walnut Street on the east and west. Said property being legally described as Blocks 13, 14, 15, 18, 19, 20, 21, 28, 29, 30, 31, 34, 35, and 36 of the Original Town Addition.

Parking and loading requirements for those uses allowed by Special Use Permit in said area may be established as a condition of the permit approved by the Plan and Zoning Commission.

10-2-5-101.2 GENERAL PROVISIONS

The following general provisions shall apply to all parking, standing, and loading space that is provided in accordance with the provisions of the Code.

(a) Location of Parking Space - All required off street parking and loading spaces shall be provided on the same parcel of land occupied by the use to which they are appurtenant. However, where practical difficulties preclude such a location of parking space or if the public safety or convenience would be better served by another location, the Plan and Zoning Commission may authorize an alternate location as will adequately serve the public interest, subject to the following conditions:

1. Such parking area shall be in the same ownership as the use to which it is appurtenant and shall remain so as long as it is so used.

2. Pedestrian access to such space shall be located within a distance of

three hundred (300) feet by the shortest route of effective pedestrian movement.

3. Such space shall be usable without causing unreasonable traffic congestion, being a detriment to any residential neighborhood, or creating a hazard to pedestrians or vehicular traffic.

(b) Repair or Service - It shall be unlawful to utilize any required off-street parking or loading facilities for motor vehicle repair work or service of any kind, except as expressly permitted herein.

(c) Computation of Required Off Street Parking and Loading Spaces - For the purpose of determining requirements for off street parking and off street loading, the floor area means the sum of the gross horizontal areas of the several floors of the building, or a portion thereof, devoted to such use, including accessory storage areas located within selling or working space, such as counters, racks, or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However, floor area for purposes of computation of off street parking spaces does not include floor area devoted primarily to storage purposes (except as otherwise noted herein).

In calculating the required parking for any given building site, parking provisions shall be made for each use separately except as otherwise provided in Section 10-2-5-101.2(d).

When the applicable parking or loading requirements would result in a fractional space of one-half or more, any such fraction shall be counted as one space.

Parking areas shall include sufficient access and maneuvering space to permit the parking and removal of any vehicle without moving another vehicle.

(d) Modification of the Parking Required - The total number of parking spaces required for a given lot or parcel may be reduced by Special Use Permit as provided in Section 10-2-5-101.2(d) under the following circumstances:

In any development where a mixture of residential uses and office or retail uses is permitted, the combined total number of parking spaces required for such a combination of uses may be reduced up to twenty percent (20%) where same is justified to the satisfaction of the City by a parking analysis prepared by a professional engineer and submitted by the applicant seeking such a reduction.

(e) If there is any uncertainty with respect to the amount of parking space required by the provisions of this Code as a result of any indefiniteness as to the proposed use of a building or of land, the maximum requirement for the general type of use that is involved shall govern.

(f) Use of Off-Street Parking Facilities - Off-Street Parking Facilities accessory to a residential use shall be used solely for the parking of passenger automobiles or commercial vehicles of not more than one (1) ton GVW owned by the occupants or their guests of the dwelling structure or structures to which such parking is accessory.

(g) Loading Berths and Drive-Up Standing Spaces Not Counted as Parking Spaces - Space allocated for an off-street loading berth and drive-up standing spaces shall not, while so allocated, be used to satisfy the parking space requirements of a use.

10-2-5-101.3 DESIGN AND MAINTENANCE STANDARDS FOR AUTOMOBILE PARKING AREAS

All areas providing off-street parking shall conform with the following standards.

(a) Parking Space Size, Angle, and Aisle Width - Minimum design standards for off-street parking and maneuvering space shall be as follows:

Angle of Parking	Depth of Stall Perpendicular	Width of Stall Parallel to Aisle	Minimum Aisle Width
Parallel	9 ft.	24 ft.	12 ft.
30 degrees	17.3 ft.	18 ft.	23 ft.
45 degrees	19.8 ft.	12.7 ft.	13 ft.
60 degrees	21 ft.	10.4 ft.	15 ft.
90 degrees	19 ft.	9 ft.	24 ft.

Off-street parking lots designed for parking vehicles with a total length of greater than nineteen (19) feet shall have parking stalls and maneuvering space of such a size and dimensions as will accommodate the parking and maneuvering of such vehicles. Vertical clearance of not less than seven (7) feet is required for all parking areas.

(b) Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe efficient means of access to a public street or service drive. Parking lots shall be designed to alleviate the problems of vehicles backing into streets, alleys and sidewalks. (See Section 10-2-5-101.3(a).

(c) Design and Construction Standards –

1. Introduction:

The specifications referred to herein are based on those prepared by the Department of Transportation and designated as "Standard Specifications for Road and Bridge Construction".

Before the maintenance, operation or improvement of an off-street parking lot, a certificate of zoning shall be obtained from the City. The zoning certificate and permit shall not be issued until the plans and specifications of the lot have been submitted to the Zoning Administrator and it is determined that all of the following standards and specifications have been met:

2. Surfacing, all open, off-street parking areas requiring 12 or **less** off-street parking spaces pursuant to Section 10-2-5-101.4, the surfacing requirements shall be a minimum of preparation (if applicable) and a base course and primary overlay defined as follows:

If no previous preparation has been done, then it is suggested that a basic preparation and primary overlay includes:

- the removal of all vegetation
- the grading of the dirt and fill added as necessary to level the surface
- the application of a base course consisting of a lime stabilized soil mixture composed of soil, lime, and water finished by a primary overlay , which consists of a two inch layer of course aggregate (CA 6 or CA 10) - or stabilized rock, the total layer not to exceed six (6) inches total.

For all uses requiring **more** than 12 off-street parking spaces (excepting those spaces designated for employees) pursuant to Section 10-2-5-101.4, the surfacing requirements shall consist of a minimum of preparation (if applicable), a base course (if none present) and primary overlay (if none present) as detailed above. This preparation is appropriate to remain as a temporary base course for a maximum of 18 months before a secondary surface paving is required.

Before the expiration of the 18 month period in which the temporary base course and primary course has served as parking lot surface, the application of an appropriate secondary course of paving material is required with the following minimum specifications:

Oil and Chip (a minimum of A-2 preparation) – 2” to 3” application
Asphalt – 2” application
Cement paving (Portland cement) – Jointed 4” application

3. On all surfaced parking lots, all parking spaces shall be marked by either durable painted lines at least four (4) inches wide and extending the length of the space. If an oil and chip surfacing application is used on the parking lot, then concrete wheel bumpers or other markers are required to effectively designate individual parking spaces.

4. Lighting - Lighting shall be provided to illuminate any off-street parking or loading spaces to be used at night. If provided, an average lighting level of at least one and one-half (1 1/2) foot-candles on pavement shall be maintained, and the lighting shall be arranged and installed to deflect, shade and focus lights away from adjacent

properties. The height, type, spacing and degree of cutoff of a light standard may be further specified by the Zoning Administrator in relation to specific site conditions or types of development.

5. Parking Surface, Drainage and Maintenance - Parking and loading facilities shall be provided with adequate stormwater drainage facilities to prevent damage or inconvenience to abutting property and/or public streets and alleys. Parking and loading areas shall be maintained in a clean, orderly, and dust free condition at the expense of the owner or lessee. The design of stormwater runoff facilities shall be subject to further regulation in accordance with Section 10-2-5-102.

6. Number of Entrances and Exits to Parking Lots - There shall be not more than one (1) entrance and one (1) exit or one (1) combined entrance and exit along any one (1) street except by Special Use Permit in accordance with Section 10-2-6-103, and then only when it is deemed necessary for the alleviation of traffic congestion and interference of traffic movement along such street.

   No access way to any parking area shall be located within thirty (30) feet of any corner formed by the intersection of the rights-of-way of two or more streets. At intersections where traffic control devices are existing, the administrator may increase this requirement as necessary to prevent hazards.

7. Screening and Landscaping - All parking and loading areas shall be properly screened and landscaped with natural plant material. It is the purpose and intention of this Section to adequately protect contiguous property against undesirable effects from the creation and operation of parking or loading areas and to protect, preserve, and enhance the appearance and character of the surrounding neighborhoods and of the City through the screening and landscaping of parking facilities.

   a. Landscaping shall include shrubs, bushes, hedges, trees, decorative walls or fencing as set forth below.

   b. The frontage along the entire parking or loading area adjacent to any public or private street shall be landscaped and protected so as to separate and screen any parking area from the adjacent streets, including the provision of deciduous, hardwood specie trees at not more than thirty-five (35) feet on center located either within the right-of-way, if approved by the appropriate public agency or parallel to the right-of-way on the subject property.

   c. When off-street parking or loading areas and other areas zoned for any use except one and two family residential districts are located

adjacent to a residential district or to any lot upon which there is a dwelling as a permitted use, there shall be provided along the lot line a continuous, solid fence or masonry wall to a height adequate to prevent the direct light from automobile headlights being cast on adjacent residential units but with a minimum height of four (4) feet and not more than eight (8) feet; except, however, that the height of such fence or wall shall not exceed three and one-half (3 1/2) feet within fifteen (15) feet of the public right-of-way.

d. In addition to any landscaped front, back, or side yard areas required by this or any other Section, a minimum of ten (10) square feet of landscaping shall be provided for each parking space within the parking area only when the use requires parking of ten (10) or more vehicles. To the extent practicable, landscaping islands shall be located to avoid long (more than 10 continuous spaces) rows of parking and at long (more than 10 continuous spaces) rows of parking and at ends of parking lanes. The landscaping shall include at least one (1) shade tree of a hardwood specie in each separate landscaping area.

e. All planting areas, except those on the periphery of a parking lot or areas, shall be curbed and shall have a minimum area of fifty (50) square feet and a minimum dimension of five (5) feet.

f. The use of earth berms shall be encouraged in landscaped areas, provided these are designed so as to cause no erosion, drainage or maintenance problem.

g. Interior planting bed areas, which are used for the planting of trees, or which are used for landscaping treatment generally, may be treated with either grass and/or other types of ground cover or mulch beneath and surrounding trees and shrubs, provided water absorption is not impaired.

h. In order to present a healthy, neat and orderly appearance, landscaped areas should be provided with adequate irrigation for the maintenance of grass, shrubs, ground covering and other landscaping, by utilization of a sprinkler system, hose bibs and/or such other method of providing water.

i. All landscaped areas in parking areas or adjacent to parking or loading areas, or which can be encroached upon by a motor vehicle, shall be provided with an adequate, permanent curb or wheel bumpers, as approved by the Administrator, to avoid the destruction of the landscaped area by vehicles. Adequate scuppers and/or weep holes shall be provided through the curbing to permit drainage.

j. Maintenance - All parking lots shall be kept free of dirt and loose particles and shall promptly remove snow and ice from the surface of the parking lot. Any owner or operator of such lots shall also keep all adjacent sidewalks free from dirt, ice, sleet and snow, and shall keep the sidewalks in a safe condition for use by pedestrians. All signs, markers, or any other methods used to indicate direction of traffic movement and location of parking spaces shall be maintained in a neat and legible condition. Likewise, any walls, landscaping, including trees and shrubbery, as well as surfacing and curbing of the parking lot, shall be maintained in good condition throughout its use for parking purposes, and the City Council shall have the authority to prohibit use of the area for parking purposes unless and until proper maintenance, repair or rehabilitation is completed, including the replacement of any landscaping material which may die from time to time, or the failure of the irrigation or surface drainage system within the parking area.

10-2-5-101.4 SCHEDULE OF REQUIRED PARKING SPACES

The following shall be the minimum number of off-street parking spaces required for each land use, activity, building, or structure permitted by this Code. When the determination of the number of required off-street spaces results in a requirement of a fractional space, any fraction of one-half (1/2) space shall count as one (1) space. Parking spaces required on the basis of building floor areas shall apply to gross leasable floor area as defined in Article VII unless otherwise specified. Parking spaces required on an employee basis shall be calculated on the maximum number of employees on duty or residing, or both, on the premises at any one time.

(a) Residential and Lodging Use One-and Two-Family Dwellings, Townhouses for Sale (on Individual Lots or in Condominium Ownership), and Mobile Homes - Two (2) parking spaces shall be provided for each dwelling unit.

Multiple Family Dwellings or Apartments - One and one-half (1.5) parking spaces shall be provided for each dwelling unit. The allowable parking for multifamily, rental apartments designed for and exclusively occupied by elderly individuals may be reduced to one (1) parking space per two (2) dwelling units by Site Plan Review and approval pursuant to Section 10-2-6-104.

Motels and Hotels - One (1) parking space for each sleeping room offered for tourist accommodation plus one (1) additional space for every two (2) persons regularly employed on the premises. Additional spaces are required for restaurants, places of assembly and/or other proposed uses within the hotel or motel complex.

Nursing Home - One (1) parking space for every three (3) beds to be accommodated at maximum design capacity.

(b) Retail Uses

Indoor Retail Business - Parking or storage space for all vehicles used directly in the conduct of such business, plus six (6) parking spaces for each one thousand (1,000) square feet of gross leasable retail floor area and one (1) space for every two (2) full-time employees. A retail shopping center with over fifty thousand (50,000) square feet of gross leasable floor area, excluding uses separately scheduled herein, such as restaurants, offices, etc. may be Special Use Permit in accordance with Section 10-2-6-103 have a parking ratio of five (5) parking spaces per one thousand (1,000) square feet of gross leasable floor area plus parking for vehicles used directly in the business and employee parking, as prescribed above.

Restaurants and other Eating and drinking Establishments (including Taverns) and Drive-in or Carry-out Restaurants with Indoor Dining Facilities - Fourteen (14) parking spaces for every one thousand (1,000) square feet of gross leasable floor area plus two (2) parking spaces for each three (3) employees. Where drive-up window service is provided, queuing spaces for five (5) cars shall be provided which does not conflict with the parking and circulation in the balance of the required parking area. Queuing spaces shall be a minimum of twenty-four (24) feet long and nine (9) feet wide.

Carry-out, Drive-in, or other Fast Food Restaurants with no indoor facilities - Ten (10) parking spaces for every one thousand (1,000) square feet of gross leasable floor area plus two (2) parking spaces for every three (3) employees. Where drive-up window service is provided, queuing spaces for five (5) cars shall be provided which does not conflict with the parking and circulation in the balance of the required parking area. Queuing spaces shall be a minimum of twenty-four (24) feet long and nine (9) feet wide.

Automobile Service Stations - Parking or storage space for all vehicles used directly in the conduct of the business, plus one (1) parking space for each gas pump, three (3) spaces for each grease rack or similar facility, and one (1) space for every two (2) persons employed on the premises.

Vehicle Sales (Automobiles, Trucks, Major Recreational Equipment) - One (1) space per five hundred (500) square feet of enclosed floor area plus one (1) customer/visitor space for each three thousand (3,000) square feet of open sales and/or parking area devoted to the sale, display, storage or rental of vehicles, plus one (1) space for each employee on duty at the peak period.

Furniture and Major Appliance Store - Two (2) spaces per one thousand (1,000) square feet of gross leasable floor area.

(c) Service Uses

Theatres, Recreation Centers, Swimming Pools, Skating Rinks and Other Public/Private Recreation and Amusement Facilities - One (1) parking space for every three (3) seats based on the maximum seating capacity as established by the Fire Code plus one (1) additional space for every two (2) persons regularly employed on the premises at any peak period of use.

Bowling Alley - Four (4) spaces per lane, plus separate provision for any internal restaurant or other separate recreational or retail use provided.

Financial Institutions (Banks and Savings & Loan) - One (1) space per each three hundred (300) square feet of floor area plus two (2) spaces for every three (3) employees. Drive-up service windows shall have five (5) queuing spaces per window or remote teller facility. Queuing spaces shall be a minimum of twenty-four (24) feet long.

Funeral Homes and Mortuaries - One (1) space per four (4) seats plus one (1) space for each funeral vehicle but not less than twenty (20) spaces per chapter or stateroom.

Beauty Parlors and Barber Shops (excluding Home Occupations) - Two (2) spaces per chair plus one (1) space for each employee.

Car Wash - Five (5) queuing spaces per wash bay.

Laundromats - One (1) space for every two (2) washing machines.

(d) Offices

Offices, excluding Medical Offices and Clinics - Four and one-half (4.5) spaces per one thousand (1,000) square feet of gross leasable floor area (one [1] space per two hundred twenty-two [222] square feet of gross leasable floor area) for business, professional, governmental, or institutional offices, but excluding medical offices.

Medical or Dental Offices or Clinics - Six and one-half (6.5) spaces per one thousand (1,000) square feet of gross leasable floor area (one [1] parking space per one hundred-fifty [150] square feet of gross leasable floor area).

(e) Assembly and Institutional

General Places of Assembly - All theatres, auditoriums, churches, stadiums, arenas, convention halls, banquet facilities, dance halls, exhibition halls, and other similar places of assembly, including churches and public or private educational institutions, shall provide at least one (1) parking space per three (3) seats of the assembly or meeting space.

Universities, Colleges, Academies and Similar Institutions of Higher Learning - Whichever is greater of the following:

One (1) Parking space for every three (3) seats occupied at maximum capacity in combination of any assembly hall, auditorium, stadium, and/or gymnasium on the campus; or

One (1) parking space for each person regularly employed at such

institution plus seven (7) additional spaces for each classroom or teaching station.

Public or Private Primary and Secondary Schools - Whichever is the greater of the following:

One (1) parking space for every three (3) seats occupied at maximum capacity in the assembly hall, auditorium, stadium or gymnasium of greatest capacity on the site; or

One (1) parking space for each person regularly employed at the school plus two (2) additional spaces for each classroom for elementary and junior high schools and four (4) spaces for each classroom in a senior high school.

Libraries, Museums, Galleries and Similar Uses - Parking or storage space for all vehicles used directly in the operation of such establishment plus four (4) parking spaces for each one thousand (1,000) square feet of total floor area.

Private Clubs, Lodges, or Other Organization of a Fraternal, Civic, Union-related, Religious, or Similar Nature - One (1) parking space for each four (4) members or one (1) space per fifty (50) square feet used for assembly, dining, meetings, and other specific use of the club facilities, whichever is greater, plus one (1) additional parking space for every two (2) persons regularly employed on the premises.

Hospitals - One and one half (1 1/2) parking spaces for each hospital bed at maximum capacity plus three-fourths (3/4) of a parking space for each employee on duty at the peak shift, including nurses, physicians, interns, students, technicians, maintenance and housekeeping personnel, administrative staff, cooks, and other employees.

(f) Industrial, Warehousing, Storage and Wholesale Businesses

One (1) parking space for each two (2) employees on the site at shift change during periods of peak operation or employment plus one (1) space for each vehicle used in the conduct of the business.

(g) Other Uses

The Plan and Zoning Commission shall determine to which of the preceding categories of parking regulations any unlisted use belongs or determine other appropriate standards to be added to this section of the Zoning Code whenever the above prove inapplicable.

(h) Special Permit Uses

The City, at its discretion and based on specific reasons, may require more stringent parking facilities than provided herein for uses allowed by Special Use Permit.

(i) Modification of Required Number of Spaces

The total amount of parking spaces required for a given lot or parcel may be reduced by Special Use Permit as provided in Section 2-6-103 as appropriate, under the following circumstances:

In any development where a mixture of residential uses and office or retail uses is permitted, the combined total number of parking spaces required for such combination of uses may be reduced up to twenty percent (20%) in accordance with the following schedule based on floor area of residential uses as a percentage of the total floor area:

Less than 10% residential	-	No reduction
10% to 19% residential	-	5% reduction
20% to 29% residential	-	10% reduction
30% to 39% residential	-	15% reduction
40% to 59% residential	-	20% reduction
60% to 69% residential	-	15% reduction
70% to 79% residential	-	10% reduction
80% to 89% residential	-	5% reduction
More than 90% residential	-	No reduction

10-2-5-101.5 OFF-STREET LOADING REQUIREMENTS

Off-Street Loading Requirements

(a) General - Adequate space shall be provided to accommodate the loading and unloading of trucks, tractors, and trailers servicing any commercial, industrial, multifamily residential or institutional use. The standards for providing such spaces are described herein.

(b) Area of Loading Berths or Space - A required off-street loading berth or space shall be at least twelve (12) feet in width and at least fifty (50) feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.

(c) Access to Loading Areas - Each required off-street loading space or berth shall be afforded appropriate means of vehicular access to a street, highway, or alley in a manner which will least interfere with traffic movement.

(d) Surfacing - All open off-street loading berths shall be improved with a compacted macadam base, not less than seven (7) inches thick, surfaces with not less than four (4) inches of asphaltic concrete or a comparable all-weather dustless material.

(e) Screening - All truck circulation and loading berths or spaces which abut or are adjacent to a residential district shall be set back at least fifty (50) feet therefrom unless it is completely screened by a solid fence, wall, or landscaping, or any combination thereof, not less than eight (8) feet in height and set back at least fifteen (15) feet therefrom.

(f) Schedule of Off-Street Loading Spaces

Office and Personal or Community Service Establishments One (1) loading space shall be provided for each such use, including schools, medical or dental clinics, auditoriums or club, etc., having greater than six thousand (6,000) square feet of gross floor area.

Residential Uses - Any Multiple family residential complex, if more than fifty (50) dwelling units, shall provide one (1) loading berth plus an additional berth for each additional two hundred (200) units.

Business or Commercial Uses - Every building or use of land consisting of over four thousand (4,000) square feet of floor area designed or adaptable for a retail business, warehouse, wholesale, or manufacturing use shall be provided with loading space as follows:

Total Gross Floor Area	Number of Loading Spaces Required
Up to 15,000 sq. ft	- 1 space
15,000 to 50,000 sq. ft.	- 2 spaces
50,000 to 100,000 sq. ft.	- 3 spaces
Each additional 100,000 sq. ft.	- 1 add. space

Other Similar Uses - The Plan and Zoning Commission shall determine to which of the above categories of loading regulation any unlisted use belongs.

Special Permit Uses - The City at its discretion and based on specific reasons may require more stringent loading facilities than provided herein for uses allowed by Special Use Permit.

10-2-5-101.6 EXISTING PARKING AND LOADING FACILITIES:

(a) Existing off-street parking or loading facilities located on the same lot as the use served shall not be reduced, or if already less than, shall not be further reduced, below the requirements and standards for similar new structures or uses.

(b) When an existing structure or use is damaged or destroyed and subsequently repaired or rebuilt, parking and loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored, but additional parking and loading facilities need not be provided.

(c) Whenever the use of any structure or premises is intensified through addition of dwelling units, increased floor area, greater seating capacity, etc., additional parking and loading facilities commensurate with such increases in use-intensity shall be provided.

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

10-2-5-102 STORMWATER RUNOFF DESIGN

10-2-5-102.1 INTENT AND PURPOSE

The intent of this standard is to address on-site stormwater runoff issues to assure that structural and/or natural drainage systems retain adequate capacity, thus avoiding the need for extensive public expenditures for stormwater system improvements. Further, this standard is intended to prevent environmental problems such as erosion, flooding, etc. as a result of increased runoff velocity and/or volume caused by development.

10-2-5-102.2 APPLICABILITY

The requirements set forth in this Section shall apply to all development other than an individual single family residence located in a subdivision approved prior to adoption of this Ordinance.

10-2-5-102.3 STORMWATER DISCHARGE DESIGN CRITERIA

The stormwater drainage system for proposed developments shall be designed to assure that the rate of stormwater runoff from the site after development is no greater than the rate of runoff from the site immediately prior to commencing development. On-site detention facilities may be required to meet these criteria. The Administrator or his designee shall be consulted to verify compliance of a stormwater plan with the specifications for stormwater drainage established herein.

10-2-5-103 ENVIRONMENTAL DESIGN STANDARDS

10-2-5-103.1 INTENT AND PURPOSE

These guidelines are intended to provide a set of design principles which encourage creative development solutions and will result in a desirable visual appearance within the City.

10-2-5-103.2 APPLICABILITY

These standards shall be applied in all cases where either Site Plan or Special Use Permit and approval are required.

10-2-5-103.3 RELATIONSHIP OF BUILDING TO A SITE

(a) The site shall be designed to provide a pleasant image on the primary street frontage including but not limited to adequate planting, pedestrian movement, and parking areas.

(b) Site planning in which setbacks and yards exceed the provision of the applicable zoning district is encouraged particularly when it provides an interesting relationship between buildings.

(c) Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to largely screen parking areas from the view of public ways.

(d) The height and scale of each building shall be compatible with its site and adjoining buildings.

(e) Newly installed utility services, and service revisions to commercial and multiple family buildings shall be placed underground.

10-2-5-103.4 LANDSCAPE AND SITE TREATMENT

These criteria shall apply to all landscape planning and construction.

(a) Plant material shall be selected for interest in its structure, texture, and color, and for its ultimate growth. Plants shall be used which are indigenous to the area or which will be hardy and harmonious with the design.

(b) In locations where plants are susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.

(c) Screening of service yards, and other places which tend to be unsightly, shall be accomplished by the use of walls, fencing, planting, or combination of these. To the degree possible, screening shall be equally effective in winter and summer.

(d) In areas where general planting will not prosper, other materials such as fences, walls, paving of wood, brick, stone, gravel, or cobbles, shall be used. Carefully selected plants shall be combined with such materials where possible.

(e) All disturbed ground shall be seeded and covered with straw or sodded or planted with other ground cover as provided with other approved surface stabilization measures as soon as possible to preclude erosion. If necessary, other antierosion practices may be required such as terracing and/or sediment basins.

(f) Mechanical equipment or other utility hardware on the roof of or ground surrounding buildings shall be screened from public view with materials complementary to the building, or they shall be located so as not to be

visible from any public way.

(g) Exterior lighting shall be part of the site design and architectural concept. Fixtures, standards, and all exposed accessories shall be complementary to the building design.

(h) Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways.

10-2-5-103.5 SITE, BUILDING AND ENVIRONMENTAL ACCESSIBILITY AND UTILITY FOR DISABLED PERSONS

To the maximum degree possible, any new construction rehabilitation, or conversion of buildings or related site improvements shall provide for the access and movement of physically disabled persons, including those with non-ambulatory (requiring a wheelchair), semi-ambulatory (crutches), sight, hearing, coordination or aging-related disabilities. These provisions should include but not be limited to those listed below:

(a) Building Access - Provision of on-grade, unobstructed access or alternate ramp access of sufficient design to accommodate a wheelchair (5 degree grade, 32” wide, non-slip surface, level entrance platform, etc.) to all buildings other than single family dwellings.

(b) Door and Corridor Width - Provisions of minimum thirty-two inches (32”) door width for entrances and corridors of seventy inches (70”) for internal circulation of disabled persons.

(c) Walks - Exterior sidewalks should not exceed a five percent (5%) grade, should have a minimum width of forty-eight inches (48”), should have a non-slip surface, and should blend to a common level with other walks, driveways, or parking lots to avoid curbs and other abrupt changes impeding the free movement of disabled persons.

(d) Parking Lots - Certain spaces which are accessible and are in close proximity to the facilities served by such parking areas should be set aside and identified for individuals with physical disabilities. These spaces should, where possible, be open on one side or be a minimum of twelve (12) feet in width. The grade, surface quality, and relation to other vehicle movements should be considered for maximum safety and convenience of the disabled person.

(e) Stairs - Stairs should be designed with adequate rails (32” extending 18” beyond the top and bottom), landing size, and riser height (7” maximum) to accommodate semi-ambulatory disabled persons.

(f) Other Standards - The published standards of the American National Standards Institute, entitled "Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People", ANSI A117.1 (1977) and all applicable standards of the Capital Development Board of Illinois, should be referred to for further and more specific guidelines to accommodate the disabled, including vertical circulation in buildings, access to toilets, water fountains, public telephones, and control of switches, warning signals, hazard avoidance, identification signs, etc.

10-2-5-104 ENVIRONMENTAL PERFORMANCE STANDARDS

Every use, activity, process or operation located or occurring in the City of Centralia shall comply with the standards in this Section, and no existing use, activity, process or operation shall be hereafter altered or modified so as to conflict with, or further conflict with such performance standards. If, as of the date of adoption of this Code adopting these standards, such operations shall not be varied or changed in any way as to increase the degree of such violation. The operation of any existing conforming use in violation of the Environmental Performance Standards shall not in itself make such use subject to Division 2, Section 10-2-4-101 NONCONFORMITIES.

10-2-5-104.1 ADMINISTRATION AND ENFORCEMENT

(a) Whenever, in the opinion of the Zoning Administrator, there is a reasonable probability that any use or occupancy violates these Environmental Performance Standards, he is hereby authorized to employ a qualified technician or technicians to perform whatever investigations and analyses are necessary to determine whether they are in fact being violated.

(b) In the event that a violation is found to exist, the violator shall be liable for the reasonable fee of the technicians employed to perform such investigations and analyses. Such fees may be recovered as a penalty in the same manner as, and in addition to, the penalties specified in Section 10-2-6-113.

(c) If a complaint is received regarding an alleged violation of any of the provisions contained herein and the Zoning Administrator does not believe that there is reasonable probability that such a violation actually exists, the Zoning Administrator may require that the complainant post an escrow deposit in the amount of two hundred ($200) to defray part or all of the cost of employing a qualified technician or technicians to perform such investigations and analyses as may be necessary to determine whether such violations exists.

1. In the event that the complaint is substantiated, the escrow deposit shall be refunded to the depositor, and the reasonable fees associated with the investigation and analyses shall be recovered in the manner provided in paragraph (b) above.

2. If the complaint proves unfounded, such fee shall be paid from the complainant's escrow deposit. Any remainder of such deposit shall be refunded to the complainant upon completion of the investigation.

3. Any violation of the Environmental Performance Standards shall hereby be considered as a public nuisance. Therefore, in addition to the enforcement procedures specified herein, the regulations of other applicable sections of the City Code shall apply.

10-2-5-104.2 NOISE

Sound levels shall be measured with a sound level meter and associated band filter manufactured according to standards prescribed by the American Standards Association, or its successors. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be subject to the Performance Standards prescribed herein, provided that such noises shall be capable of being accurately measured, and shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two (2) decibels. Noises incapable of being so measured such as those of an irregular and intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses. The sound pressure level of any use, activity, process or operation, other than background noises, such as the operation of motor vehicles or other transportation facilities, shall not exceed the decibel limits in the table below when measured at the property line of the lot on which it is located:

Octave Band Frequency in Cycles per Second	Maximum Permitted Sound Level in Decibels
20 to 75	72
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1,200	46
1,200 to 2,400	40
2,400 to 4,800	34
Above 4,800	32

10-2-5-104.3 VIBRATION

Any use, process, operation or activity which shall cause at any time and at any point beyond the boundaries of the lot, earthborne vibrations, other than

background vibrations such as the operation of motor vehicles or other transportation facilities, in excess of the limits set forth in the following table, is prohibited. Vibration shall be expressed as displacement in inches and shall be measured with a three component measuring system approved by the Building Official.

Frequency in Cycles per Second	Displacement in Inches
0 to 10	.0004
10 to 20	.0002
20 to 30	.0001
30 to 40	.0001
Over 40	.0001

Impact vibrations which are discrete pulses that do not exceed one hundred (100) impulses per minute shall be permitted twice the displacements shown above.

10-2-5-104.4 TOXIC MATTER

No use shall discharge or store any toxic matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare to citizens of Centralia, or cause injury or damage to property or business.

10-2-5-104.5 GLARE AND HEAT

Any operation producing glare or heat shall be performed within a completely enclosed building in such manner as not to create a public nuisance or hazard beyond the boundaries of the lot on which such building is located.

10-2-5-104.6 RADIATION HAZARDS

(a) The release of radioactive gases and particulate matter shall not exceed the maximum allowable concentration permitted the general population of applicable federal, state and local laws and regulations when measured at or beyond the lot line at ground level or other habitable elevation.

(b) No activity involving radiation hazards shall be permitted which causes exposure to persons at or beyond the lot lines in excess of the maximum allowable permitted the general population in applicable federal, state and local laws and regulations.

10-2-5-104.7 SMOKE AND PARTICULATE MATTER

The emission of smoke or dusts by manufacturing plants in an amount sufficient to create a general nuisance to adjoining properties shall be prohibited. All smoke

and the emission of all other particulate matter in quantities sufficient to produce an opacity at any point greater than Reingelmann 3 is prohibited. The only exception should be a plume consisting entirely of condensed steam. A Ringelmann 1 unit is defined as twenty percent (20%) density for one (1) minute. No more than fifteen (15) units of Ringelmann smoke shall be permitted per hour and no smoke more intense than Ringelmann 2, except that during one (1) hour of a twenty-four (24) hour day, thirty (30) units of smoke may be emitted, but with no smoke more intense than Ringelmann 3.

The total quantity of emitted solids shall not exceed one (1) point per hour, per acre of lot area.

10-2-5-104.8 ODOR

No odor shall be emitted by any use permitted in such quantities as to be readily detectable by an average observer at any point in the boundary line of the premises or beyond.

ARTICLE VI. PROCEDURES

10-2-6-101 APPLICATIONS, PETITIONS, FILING

All applications, requests, and petitions for permits, certificates of zoning compliance, variations, special uses, density transfer subdivisions, classifications, and reclassifications of property, notices of appeal, amendments to this ordinance, and other similar matters, together with all supporting documents required for such application, request or petition, and fees therefore, shall be filed with the Zoning Administrator or City Clerk upon forms provided therefore.

10-2-6-102 ZONING CODE AMENDMENTS

10-2-6-102.1 PROPOSED AMENDMENTS

The City Council may amend this Code in accordance with state law (Illinois Revised Statutes, Chapter 24, Section 11-13-14) and the provisions of this section. Proposed alterations of district boundaries or proposed changes in the status of uses (permitted, special, prohibited) shall be deemed proposed amendments. Amendments may be proposed by the City Council, the Zoning Administrator, the Board of Appeals, the Plan and Zoning Commission, or any party in interest.

10-2-6-102.2 FILING

Every application for amendment of the Zoning Code shall be filed with the Zoning Administrator on a prescribed form. Within twenty (20) days of receipt of the application, the proposed amendment shall be placed on the agenda of the Plan and Zoning Commission, and shall be accompanied by the Zoning Administrator's report containing his recommendations pertaining thereto. Within this twenty (20) day period, the proposed amendment shall also be placed on the City Council agenda for information.

The Commission shall fix a reasonable time for a public hearing; provided, however, that such date shall be within thirty (30) days from the filing date. Such hearing may be continued from time to time for good cause shown.

The Commission may refuse to consider any proposal for amendment of the regulations or districts or reclassification of property unless there is submitted with the application a petition for the proposal signed and acknowledged by the owners of twenty-five percent (25%) of the frontage affected by or to be reclassified by such proposals.

10-2-6-102.3 NOTICE AND HEARING

The Commission shall set a date for a public hearing, and notice of this hearing shall be given according to the provisions of Section 10-2-6-108.

10-2-6-102.4 ADVISORY REPORT, FINDING OF FACT

Within fifteen (15) days after the public hearing, the Plan and Zoning Commission shall submit its advisory report to the City Council. The report shall state the Commission's recommendations regarding adoption of the proposed amendment, and its reasons therefore. If the effect of the proposed amendment would be to alter district boundaries or to change the status of any use, the Commission shall include in its advisory report findings of fact concerning each of the following matters:

(a) existing use(s) and zoning of property in question;

(b) existing use(s) and zoning of other lots in the vicinity of the property in question;

(c) suitability of the property in question for uses already permitted under existing regulations;

(d) suitability of the property in question for the proposed use;

(e) the trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned; and

(f) the effect the proposed rezoning would have on implementation of Centralia's comprehensive plan.

10-2-6-102.5 ACTION BY COUNCIL

The City Council shall act on every proposed amendment at its next regularly scheduled meeting following submission of the Commission's advisory report, in no case to exceed thirty (30) days following receipt of such report. Without further public hearing, the Council may pass any proposed amendment or may refer it back to the Commission for further consideration, by simple majority vote of all members then holding office.

Note, however, that the favorable vote of at least two-thirds (2/3) of all the members of the Council is required to pass an amendment to this Code when the proposed amendment is opposed, in writing, by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered. (Illinois Revised Statutes, Chapter 24, Section 11-13-14).

10-2-6-103 SPECIAL USE PERMITS

10-2-6-103.1 INTENT AND PURPOSE

The purpose of the Special Use Permit is to provide the City of Centralia with a procedure for determining the appropriateness of a proposed use not authorized as a matter of right by the regulations of the district in which the use is proposed to be located. The appropriateness of the use shall be determined in consideration of surrounding uses, activities and conditions of the site and of surrounding areas. Based upon this determination, the City may decide to permit, reject, or conditionally permit the use for which the Special Use Permit is sought. (See Section 10-2-4-103).

10-2-6-103.2 AUTHORIZATION

The Plan and Zoning Commission may authorize, under prescribed conditions, the construction or undertaking of any Special Use that is expressly permitted in a particular zoning district. However, the Commission reserves full authority to deny any request for a Special Use; to impose conditions on the use; or to revoke approval at any time, upon a finding that the permitted Special Use will or has become unsuitable and incompatible in its location as a result of any nuisance or activity generated by the use.

10-2-6-103.3 APPLICATION AND SUBMISSION REQUIREMENTS

(a) Every applicant for a Special Use Permit shall submit an application to the Administrator on forms provided by the City, completing the items of information as listed below. The administrator shall prepare an advisory report on every request for the Special Use Permit and submit his report to the Plan and Zoning Commission at the hearing date at which time the application is to be considered.

(b) The following items of information shall be supplied by the applicant:
- Name and address of applicant;
- Name and address of the owner or operator of the proposed structure or use, if different from the applicant;
- Nature of the proposed use, including type of activity proposed, manner of operation, number of occupants or employees, and similar matters;
- Location of the proposed use or structure, and its relationship to existing adjacent uses or structures;
- Area and dimensions of the site for the proposed structure or uses;
- Existing and proposed screening, landscaping and erosion control features on the site, including the parking area;
- Height and setbacks of the proposed structure;
- Number and size of proposed dwelling units, if any;
- Location and number of proposed parking/loading spaces and

accessway;
- Identification and location of all existing or proposed utilities, whether public or private; and/or
- Any other pertinent information that the Administrator may require.

(c) The application as specified in 10-2-6-103.3(a) shall be accompanied by a scale plat of suitable scale of the use site incorporating thereon the proposed development plan, including but not limited to landscaping, parking, outdoor lighting and advertising signs and all adjacent roads.

10-2-6-103.4 PUBLIC HEARING

The Commission shall hold a public hearing on every Special Use Permit application within a reasonable time after said application is submitted, in accordance with the notice provisions set forth in Section 10-2-6-108. At the hearing, any party may appear in person, or by agent or attorney and present testimony on behalf or in protest of an application for a Special Use Permit.

10-2-6-103.5 STANDARDS

The Commission shall not approve a Special Use unless it finds that the application and evidence presented clearly indicate that:

(a) The proposed design, location, and manner of operation of the proposed special Use will adequately protect the public health, safety, and welfare and is compatible with the existing and developing uses of the neighboring property.

(b) The proposed Special Use is consistent with Centralia's land use plan.

(c) The effect the proposed Special Use would have on public utilities and on traffic circulation on nearby streets will be minimal.

(d) Ingress and egress to the property and proposed structures thereon with particular reference to automobile and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe will be adequate.

(e) Adequate screening and buffering with reference to type, dimensions, and character, will be provided.

(f) Required yards, setbacks and off-street parking requirements will be met.

(g) The application will comply with such additional conditions as may be imposed by the Commission which it deems reasonable necessary to protect the public health, safety and welfare.

10-2-6-103.6 CONDITIONS AND RESTRICTIONS

In approving a Special Use Permit application, the Plan and Zoning Commission may impose conditions and restrictions as necessary to assure that the standards of Section 10-2-6-103.5 are complied with and the general intent of the Code is carried out. The following conditions and restrictions will be considered:

(a) The Plan and Zoning Commission in approving a Special Use Permit may specify that the permit is granted to the individual applicant and that if the applicant discontinues as the principal operator or user of the Special Use, the right to the use shall terminate. However, upon application of a prospective user, the Commission may review and approve continuation of the use. In so doing, the Commission may alter the terms of the permit.

(b) If the ownership of a property changes where a use has been approved as a Special Use, but the use continues with the same scope and intent as that which has been approved, the Zoning Administrator may approve the continuation of the use without reapplication to the Plan & Zoning Commission. The Zoning Administrator may select to bring the matter before the Plan & Zoning Commission before granting a continuation of the permit. In either case, the Plan & Zoning Commission will be notified of such change.

(c) That any future enlargement or alteration in the use of the structure or site must be approved by the Plan and Zoning Commission as an amendment to the Special Use permit before a building permit for the enlargement or alteration may be issued.

Failure to comply with any of these conditions or restrictions shall constitute a violation of this Code punishable as provided in Section 10-2-6-111.

10-2-6-103.7 EXPIRATION

(a) No Special Use Permit granted by the Plan and Zoning Commission shall be valid for a period longer than one year from the date it grants the Special Use Permit, unless within such period:

1. A building permit is obtained and construction is begun; or

2. If a building permit is not required, an occupancy permit is obtained and the use of the building commenced.

(b) The Commission may grant extensions not exceeding one hundred and eighty (180) days such, upon written application, without notice or hearing.

10-2-6-104 DENSITY TRANSFER SUBDIVISION PROCEDURES

10-2-6-104.1 INTENT AND PURPOSE

This section establishes the procedures for the type of planned development set forth in Section 10-2-4-106 Development of a density transfer subdivision shall be contingent upon issuance of a Special Use Permit; Approval of a Preliminary Plat; completion of all required improvements or posting a performance bond or depository funds in an escrow account to guarantee completion; and approval and recording of a Final Plat.

10-2-6-104.2 APPLICATION AND SUBMISSION REQUIREMENTS

The submission requirements for a density transfer subdivision shall be identical to those for Special Use Permits, Section 10-2-6-103.3 and for subdivision approval, Division 3, Article 2. The developer shall submit to the Zoning Administrator, in narrative and/or graphic form, all items in Section 10-2-6-103.3 of this Code and in Section 10-3-103 of the Subdivision Ordinance.

10-2-6-104.3 REVIEW PROCEDURE

For the mutual convenience of the City and the developer, review of the Special Use Permit application and the Preliminary Plat may occur simultaneously as provided herein.

(a) Public hearing, advisory report: Not later than thirty (30) days after all required information has been filed and after notice has been given pursuant to Section 10-2-6-108, the Plan and Zoning Commission shall conduct a public hearing on the proposed density transfer subdivision. Within fifteen (15) days thereafter, the Commission shall submit a written advisory report to the City Council. The report shall state the Commission's decision regarding issuance of the Special Use Permit and its recommendation regarding approval of the Preliminary Plat and the reasons for said recommendation.

(b) Council action: The Council shall act on the Commission's recommendation no later than thirty (30) days after its next regularly scheduled meeting following submission of the advisory report.

(c) Additional requirements: If the Commission grants the Special Use Permit and the Council approves the preliminary Plat, the developer may proceed with submission of the Improvement Plans in accordance with Section 10-3-2-105 of the Subdivision Ordinance and shall comply with all other applicable provisions of Division 3.

10-2-6-105 VARIATIONS

10-2-6-105.1 AUTHORIZATION

The Board of Appeals may vary the regulations of this Code in harmony with its general purpose and intent, only in the specific instances hereinafter set forth; upon findings of fact based upon the standards hereinafter prescribed that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this Code; and that the granting of a variation will not merely serve as a convenience to the applicant, but is necessary to alleviate some demonstrated hardship or difficulty; provided, however, that no variation as to use regulations established by this Code shall be granted.

10-2-6-105.2 APPLICATION AND SUBMISSION REQUIREMENTS

Applications for variations shall be filed with the Zoning Administrator upon forms provided by him, together with all accompanying documents required by such forms or rule of the Board. The Zoning Administrator shall transmit such application to the Board and at the same time shall give notice thereof to the Commission. The application shall contain sufficient information to allow the Board to make an informed decision, and shall include, at a minimum, the following:

(a) Name and address of the applicant;

(b) Location of the structure/use for which the variation is sought;

(c) Relationship of said structure/use to existing structures/uses on adjacent lots;

(d) Specific section(s) of this Code containing the regulations which, if strictly applied, would cause a hardship;

(e) The characteristics of the subject property which prevent compliance with the requirements of this Code;

(f) The particular hardship which would result if the specific requirements of this code were applied to the

(g) Any other pertinent information that the Board may require.

10-2-6-105.3 HEARING AND PROCEDURAL RULES

The Board of Appeals shall hold a public hearing on all applications for variations in accordance with the provisions of Section 10-2-6-108.

10-2-6-105.4 STANDARDS FOR VARIATIONS

The Board of Appeals shall not grant a variation as authorized herein unless the Board shall, in each case, make specific written findings of fact directly based upon the particular evidence presented to it in the application and public hearing that support all of the following conclusions.

(a) The variation requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant;

(b) The granting of the variation shall not adversely affect the rights of adjacent property owners or residents;

(c) The strict application of the provisions of this Code from which a variation is requested, will cause severe practical difficulty or extreme hardship for the property owner represented in the application;

(d) The variation desired will not adversely affect the public health, safety, order, convenience, or general welfare of the community;

(e) Granting the variation desired will not violate the general spirit and intent of this Code.

10-2-6-105.5 REVIEW CONSIDERATIONS

In determining whether the evidence presented supports all of the conclusions required by Section 10-2-6-105.4 the Board of Appeals shall consider the extent to which the evidence demonstrates that:

(a) The particular physical surroundings, shape or topographical conditions of the property involved would result in a severe practical difficulty or extreme hardship upon or for the owner, lessee, or occupant, if the provisions of this Code were literally enforced;

(b) The request for a variation is not based exclusively upon the desire of the owner, lessee, occupant or applicant to secure a greater financial return from the property;

(c) The granting of the variation will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the property is located; and

(d) The proposed variation will not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public

streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

10-2-6-105.6 CONDITIONS AND RESTRICTIONS

In granting a variation, the Board of Appeals may impose such conditions and restrictions upon the property benefited by the variation as may be necessary to comply with the standards set out in Section 10-2-6-105.4 to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of this Code. Failure to comply with any of these conditions or restrictions shall constitute a violation of this Code, punishable as provided in Section 10-2-6-111.

10-2-6-105.7 DECISIONS AND RECORDS

The Board of Appeals shall render and send to the applicant a written decision on an application for a variation without unreasonable delay and in no case after more than thirty (30) days of the public hearing. The Zoning Administrator shall be informed of the decision and shall be responsible for enforcement.

10-2-6-105.8 PERIOD OF VALIDITY

No variation granted by the Board of Appeals shall be valid for a period longer than three hundred sixty-five (365) days from the date on which it grants the variation, unless within such period:

(a) A building permit is obtained and the construction or alteration of the structure is commenced and pursued diligently toward completion; or

(b) An occupancy and use permit is obtained and a use or occupancy commenced.

10-2-6-105.9 FINALITY

All final administrative decisions of the Board shall be subject to judicial review pursuant to the provisions of the Administrative Review Act, of the State of Illinois, approved May 8, 1945, and all amendments and modifications thereto and the rules adopted pursuant thereto. The term “administrative decision” is defined in Section 1 of the Administrative Review Act.

10-2-6-106 BUILDING PERMITS

10-2-6-106.1 PERMIT REQUIRED

No building or other structure shall be erected, moved, added to, or structurally altered within the City Limits of Centralia and established 1 1/2 mile zoning area without a building permit therefore, issued by the Building Official. No building permit shall be issued by the Building Official except in conformance with the provisions of this Code, unless the Building Official receives a written order from the Board of Appeals in the form of a variation (see Section 10-2-6-107) as provided in this Code.

10-2-6-106.2 APPLICATIONS

All applications shall be prepared on building permit forms furnished by the Building Official and shall be accompanied by plans drawn to suitable scale showing the actual dimensions and shape of the lot(s) to be built upon; the exact locations in the lot of buildings already existing, if any; and the location and dimension of the proposed building or alteration. The forms provided by the Building Official shall include applications for a certificate of zoning compliance and an occupancy and use certificate, which the Building Official shall forward to the Zoning Administrator for approval.

The building permit application shall include such other information as lawfully may be required by the Building Official and Zoning Administrator, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with and provide for the enforcement of this Code.

10-2-6-106.3 ISSUANCE OF PERMITS

Applications received by the Building Official shall be approved or denied within thirty-one (31) days after their receipt. Within ten (10) days of receipt of a building permit application, the Building Official shall forward the applications for certificate of zoning compliance to the Zoning Administrator for approval or denial.

10-2-6-106.4 CERTIFICATE OF ZONING COMPLIANCE

The application for a certificate of zoning compliance to be reviewed by the Zoning Administrator shall contain the following information:

(a) Site and Landscape Plan: One (1) or a series of maps shall be submitted (minimum scale of 1” = 50’) indicating project name, applicant’s name,

adjoining streets, scale, north arrow and date drawn, showing:

1. The location, size and height of all existing and proposed structures on the site.

2. The location and general design (width and materials) of all driveways, curb cuts and sidewalks including connections to building entrances.

3. The location, area and number of proposed parking spaces.

4. Existing and proposed grades at an interval of five (5) feet or less, extended beyond the project site to include adjacent properties and structures.

5. The location and general type of all existing trees over six (6) inch caliper and, in addition, an indication of those to be retained.

6. The proposed general use and development of internal spaces, including all recreational and open space areas, plazas and major landscaped areas by function, and the general location and description of all proposed outdoor furniture (seating, lighting, telephones, etc.).

7. The location and approximate size of all proposed plant material by type, such as hardwood/deciduous trees, evergreen trees, flowering trees and shrub masses, and types of ground cover (grass, ivies, etc.). Planting in parking areas should be included.

8. The location of all retaining walls, fences (including privacy fences around patios, etc.) and earth berms.

9. The definition and location of all refuse collection facilities including screening to be provided.

10. Provisions for both on and off-site stormwater drainage and detention related to the proposed development.

(b) Site and Building Sections: Unless otherwise provided in contract documents for the building permit, schematic or illustrative sections shall be drawn to a scale of 1” = 8’ or larger, indicating both edge conditions and internal grade changes in relation to principal variations of internal building levels and site line relations to adjacent residences.

(c) Typical Elevations: Typical elevations of proposed buildings shall be provided at a reasonable scale, unless otherwise provided in contract documents for the building permit.

(d) Project Data:

1. Site area (square feet and acres)

2. Allocation of site area by building coverage, parking, loading and driveways, and open space areas including total open space, recreation area, landscaping areas and others.

3. Total dwelling units and floor area distributed generally by type (one-bedroom, two-bedroom, etc.).

4. Floor area in non-residential use by category.

5. Total floor area ration and residential density distribution.

6. Calculations of parking spaces and area in relation to dwelling units and commercial floor area.

If the application for a certificate of zoning compliance is denied, the reasons therefore shall be stated in writing. The Zoning Administrator shall issue a certificate of zoning compliance for a special use pursuant only to notice from the Plan and Zoning Commission that the application therefore has been approved by the Commission.

Except as hereinafter provided, no permit pertaining to the use of land or buildings shall be issued by an officer, department or employee of the City unless the application for such permit has been examined by the office of the Zoning Administrator and has affixed to it a certificate of his office that the proposed building or structure and use thereof complies with all the provisions of this Zoning Code.

10-2-6-106.5 INSPECTION

The Building Official shall determine by inspection whether the work authorized by the building permit and certificate of zoning compliance has been completed in accordance with the approved plans. Following such inspection, the Building Official shall submit the application for an occupancy and use certificate to the Zoning Administrator for approval or denial. If denied, the Zoning Administrator shall state the reasons therefore in writing.

10-2-6-106.6 EXPIRATION

If the work described in any building permit has not been substantially completed within one (1) year of the date of issuance thereof, said permit shall expire and be

cancelled by the Zoning Administrator, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained. A building permit may be extended beyond one (1) year if it is so requested in writing at the time of issuance of the building permit.

10-2-6-106.6 EXPIRATION

If the work described in any building permit has not been substantially completed within one (1) year of the date of issuance thereof, said permit shall expire and be cancelled by the Zoning Administrator, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained. A building permit may be extended beyond one (1) year if it is so requested in writing at the time of issuance of the building permit.

10-2-6-106.7 CERTIFICATE OF OCCUPANCY

(a) Scope of Permits

Certificate of occupancy shall be required for any of the following:

1. Occupancy and use of a building hereafter erected or structurally altered.
2. Change in use of an existing building to a use of different classification.
3. Occupancy and use of vacant land.
4. Change in the use of land to a use of a different classification.
5. Any change in the use of a nonconforming use. No such occupancy, use or change of use shall take place until a certificate of occupancy therefore shall have been issued by the Building Inspector.

(b) Application for Occupancy Certificate

Every application for a building permit shall be deemed to be an application for an occupancy certificate. Every application for an occupancy certificate for a new use of land where no building permit is required shall be made directly to the Office of the Administrator.

(c) Issuance of Occupancy Certificate

No occupancy certificate shall be issued until construction has been completed or the use established and has been inspected and certified by the office of the Administrator to be in compliance with all the provisions of this Code, provided that pending the issuance of an occupancy certificate, a temporary occupancy certificate may be issued to be valid for

a period not to exceed six (6) months from its date during the completion of any addition or during the partial occupancy of the premises. An occupancy permit shall be issued or written notice shall be given to the applicant, stating the reasons why a certificate cannot be issued, not later than fifteen days after the office of the Administrator is notified in writing that the building or premises is ready for occupancy.

10-2-6-107 APPEALS

10-2-6-107.1 AUTHORIZATION

Any person aggrieved by any decision or order of the Zoning Administrator in any matter related to the interpretation or enforcement of any provision of this Code may appeal to the Board of Appeals. Every such appeal shall be made and treated in accordance with Illinois law (Illinois Revised Statutes, Chapter 24, Section 11-13-12) and the provisions of this Section.

10-2-6-107.2 FILING

Every appeal shall be made within forty-five (45) days of the matter complained of by filing with the Administrator a written notice in a manner as prescribed in Section 10-2-6-105.2 of this Code specifying the grounds for appeal. After proper notice is filed, the Zoning Administrator shall transmit to the Zoning Board of appeals all records pertaining to the case.

10-2-6-107.3 NOTICE AND HEARING

The Board of Appeals shall affix a reasonable time for the hearing of an appeal or application for a variance to the Zoning Code as filed with the Zoning Administrator; provided, however, such time shall be within thirty-one (31) days from the date of the appeal or application for the variance is so filed, and give public notice of such hearing in a manner prescribed by Section 10-2-6-108.

10-2-6-107.4 DECISION ON APPEALS

The Board of Appeals shall render a decision on the appeal within a reasonable time after the hearing. Upon hearing of the appeal, the Board may reverse or affirm of wholly or partly, or may modify or amend the order, requirement, decision, or determination appealed from to the extent and in the manner that the Board may decide to be fitting and properly so as to conform such order requirement, decision or determination to the regulations established by this Code.

10-2-6-107.5 STAY OF PROCEEDINGS

The appeal shall stay all proceedings and furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board after notice of appeal has been filed with him that by reason of facts stated in the certification, a stay would, in his opinion, cause imminent peril to life or property. In such a case, the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record or application, with notice to the officer from whom the appeal is taken, and all due causes shown.

10-2-6-108 NOTICE AND HEARING

Whenever the provisions of this Code shall require public notice and hearing, the procedures herein shall govern. The officials conducting the hearing shall cause notice of the time and place of the hearing to be published at least once, not more than thirty (30) days nor less than fifteen (15) days before the hearing in a newspaper published in the City. The notice shall designate the location of the property involved, if any, and shall contain a statement of the issue or matter which is subject of the hearing. The published notice may be supplemented by such additional notice given in such manner as the officials by rule may provide.

10-2-6-109 FEES

Upon receipt of the recommendations of the City Manager and the Zoning Administrator, the City Council shall establish a schedule of fees, charges and expenses, and a collection procedure for all matters pertaining to this Code. The schedule of fees shall be filed in the Office of the Zoning Administrator. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any matter or on any appeal provided by this Code.

10-2-6-110 ENFORCEMENT

10-2-6-110.1 ZONING ADMINISTRATOR

This Code shall be enforced by the Zoning Administrator with the assistance and cooperation of the Building Official. The construction, reconstruction and/or alteration of buildings shall not be undertaken, and the development of land shall not be commenced except in accordance with the provisions of this Code. No permit or application for the construction, alteration or change of use of buildings or land shall be approved if the proposed use or activity would be in violation of the Zoning Code.

10-2-6-110.2 NOTICE OF VIOLATION AND SANCTIONS

If the Zoning Administrator finds that any of the provisions of this Code are being violated, the person responsible for such violation shall be notified in writing. The Zoning Administrator shall indicate the nature of the violation, and order the action necessary to correct it. The Zoning Administrator shall take any other action authorized by law to insure compliance with or to prevent violation of the provisions of this Code.

10-2-6-110.3 CONFORMANCE WITH APPROVED PLANS AND CONDITIONS

All permits issued on the basis of plans and/or applications approved by the Building Official, Zoning Administrator, Plan and Zoning Commission and/or City Council shall authorize only the use, arrangement and/or construction set forth in such approved plans and/or applications, and no other use, arrangement, or construction.

10-2-6-111 VIOLATIONS AND PENALTIES

10-2-6-111.1 VIOLATIONS

Violations shall include, but are not limited to, the following:

(a) The use, alteration, or construction of buildings or the use or improvements of land of a site not in accordance with the provisions of this Code or with approvals given or permits issued pursuant to this Code.

(b) Failure to obtain permits as required by this Code.

(c) Failure to comply with the terms, conditions or restrictions of a variation issued pursuant to this Code.

10-2-6-111.2 PERSONS LIABLE FOR VIOLATION

(a) Those who commit, assist in, or otherwise participate in a violation.

(b) The owner or other persons who maintain the building, premises, property, or other place where the violation has been committed or exists.

(c) The owner's agent or person in charge of the building, premises, property or other place where the violation has been committed or exists.

(d) The leasee or tenants of all or part of the building, premises, property, or other place where the violation has been committed or exists.

(e) The developer, agent, architect, contractor, subcontractor, or any other person who performs work or enters into a contract for work in violation of this Code.

10-2-6-111.3 INSTITUTING ACTION

In case any building or structure is constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structures, or land is used in violation of the regulations established by this Code, the City, or any owner or tenant of real property within a radius of two hundred (2000 feet from the building, structure, or land in question, in addition to other remedies, may institute any appropriate action or proceeding: (1) to prevent the unlawful construction, reconstruction, alteration, repair, conversion, maintenance, or use, (2) to prevent the occupancy of the building, structure, or land, (3) to prevent any illegal act, conduct, business, or use in or about the premises, or (4) to restrain, correct, or abate the violation. When any such action is instituted by an owner or tenant, notice of such action shall be served upon the City at the time suit is begun, and no such action may be maintained until such notice has been given.

10-2-6-111.4 CORRECTIVE ACTION ORDERS

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

(a) Contents of Order - The order to take corrective action shall be in writing and shall include: A description of the premises sufficient for identification; a statement indicating the nature of the violation; a statement of the remedial action necessary to effect compliance; the date by which the violation(s) must be corrected; a statement that the alleged violator is entitled to a conference with the Zoning Administrator if he so desires; the date by which an appeal of the corrective action order must be filed, and a statement of the procedure for so filing; and a statement that failure to obey a corrective action order shall result in revocation of the certificate of zoning compliance and may result in the imposition of fines.

(b) Service of Order - A corrective action order shall be deemed properly served upon the owner, occupant, or operator of the offending lot, structure, or use if it is served upon him personally, sent by registered mail to his last known address, or posted in a conspicuous place on or about the affected premises.

10-2-6-111.5 PENALTIES

Any person who violates this Code shall, upon conviction, be fined not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) for each offense. Each day during which such violation continues shall constitute a separate offense.

10-2-6-111.6 EMERGENCY MEASURES

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

ARTICLE VII DEFINITIONS

Accessory - The term applied to a building, structure, or use which: (1) is subordinate to and serves a principal use; (2) is subordinate in area, extent, or purpose to the principal building or principal use served; (3) contributes to the comfort, convenience or necessities of the users or occupants of the principal building or principal use; and (4) is located on the same lot as the principal building or principal use. (See Section 10-2-4-102).

Acre - Unit of land measure; 43,560 square feet. As a square, an acre measures 208.71 feet on each side.

Agriculture - The use of land for agricultural purposes, including, but not limited to, farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry, and their customary buildings, structures and accessory uses. Buildings used for residences shall not be considered to be used for agricultural purposes and are subject to regulations herein regarding such residences.

Airport - Any area of land or water used for the landing and taking off of aircraft; and any appurtenant areas used for airport buildings or other airport facilities or right-of-way, together with all airport buildings and facilities located thereon.

Alley - A public thoroughfare which affords only secondary means of access to abutting property, usually not exceeding twenty-five (25) feet in width.

Alteration - A physical change in a structure or in an addition to a structure. The term alteration includes renovation, modification, rehabilitation and restoration.

Animal Hospital - Any building or portions thereof, used for the care, observation, or treatment of domestic animals.

Attached Single Family Dwelling - One of a series of attached dwellings designed for single family occupancy and located on individually subdivided lots of record or on land owned in common or in condominium by the owners of the individual dwellings.

Automobile Service Station - A use primarily for supplying gasoline, oil, air and water, tires, accessories and services for motor vehicles at direct retail to the consumer including the incidental washing of motor vehicles and the making of minor repairs, but not including such major repairs as: spray painting, body, fender, clutch, transmission, differential, axle, spring and frame repairs; major overhauling of engines or radiators, requiring removal thereof; or recapping or retreading of tires.

Basement - A floored and walled substructure of a building at least fifty percent (50%) below the average finished grade of the building. A basement shall be counted as a story for the purpose of height, parking or building bulk regulations if subdivided by walls or partitions and used for business or dwelling purposes or for related storage by other than a janitor employed on the premises.

Billboard or Signboard - Any structure or portion thereof, situated on private premises, on which lettered, figured, or pictorial matter is, or intended to be, displayed for advertising purposes, other than the name and occupation of the user of, or the nature of, the business conducted on such premises or the products primarily sold or manufactured thereon. This definition shall not be held to include a real estate sign advertising for sale or rent the property upon which it stands.

Block - That property abutting on one (1) side of a street between the two (2) nearest intersecting streets or other natural barriers.

Board of Appeals - The appointed Board of Appeals of this municipality.

Buffer Strip - An area of land or a lot which is undeveloped except for landscaping, fences, etc, and which is designed to protect the use or user situated on an adjacent property from the deleterious effects of the use.

Building - any structure for the shelter, support or enclosure of persons, animals, chattels or property of any kind. When separated by division walls without openings, each portion of such building, so separated, shall be deemed a separate building.

Building Bulk - The height, depth, width, volume or floor area of a building.

Building Frontage - The developed length of that portion of the building which faces a right-of-way or which faces a publicly accessible parking lot containing not less than twenty (20) parking spaces and serving the building.

Building Height - The vertical distance measured from the curb grade or its equivalent established grade at a point midway between the two side lot lines to the highest point of the roof in the case of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; provided that where buildings are set back from street line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.

Building Permit - A permit issued by the Building Official prior to the initiation of construction, certifying that the plans for the building, structure or site improvements for which the building permit is requested satisfy all applicable statutes, City regulations and ordinances. (See Section 10-2-6-108).

Bulk & Area Regulations - Regulations which relate to a specific quantifiable use condition such as density or intensity, or to building size, bulk or siting conditions occurring anywhere and for any type of building located within a given zoning district.

Carry-Out Restaurant - An establishment where food including frozen desserts and/or beverages are primarily sold in a packaged, ready-to-consume state, intended for immediate consumption by the customer off the premises.

Certificate of Zoning Compliance - Certification by the Zoning Administrator as to the appropriateness of a proposed use, which must be obtained prior to the issuance of a building permit in accordance with Section 10-2-6-108.

Clinic - An institution providing diverse health care or medical treatment for outpatient or ambulatory sick or injured persons, including medical personnel and ancillary facilities such as laboratories, but not including inpatient care, overnight accommodations, or operating rooms for major surgery.

Closed Construction - Any building, component, assembly or system manufactured in such a manner that all portions cannot readily be inspected at the installation site without disassembly, damage to, or destruction thereof.

Club - Use of a building or portion of a building as a center of informal association for a selective membership not open to the general public.

Convent - A residential structure used as the permanent residence for up to 6 unrelated persons who are members of the same religion.

Convenience Retail Good Stores - Any business selling primarily those products which are normally consumed and purchased by the individual or household on a regular daily or weekly basis including the following:

(1) Groceries or specialty foods or beverages;
(2) Drug store or other specialty store for pharmaceuticals and personal care items;
(3) Household cleaning or maintenance supplies including hardware stores, but excluding lumber yards or other specialty stores providing products for home decoration or renovation;
(4) Books, records, magazines, newspapers or photographic supplies.

Conversion - Altering the original or current use of a building to a different use.

Day Care Center - An organized group program for the care of children away from their home for any part of a 24-hour day, for compensation or otherwise.

Density - The number of dwelling units that may be constructed per acre or per square feet of a lot area.

Detached Single Family Dwelling - A dwelling for single family occupancy and entirely surrounded by a yard or other separation from buildings or adjacent lots.

Development - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, site improvements, mining, dredging, filling, grading, paving, excavation or drilling operation.

Development Standards - Regulations or standards which relate to parking and loading, stormwater management, environmental design, environmental performance standards or other related provisions or limitations on development in any given zoning district.

District - A section of the City or of the unincorporated area within one and one-half (1 1/2) miles of the corporate limits for which uniform regulations governing the use, height, area, and intensity of use by buildings and land, and open spaces about buildings, or other development standards within such district are established.

Dwelling - Any building or portion thereof designed for, or used exclusively for, residential purposes.

Dwelling Unit - One (1) or more rooms in a building designed for occupancy by one (1) family for living purposes and having its own permanently installed cooking and sanitary facilities.

Easement - A right to use another person's real property for certain limited purposes.

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

Encroachment - An unauthorized extension of a structure or portion thereof upon land owned by a person other than the owner of said structure.

Environmental Performance Standard - A criterion established to control various environmental factors such as noise, odor, dust, smoke, toxic or noxious matter, vibration, fire and explosive hazards, and glare and heat generated by or inherent in the use of land or buildings. (See Section 10-2-5-104).

Erect - To build, construct, install, attach, hang, place, inscribe, suspend, affix, paint or repaint.

Exterior Wall Surface - The most exterior part of a wall, sun screen, or any screening or material covering a building.

Family - One (1) person, or two (2) or more persons related by blood, marriage or legal adoption, or not more than three (3) unrelated persons, maintaining a common household in a dwelling unit.

Fast Food Restaurant - Any establishment whose principal business is the sale of foods, frozen desserts, or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carry-out, and where either (1) foods, frozen desserts or beverages are usually served in edible containers or in paper, plastic, or other disposable containers, and where customers are not served their food, frozen desserts or beverages by a restaurant employee at the same table or counter where the items are consumed, or (2) the establishment includes a drive-up or drive-through service facility or offers curb service.

Flood or Flooding - A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

Floodplain - A geographic area susceptible to periodic inundation from overflow of natural waterways.

Flood Area - The sum of all gross horizontal enclosed area of the several floors of building and its accessory buildings on the same lot, excluding unfinished basement floor areas used for storage and such space occupied by mechanical equipment, elevator shafts, and other nonleasable circulation areas. All dimensions shall be measured between the exterior faces of the walls.

Floor Area Ratio - Total floor area of a building or buildings on any lot divided by the area of such lot.

Garage - A detached accessory building or portion of a principal building, designed, arranged, used or intended to be used for the storage of motor vehicles of the occupants of the premises or their clients or customers without charge to visitors, clients or customers during the period they are visiting or conducting business with an occupant on the premises.

Garden Apartment (Walk-Up apartment) - A two (2) or three (3) story apartment building with common access to individual dwelling units by means of interior or exterior stairs or corridors.

Gross Leasable Floor Area - For the purpose of determining requirements for off street parking and off street loading, the gross leasable floor area means the sum of the gross horizontal areas of the several floors of the building, or a portion thereof, devoted to such use, including accessory storage areas located within selling or working space, such as counters, racks, or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However, floor area for purposes of computation of off street parking spaces does not include floor area devoted primarily to storage purposes (except as otherwise noted herein).

Group Home - A residential structure for handicapped or developmentally disabled persons and monitored by an agency properly licensed pursuant to the law of Illinois.

Height - See Building Height

Home Occupation - A home occupation is a business, profession, occupation or trade conducted for the personal gain or support of the residential occupant and conducted entirely within a residential building or accessory structure. (See Section 10-2-4-103).

Hospital - An institution providing medical, psychiatric, obstetrical or surgical care for humans only, on a 24-hour basis for both in and out patients, including medical service, training and

research facilities, related overnight accommodations and structures or uses providing support services directly related to the function of such institution.

Hotel (Motel) - An establishment consisting of a group of attached or detached living or sleeping accommodations, each with a bathroom, located on a single lot and designed for use by the traveling public and tourists, and furnishing customary hotel services.

Household Apparel and Furnishing Stores - Any business selling primarily those products which are purchased only occasionally, seasonally or as needed to furnish the interior of the home and to provide clothes for household members including:

(1) Furniture or home furnishings;
(2) Specialty stores providing home decoration or renovation supplies including paints, wallpapers, draperies, lumber;
(3) Apparel, clothing, jewelry or shoe stores;
(4) Department or general merchandise stores;
(5) Appliance stores

Inoperable Motor Vehicle - Any motor vehicle from which, for a period of at least six (6) months, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power.

Junk Yard - A tract of land including any accessory structures thereon, that is used for buying, selling, exchanging, storing, baling, parking, disassembling, or handling waste or scrap materials. Such scrap materials include vehicles, machinery, and equipment not in operable condition (or parts thereof), and metals, glass, paper, plastics, rags, and rubber tires. A lot on which three (3) or more inoperable vehicles are stores shall be deemed a "junk yard". A "junk yard" includes an automobile wrecking yard.

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

Laundromat - A business that provides washing, drying, and/or ironing machines and/or dry cleaning machines for hire to be used by customers on the premises.

Loading and Unloading Berths - A space within the principal building or on the same lot therewith providing for the standing, loading or unloading of trucks.

Lot (site, premises, parcel, tract, development area) - A parcel of land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership. Such lot may consist of a single lot of record or a part or combination of one or more lots of record, and may be subject to subdivision regulations if intended to be subdivided further into one (1) or more lots. (See Subdivision Ordinance, Chapter 10, Division 3).

Lot, Corner - A lot at the junction of and abutting two (2) or more intersection streets. Both

such lines shall be deemed front lot lines.

Lot, Coverage - The percentage of the lot area covered by the principal and any accessory buildings as well as paved areas devoted or intended to be used for on-site parking, storage or circulation of motor vehicles.

Lot, Depth of - The mean horizontal distance between the front lot line and the rear lot line, measured on a line equidistant from the side lot lines.

Lot, Double Frontage - A lot abutting on two (2) parallel or approximately parallel streets and which is not a corner lot.

Lot, Interior - A lot other than a corner lot or through lot.

Lot (Parcel) of Record - A lot which is part of a subdivision, the plat of which has been legally approved and recorded in the Office of the Recorder of Deeds or a parcel of land which was legally approved and the deed recorded in the Office of the Recorder of Deeds.

Lot Line, Front - In case of an interior lot, the lot line adjacent to the street or place; and in the case of a corner lot, the line of narrowest abutment adjacent to a street.

Major Recreational Equipment - Any equipment such as travel trailers, pick-up campers or coaches, motorized campers, tent trailers, boats and boat trailers, and the like, and cases, boxes or trailers for transporting recreational equipment, whether occupied by such equipment or not.

Modular Home (formerly manufactured housing unit) - A building assembly or system of building sub-assemblies, designed for habitation as a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilation and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation or assembly and installation on the building site with a permanent foundation. All such units shall comply with the pertinent building codes of the City and the minimum width of the unit as assembled and set up shall not be less than 18 feet as measured across the narrowest portion.

Mobile Home - A movable or portable unit, which is eight (8) body feet or more in width and is thirty two (32) body feet or more in length, and constructed to be towed on its own chassis (comprised of frames and wheels) and designed to be used as a dwelling, with or without permanent foundation, when connected to the required utilities. A Double-Wide Mobile Home is a unit composed of 2 or more separately towable components designed to be joined into one integral unit capable of being separated again into components.

Mobile Home Park - A tract of land or two (2) or more contiguous parcels upon which five (5) or more mobile homes are located for the purpose of long-term habitation.

Motel - See Hotel.

Nonconforming Land Use or Structure - A land use or structure which existed lawfully prior to the date this Code or any amendment thereto became effective and which fails to conform to one (1) or more of the applicable regulations in the Code or amendments thereto.

Nonconforming Lot of Record - An unimproved lot which does not comply with the lot size requirements for any permitted use in the district in which it is located.

Nonconformities - Some thing, activity or use prohibited under the terms of this Chapter but previously lawful and lawful when begun. As used in this Chapter, this definition includes nonconforming signs, nonconforming structures and nonconforming uses. An extension of a nonconformity may involve the use of new space for a nonconforming use, or an addition to an existing nonconforming structure.

Notice (Public Notice) - A statement concerning a pending matter before an official body of the City of Centralia and, where applicable, proposed action(s) to be taken in regard to the matter. The terms "notice" and "public notice" are used interchangeably in this Code.

Nursing Home - A facility which (1) provides nursing services on a continuing basis; (2) admits the majority of the occupants upon the advise of physicians as ill or infirm persons requiring nursing services; (3) provides for licensed physicians' service or supervision; and (4) maintains medical records. Such facilities may also provide other and similar medical or health services, provided that no occupant requires physical restraint within the facility.

Occupancy and Use Certificates - Certification by the Zoning Administrator following the Building Official's inspection of the work authorized by the building permit and certificate of zoning compliance, that the occupancy and use of specific property comply with the Zoning Code. (See Section 10-2-6-106).

Off-Street Parking - a permanently surfaced parking area, enclosed or unenclosed, connected by a permanently surfaced driveway to a street or alley to permit ingress or egress.

Open Space - Space on a lot unoccupied by a principal or accessory building, which is unobstructed in the sky and which is not devoted to landscaping, paved patios or plaza area, pedestrian circulation, or open recreation facilities.

Open Storage - The keeping of material or goods in any yard or on any open area outside of a building, but not including vehicular parking which complies with this Code, or the temporary storage of construction material on a construction site.

Parcel - See Lot.

Park - An area open to the general public and reserved for recreational, educational, or scenic purposes.

Parking Lot - Any lot or parcel of land used in whole or in part for the enclosed or unenclosed storage or parking of two (2) or more vehicles where such usage is not accessory to a dwelling or

other use permitted in residential districts.

Parking Space - A surfaced area, exclusive of driveways, permanently reserved for the temporary storage of one (1) automobile or other motor vehicle and connected with a street or alley by a driveway. The layout, arrangement, and dimensions of drives and parking spaces shall be in accordance with Section 10-2-5-101.

Permanent Foundation - A closed perimeter formation consisting of materials such as concrete, mortared concrete block, or mortared brick extending into the ground below the frost line which shall include, but not necessarily be limited to cellars, basements, or crawl spaces, but does exclude the use of piers.

Person - A corporation, firm, partnership, association, organization, and any other group acting as a unit, as well as individuals. It shall also include an executor, administrator, trustee, receiver, or other representative appointed according to law. Whenever the work "person" is used in any section of this Code prescribing a penalty or fine as to partnership or association, the word shall include the partners or members thereof and, as to corporation, it shall include the officers, agents or members thereof who are responsible for any violation of such section.

Permitted Use - A use by right which is specifically authorized in a particular zoning district.

Planned Development - A tract of land which is planned as a whole for development under single ownership or control in accordance with Section 10-2-4-106 and which, by virtue of such unified planning and development, provides greater amenities, convenience or other benefits than would normally be had through the development of diverse smaller tracts under multiple ownership.

Plat - A map, plan or layout showing the subdivision of land and indicating the location and boundaries of individuals lots, both existing and proposed.

Porch, Unenclosed - an open porch, with or without screens, but not enclosed for year-round use.

Principal Building - The structure or structures in which the principal use or uses on the lot or site are located.

Principal Use - The primary or main use of land, structures, or improvements as distinguished from a secondary or accessory use.

Professional Office - The term profession is limited in this application to physicians and surgeons, lawyers, members of the clergy, architects, engineers, realtors, appraisers, or other persons holding advanced degrees from accredited institutions of higher learning in the field in which they practice.

Professional Office Center - A functional grouping of professional offices and appropriate associated and accessory uses which is the central feature of a site plan composed of building

area, parking area, landscaping, and other features appropriate for use as professional offices.

Project - A land development which includes one (1) or more buildings on a single lot, or a group of buildings to be constructed by a single developer which may be later sold individually on separate subdivided lots of record in accordance with the Subdivision ordinance, Chapter 10, Division 3.

Public Notice - See Notice

Residential-Custodial Care Facility - An institution used for the lodging or boarding of persons who are incapable of self-preservation because of physical or mental limitations. This includes facilities such as nurseries (custodial care of children) and care institutions for the mentally retarded.

Restaurant - A business establishment providing for the preparation of or sale of prepared food or drink for consumption by customers on or off the premises, but excluding facilities for non-commercial and incidental or occasional food service for the employees, patrons or members of an office or institution (such as churches, schools and hospitals), excluding private clubs, and also excluding food service within grocery stores, delicatessens, and ice cream parlors having a seating capacity for not more than eight (8) persons and theatres and other institutions or establishments otherwise requiring a Special Use Permit. (See Section 10-2-6-103).

Retail Service Establishment - Any business providing direct services to residential households or individuals which are a necessity or convenience for daily living. Such uses shall exclude uses or activities which are otherwise prohibited in the City of Centralia as having deleterious impact on the health, safety, or welfare of its citizens. Permitted uses would include but not be limited to:

(1) Barber or beauty shops;
(2) Laundry or dry cleaning pick-up station but not a dry cleaning or laundry plant;
(3) Self-service laundry or Laundromat;
(4) Shoe repair, tailor, dress maker shop;
(5) Household appliance or equipment repair and maintenance, but excluding automobile or other vehicle repair;
(6) Optician or optometrist;
(7) Photography studio;
(8) Candy and ice cream stores;
(9) Drug stores

Such retail service establishments may sell those products which are incidental to the service provided.

Right-of-Way Setback - See Yard, Front.

Roof Line - The highest point on any building where an exterior wall encloses usable floor area including floor area provided for housing mechanical equipment.

Screening - Trees, shrubs, walls, solid fences, etc., used as a means of visual and noise control.

Setback - The distance between the front lot line and major building surface of the principal building on the lot within which may be located ordinary projections or uses of required yards.

Sign - Any display, name, identification, description, illustration, device, building or building treatment which is visible from any public place or is located on private property and exposed to public view and which directs attention to a product, place, activity, person, service, institution, profession, business or solicitation.

Single Family Dwelling - An individual dwelling unit located on the ground, either detached and occupying a subdivided lot or attached by means of a party wall to another single family dwelling unit occupying a subdivided lot or in condominium ownership.

Site Coverage - See Lot Coverage.

Special Use - A special use is a use permitted by the zoning district regulations but only by special approval and not as a matter of right. Prior to commencing a proposed special use, the potential user must demonstrate that the use will satisfy certain standards and requirements as specified in this Code, and be otherwise suitable at the proposed location and on the proposed site or lot. If the proposed special use meets all requirements, a special use permit may be granted by the Plan and Zoning Commission, subject to any conditions to be imposed with this approval. (See Sections 10-2-4-104 and 10-2-6-103).

Street - A public or private way other than an alley which affords the principal means of access to abutting properties. The term "street" includes a highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, drive, or court.

Street Grade - The officially established grade of the street upon which a lot abuts. If there is no officially established grade, the existing grades of the street shall be taken as the street grade.

Street, Private - Any street providing access to abutting property that is not maintained by and dedicated to the City of Centralia or other public entity.

Structure - Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground. Structures include, but are not limited to, buildings, mobile homes, signs, billboards, walls, and fences.

Structural Alteration - Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any structural change in the roof.

Subdivision - See Chapter 10, Division 3.

Transitional Yard - A yard that must be provided with special buffering including landscaping and screening located on a lot in a non-residential district which adjoins a lot in a residential

district. A transitional yard shall include any required yard or right-of-way setback.

Use - The purpose of activity for which land or a building thereon is designed, arranged, or intended, or for which it is maintained, and shall include any manner of performance of such activity with respect to the performance requirements of this Code.

Use Limitations - Regulations intended to delimit or emphasize the desired nature and quality of use permitted within a zoning district.

Variation - A grant or relief to a person from the requirements of this Code which permits construction in a manner otherwise prohibited by this Code where specific enforcement would result in an extreme hardship or severe practical difficulty to such person. (See Section 10-2-6-107).

Visibility at Corner Lot - A triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of two and one-half (2 1/2) and ten (10) feet above the established street grade. The street grade is measured at the intersection at the center lines of the intersection street pavements, and the triangular space is determined by a diagonal line connecting two points measured thirty (30) feet equidistant from the intersection of street right-of-way lines.

Walk-Up Apartment - See Garden Apartment

Yard - An open space on the same lot with a principal building or group of buildings which is unoccupied and unobstructed from its lowest level upward except as otherwise permitted in this Code and which extends along a lot line and at right angles thereto a depth or width specified in the yard regulations for the district in which the lot is located.

Yard, (Front (Right-of-Way Setback) - A yard extending along the full width of the lot and lying between the front line of the lot and the nearest major surface of the principal building on the lot.

Yard, Rear - A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building.

Yard, Side - That part of the yard lying between the nearest line of the principal building and a side lot line and extending from the required front yard (or from the front lot line, if there is no required front yard) to the required rear yard.

DIVISION 3 - SUBDIVISIONS

ARTICLE I. INTRODUCTORY PROVISIONS

10-3-1-101 SHORT TITLE

This ordinance and any amendments thereto shall be known, referred to, and cited as the "Subdivision Ordinance" of the City of Centralia, Illinois.

10-3-1-102 INTENT AND PURPOSE

The subdivision of land is normally the first step in the process of land development. The development of land in the community for residential, commercial, and industrial uses and for streets, alleys, schools, parks and other purposes is of public interest. These regulations are designed to ensure the development of land in a manner that will contribute to the well-being of the citizens of Centralia, as well as persons residing in the unincorporated area within one and one-half (1 1/2) miles beyond the corporate limits as depicted upon the official zoning map. This Ordinance shall be administered to promote orderly growth and development; enhance the conservation, protection and proper use of land; and ensure adequate provision of traffic circulation, utilities and services.

10-3-1-103 SCOPE AND APPLICATION

10-3-1-103.1 No land shall, after adoption of this Subdivision Ordinance, be subdivided without complying with the provisions herein.

10-3-1-103.2 No lot, tract or parcel of land within any such subdivision shall be offered for sale, nor shall any sale, contract for sale, or option be given until such subdivision plans have been properly reviewed by the Centralia Plan and Zoning Commission and officially approved by the City Council of the City of Centralia.

10-3-1-103.3 No improvements, such as sidewalks, water supply, stormwater drainage, sewerage facilities, gas service, electric service, lighting, or grading, paving or surfacing of any street, shall be made within any such subdivision by any owner or owners or by his or their agent, or by any public service corporation at the request of such owner or owners or by his or their agent until the plat for the subdivision and also the plans for the required improvements have been properly reviewed by the Plan and Zoning Commission and officially approved by the City Council of Centralia.

10-3-1-103.4 Where a tract is proposed to be subdivided in several stages over a period of years, and the subdivider requests approval in phases, he or she shall, at

the time of submission of the first phase, submit a detailed plan of the entire tract to be eventually developed, with appropriate sectioning to demonstrate to the Plan and Zoning Commission that the total design as proposed for the entire subdivision is feasible. The Plan and Zoning Commission may give preliminary approval to the overall plan and final approval on the phases as submitted from time to time

10-3-1-103.5 The provisions of this Ordinance shall be held to be the minimum requirements necessary in the subdivision of land.

ARTICLE II. SUBDIVISION REVIEW AND APPROVAL PROCESS

10-3-2-101 OUTLINE OF PROCEDURES

10-3-2-101.1 Each applicant may first confer with the Zoning Administrator or avail himself of other means to determine the applicable rules and regulations before submitting a Preliminary Plat to the Plan and Zoning Commission. The applicant should thus become thoroughly informed of the subdivision, zoning and setback requirements and familiar with the Comprehensive Plan for the City or for any portion of the City affecting the territory in which the proposed subdivision is to be located. During the approval process, it is the responsibility of the applicant to bring any proposed variances or deviations from the subdivision code to the attention of the Commission.

10-3-2-101.2 Whenever any subdivision of land is proposed, before any contract is made for the sale of any part of the subdivision, and before any permit for the development of or construction of any improvement on any land in such proposed subdivision shall be granted, the applicant shall apply for and secure approval of such proposed subdivision in accordance with the following procedures, which include five (5) steps.

Step 1.	Predesign Conference (Sketch Plat)
Step 2.	Preliminary Plat
Step 3.	Voluntary Technical Design Conference
Step 4.	Improvement Plans
Step 5.	Final Plat

10-3-2-101.3 Prior to or at the time of submission of the Preliminary Plat, the applicant shall pay a processing fee to be determined in accordance with a schedule of fees established by the City Council.

10-3-2-102 **STEP ONE, PREDESIGN CONFERENCE** (Sketch Plat)

10-3-2-102.1 Intent and Purpose

The objective of this procedure is to provide an opportunity for the applicant and appropriate City staff to confer regarding the concept and basic elements of the proposed subdivision. This procedure is intended to provide the foundation for a clear understanding and line of communication between the applicant and the City concerning the applicant's development proposals and the City's subdivision development regulations. By allowing the applicant an early opportunity to gain the City Staff's input into the proposed subdivision, this procedure should facilitate and expedite the formal subdivision review and approval process in Steps 2 through 5.

10-3-2-102.2 Submission Requirements

A neat freehand Sketch Plat at a scale of one hundred feet to one inch (1" = 100") or greater will be required to ensure maximum benefit from the Predesign Conference. The Sketch Plat should provide at least the following information:

(a) Site boundaries

(b) General site topography (USGS datum at a minimum)

(c) Subdivision lot boundaries and dimensions

(d) Major existing and proposed trees or tree masses (including street trees)

(e) Approximate location of all buildings on adjacent lots or property and the names of owners of adjacent property

(f) Existing and proposed circulations (including street rights-of-way, sidewalks, crosswalks, etc.)

(g) Public or common open space and community facilities

(h) Surface drainage pattern and proposed detention facilities

(i) Location of existing and proposed utility lines and easements; and

(j) School and recreation sites.

10-3-2-102.3 Submission and Review Procedures

(a) There will be no fee for the review of a Sketch Plat in the Predesign Conference.

(b) The applicant shall submit a letter requesting a Predesign Conference and four (4) copies of the Sketch Plat to the Zoning Administrator.

(c) The Zoning Administrator will distribute the copies to the Plan and Zoning Commission, and to appropriate City officials including the City Engineer, the Building Official, the Fire Chief, and the Police Chief for review and comment. The Zoning Administrator will then schedule a meeting with the applicant to review the comments received from the various City officials.

(d) All written comments from the various City Departments shall be kept intact and filed along with the Sketch Plat and subsequent submissions.

(e) During the process of the Voluntary Pre-Design Conference, the applicant

may request a designation as a Rural Subdivision. This designation should be sought in cases where higher density growth or development is unlikely to occur in the future due to geography, terrain or other factors. This designation is most likely to be granted within the 1½ mile zoning jurisdiction that surrounds the City of Centralia, rather than within the city limits.

Application should be made to the Plan & Zoning Commission, which may grant this designation as a Special Use Permit. If a Rural Subdivision status is granted, land within the subdivision will be subject to the following conditions:

1. The applicant may be allowed to follow the minimum required standards for subdivision, dedication and vacation in the county where the property is located, rather than the City of Centralia Subdivision Ordinances. The Plan & Zoning Commission and the City Council of the City of Centralia will still be consulted for subdivision approval, but the standard for the County may be used as a minimum. The applicant must demonstrate reasons for the proposed variance from the City of Centralia Subdivision standards.

2. The Plan and Zoning Commission may require the applicant to follow one or more of the standards of the City of Centralia Subdivision Ordinance, such as water line size, required sidewalk, placement of fire hydrants, etc. in addition to the minimum County Subdivision Standards.

3. As with other Special Use permits, if the applicant demonstrates through their actions that they are unwilling to comply with the conditions specified by the Plan & Zoning Commission, the Special Use Permit may be revoked, and the subdivision would be required to conform to all regulations included in the City of Centralia Subdivision Ordinance.

4. The Plan & Zoning Commission shall consider the following in assessing the proposal for designation as a Rural Subdivision; and in considering what conditions may be placed on the property in addition to the minimum development standards of the County. The Commission may consider additional factors in making their determination, and a positive or negative response to these questions will not necessarily disqualify any applicant for approval.

    a. Is the property likely to become part of the Centralia City Limits in the near future?

b. What is the designation of the property in the Future Land Use section of the City of Centralia Comprehensive Land Use Plan?

c. Is the area currently served by the City of Centralia Water or another water provider? Is this likely to be served by the City of Centralia Water system in the near future?

d. Is the area currently part of Centralia Fire Protection District, or City of Centralia Fire Department? Is this likely to be served by the City of Centralia Fire Department system in the near future? Are proposed fire hydrant and water line sizes appropriate?

e. Does the geography of the area prohibit additional development beyond this proposed subdivision, or might future growth require the use of the roads, water lines, sewer lines, etc. that are proposed? Does the Topography of the area limit the size of road right-of-way and sidewalks that can be installed?

10-3-2-103 **STEP TWO, PRELIMINARY PLAT**

10-3-2-103.1 Intent and Purpose

The Preliminary Plat should provide sufficient information regarding a proposed subdivision of land to allow the Commission to evaluate the site development concept as it relates to the City's goals and objectives in general and for the area being subdivided in particular, and to decide on the merits of the proposed subdivision. A review at this stage, before the applicant has invested substantial amounts of time and money in the preparation of detailed Improvement Plans for the subdivision, is an important step.

10-3-2-103.2 Submission Requirements

The submission for Step 2 shall consist of a Location Map, a Preliminary Plat and Support Information. The Preliminary Plat shall be drawn at a minimum scale of one hundred feet to one inch (1" = 100'); provided, however, that if the resulting drawing would exceed thirty-six (36) inches in the shortest dimension, a scale as recommended by the Commission may be used. In every case, the Preliminary Plat shall be drawn at a standard engineering scale.

(a) A Location Map shall include the following information:

1. The boundary lines of the proposed subdivision indicated by a solid heavy line and the total approximate acreage involved.

2. Subdivision name and location; legal description specifying U.S. survey and township lines, county and state.

3. Any and all thoroughfares related to the subdivision.

4. Existing elementary and secondary schools, parks, and playgrounds available for serving the area proposed to be subdivided, and other community features.

5. Title, scale, north arrow, and date.

(b) A Preliminary Plat shall include:

1. Proposed name of the subdivision and location.

2. Names and addresses of the owner, applicant, and the land planning consultant, architect, engineer or registered land surveyor who prepared the plat.

3. Streets and rights-of-way on and adjoining the site of the proposed

subdivision; showing the names and including roadway widths; approximate gradients; types and widths of pavement, curbs, sidewalks, crosswalks, planting strips, and other pertinent data.

4. All lot lines adjacent to and abutting the subdivision.

5. Layout of lots, showing approximate dimensions and numbers.

6. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds and other public semi-public, or community purposes.

7. Easements, existing and proposed, showing locations, widths, and purposes.

8. Building setback or front yard lines and dimensions.

9. Locations and size of nearest water main, sanitary sewer main, and other pertinent utilities.

10. Location, type, and approximate size of utilities to be installed.

11. Tract boundary lines showing dimensions, bearings, angles, and references to known land lines.

12. Contours at vertical intervals of two (2) feet except where the slope exceeds fifty percent (50%); elevations at top and bottom of slopes should be indicated.

13. Tree masses and all individual trees having a caliper of twelve (12) inches or greater.

14. Location of existing structures.

15. A preliminary outline of any deed restrictions and covenants that would be placed upon the subdivision.

16. Landscaping plans and proposed limits on the location and intensity of signs, advertising and off-street parking shall be included in the case of a proposed subdivision for industrial or commercial use.

17. Scale, north arrow, and date.

(c) Support Information: The following information shall be submitted by the applicant at the time the Preliminary Plat is filed:

1. Name and address of applicant.

2. Proof of applicant's ownership (e.g., title, option contract) of the proposed subdivision.

3. Location of the tract by legal description giving acreage to the nearest one-tenth (.1) of an acre.

4. Existing protective covenants (deed restriction) and any proposed covenants.

5. Names and addresses of all adjacent property owners.

(d) Rezoning: When rezoning is required to bring a proposed subdivision into conformance with the Zoning Code, this fact shall be noted as support information, and such action shall be initiated by the applicant prior to or simultaneously with the request for subdivision approval.

10-3-2-103.3 Submission and Review Procedure

(a) The applicant shall submit four (4) copies of the Preliminary Plat and the additional information as required within this section together with at least six (6) prints of each drawing submitted as part of the Preliminary Plat, to the Zoning Administrator no less than two (2) weeks prior to the Plan and Zoning Commission meeting at which consideration is desired. The applicant shall pay a filing fee, as established by the City Council, at the time of filing.

(b) The Zoning Administrator shall distribute a copy of the Preliminary Plat within five (5) working days of its receipt to the Plan and Zoning Commission, and shall distribute copies to the appropriate City departments for their review. Prior to submission to the Commission, the Zoning Administrator shall review the application to ensure that the Preliminary Plat:

1. Meets all submission requirements. Any plat and application that does not contain all required information shall not be accepted for review by the Commission.

2. Substantially meets all land development standards of this Chapter and those of any other applicable City regulations. The Zoning Administrator shall identify all deficiencies and issues to be addressed in more detail and resolved in the Improvement Plans (Step 4) or in the Final Plat (Step 5) to the satisfaction of the City. The Zoning Administrator shall submit his report and the comments of the various City Departments to the Plan and Zoning Commission.

(c) Plan and Zoning Commission: The Commission shall consider the merits of the Preliminary Plat and the review and comments of related City officials at its next regular meeting. By majority vote, the Commission shall approve or disapprove the Preliminary Plat. A vote of disapproval shall be accompanied by reasons for such action. In approving a Preliminary Plat, the Commission may impose conditions to be resolved in the Improvement Plans and Final Plat.

(d) Effect of Approval: Subsequent to the Commission's action, the applicant shall be informed of the Commission's decision. If the Commission approves the Preliminary Plat, the applicant may proceed with initiating a Voluntary Technical Design Conference (Step 3) and/or proceed directly with preparing the Improvement Plans (Step 4), and Final Plat (Step 5). Preliminary Plat approval shall expire two (2) years from the date of Commission approval. After that time, the applicant shall be required to resubmit the original or a revised Preliminary Plat for Commission approval. The Commission may reject such a reapplication in light of new facts and circumstances relating to the context of the subdivision.

10-3-2-104 **STEP THREE, VOLUNTARY TECHNICAL DESIGN CONFERENCE**

10-3-2-104.1 Purpose

The Voluntary Technical Design Conference provides an opportunity for the applicant to voluntarily review with the Zoning Administrator and/or other appropriate City personnel the City's design and construction standards as they affect the applicant's development objectives. This procedure should enable the applicant to receive the benefit of input from City personnel prior to the design of the Improvement Plans and the Final Plat.

10-3-2-104.2 Submission Requirements

Possession of an approved Preliminary Plat and accompanying supplemental information is sufficient to initiate a Technical Design Conference. However, any additional design or engineering information will increase the effectiveness of the conference and should be made available if possible.

10-3-2-104.3 Submission and Review Procedures

Subsequent to Preliminary Plat approval, the applicant may submit a letter to the Zoning Administrator requesting a Technical Design Conference. It is the responsibility of the Zoning Administrator to schedule a meeting with the applicant and appropriate City personnel in a timely manner. City personnel shall commit the time necessary to sufficiently consider the discuss all elements of interest to the applicant and the City.

10-3-2-105 **STEP FOUR, IMPROVEMENT PLANS**

10-3-2-105.1 Intent and Purpose

The Improvement Plans shall consist of the technical documents upon which consideration of the subdivision improvements shall be based and construction contracts shall be let by the applicant. These plans shall consist of working drawings and design specifications. The Improvement Plans should provide the City with complete design and construction information. This information is necessary for evaluation of the quality and completeness of the proposed engineering design, site and landscape planning, compliance with applicable regulations of the City, and the establishment of a construction schedule for the proposed subdivision.

10-3-2-105.2 Submission Requirements

Specific submission requirements include the following materials:

(a) Letter of Transmittal - The following information shall be completed by the applicant and submitted to the Zoning Administrator:

1. Proposed name of subdivision
2. Name, address, and telephone number of applicant
3. Source of title to all land within the subdivision, giving deed record book and page number, or instrument number
4. Proposed common open space and methods of meeting open space requirements
5. Water supply, indication of the location and size of existing and proposed water lines, size of valves, and location of fire hydrants
6. Sanitary sewer facilities - indication of source of sanitary sewer service
7. Such further information as the applicant wishes to bring to the attention of the Zoning Administrator.

(b) Vicinity Map - The Vicinity Map shall cover an area within a radius of one (1) mile of the proposed subdivision at a scale of four hundred feet to one inch (1" = 400') or five hundred feet to one inch (1" - 500'). The drawing shall generally locate arterial streets, highways, section lines, railroads, schools, parks, and other significant community facilities. The Vicinity Map shall be incorporated on the Improvement Plan drawings.

(c) Improvement Plan Drawings - Improvement Plan Drawings shall be at a scale of fifty feet to one inch (1" = 50') or greater, except where a smaller scale may be deemed appropriate by the Zoning Administrator. The Improvement Plans shall be identified by the name of the subdivision, and shall include:

1. Existing and proposed contours shown at intervals of not more than two (2) feet. Additional spot el4evations may be required by the City Engineer. USGS Datum shall be used with benchmarks shown on the plans. Existing contours shall be extended a minimum of one hundred (100) feet beyond the boundaries of the proposed subdivision.

2. Proposed site design including streets with proposed street names, lot lines, utility access and service easements, land use and land to be reserved or dedicated for public uses.

3. Building setback and buffer lines as provided in the Zoning Code.

4. Natural features within and adjacent to the proposed subdivision including drainage channels, bodies of water, wooded area, and other significant features. On all watercourses leaving the tract, the direction of flow shall be indicated, and for all watercourses entering the tract, the approximate drainage area and watershed name above the point of entry shall be noted.

5. Storm drainage analysis showing drainage data for all watercourses or drainage ways entering and leaving the plat boundaries. The storm drainage design shall be prepared to demonstrate the proposed system's capability to comply with the standards in Division 3, Section 10-3-3-107.

6. Designation of any portion of property within the 100-year flood plain, based upon calculations recognized by the Federal Flood Insurance Administration and the City Engineer as the most recent and accurate data available from the Army Corps of Engineers.

7. Public facilities existing or to be located in the subdivision boundaries or within one hundred (100) feet surrounding the proposed subdivision including streets, bridges, culverts, utility lines, pipelines, power transmission lines, all easements, park areas, structures and other public structures and facilities.

8. City and County Lines, section lines, and other significant information relative to political subdivisions or to the U. S. Survey System.

9. Names of adjacent subdivisions and owners of adjoining parcels of unsubdivided land.

10. Exact boundary lines of the tract indicated by a heavy line giving dimensions and all bearings.

11. North point and graphic scale

(d) Required Supporting Technical Information:

1. Typical Street Cross Sections and Profiles:

   a. Typical street cross sections shall be shown with complete dimensions and construction information.

   b. Street profiles showing existing and proposed elevations at stations located at one hundred (100) foot intervals on the center line and at a appoint twenty-five (25) feet from the proposed street right-of-way on a line drawn perpendicular to each station along the center lines of all roads. These street profiles shall be drawn at a horizontal scale of fifty feet to one inch (1" - 50') and a vertical scale of ten feet to one inch (1" = 10'), or as otherwise approved by the City Engineer. Such profiles shall be prepared by an engineer registered to practice in the State of Illinois.

2. Flood Plain Analysis - Where a portion of a plat is known or suspected to be flood prone, and the Federal Flood Insurance Administration or other similar sufficient information is not available, an engineering analysis shall be required. Such analysis performed by a registered engineer for the applicant shall determine the 100-year flood plain line. The 100-year flood plain line shall be clearly and legibly drawn on the Grading and Excavation Plan and on the Final Plat.

3. Detailed storm drainage design incorporating proposed easement location and dimensions, typical sections, and construction details as necessary.

4. Grading and Excavation Plan - The Grading and Excavation Plan shall seek to minimize the amount of grading necessary, protect to the maximum extent possible the natural features and vegetation on the site, and minimize erosion resulting from the grading activities. It shall include, in addition to existing and proposed contours at two (2) foot intervals as required in the Improvement Plan drawings, the following:

   a. Engineering calculations of the amount of soil to be moved,

removed or added to the site.

b. Details of soil preparation, erosion control and revegetation or soil stabilization measures to be taken during construction including construction of berms, diversions or other barriers to siltation, temporary mulching, and landscaping planting.

5. Utilities Plan - This plan shall indicate the public and private water and sewer facilities, lines, valves, pumps, fire hydrants, pump stations, and treatment facilities to be constructed.

(e) Trust Indenture

A draft of any trust indenture proposed for the subdivision describing proposed covenants, restrictions and conditions applicable to a property shall be submitted for review at the time of Improvement Plan review.

10-3-2-105.3 Review Procedures

(a) Submission of Improvement Plans: Subsequent to Commission approval of the Final Plat, the applicant may submit a written request to the Zoning Administrator for review and approval of Improvement Plans. The Improvement Plans may be submitted for review and approval at the same time or prior to submission of the Final Plat. The applicant shall submit four (4) copies of the complete Improvement Plans to the Zoning Administrator who shall distribute these to the appropriate City Departments for review in a timely fashion. The Zoning Administrator shall coordinate the review and receive comments from the various City Departments, and shall forward the same to the Plan and Zoning Commission for its review at the next regularly scheduled meeting. The Zoning Administrator, as assisted by the various City departments shall:

1. Determine the completeness of the plans and compliance with the approved Preliminary Plat for the subdivision;

2. Verify the accuracy of information provided;

3. Evaluate the degree of compliance with the technical requirements in the standards of this Code and other applicable City and State regulations

4. Identify any deficiencies or issues which require further attention and should be considered as conditions of approval should the Plan and Zoning Commission choose to approve the Improvement Plans.

(b) Plan and Zoning Commission Action: The Improvement Plans shall be submitted to the Plan and Zoning Commission for consideration at its next regularly scheduled meeting after completion of the review by the Zoning Administrator which shall in no event exceed thirty (30) calendar days. The Plan and Zoning Commission shall by a simply majority vote approve, approve subject to desired conditions, or disapprove the Improvement Plans. The Commission shall give or send written notice of its action to the applicant.

If conditions have been placed upon approval of the Improvement Plans, such conditions shall be resolved to the satisfaction of the Zoning Administrator before a Final Plat can be accepted in accordance with Section 10-3-2-106 for review by the Commission.

10-3-2-106 **STEP FIVE, FINAL PLAT**

10-3-2-106.1 Intent and Purpose

The purpose of the Final Plat is to establish a legal record of the subdivision in accordance with the provisions of this Code.

10-3-2-106.2 Submission Requirements

(a) The Final Plat may include all or only a part of the Preliminary Plat which has received approval. The original drawing of the Final Plat shall be drawn on reproducible mylar at a scale of fifty feet to one inch (1" - 50'); provided that, if the resulting drawing would be greater than thirty-six (36) inches in the shortest dimension, a scale of up to one hundred feet to one inch (1" = 100') may be used. Four (4) black or blue line prints shall be submitted with the original Final Plat or a film positive of the Final Plat shall be submitted. Prints filed with the City shall include on (1) reproducible mylar made after recording of the Final Plat and bearing the official stamp attesting the fact of the recording, and a reproducible mylar print of the Final Plat, as approved.

(b) All elevations shall be referenced to the established datum and the said reference shall be clearly stated on any plans or drawings showing such datum, providing benchmarks are located within a reasonable distance.

(c) All dimensions shall be shown in feet and decimals of a foot.

(d) The title shall be placed in the lower right corner and a suitable border line shall be placed on all tracings with a margin of not less than one-half (1/2) inch on all sides.

(e) The following basic information shall be shown; all surveys for a Final

Plat shall be made under the active personal direction of a registered professional engineer or registered surveyor of Illinois.

1. Accurate boundary lines, with dimensions and bearings or angles, which provide a survey of the tract, closing with an error of closure of not more than one (1) foot in five thousand (5,000) feet. Coordinates shall be established for all property corners.

2. Accurate distances and directions to the nearest established street corner or official monuments. Reference corners shall be accurately described on the final plat.

3. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract, shown by heavy solid lines.

4. Accurate metes and bounds description of the boundary and the included area to the nearest one hundredth (1/100) of an acre.

5. Right-of-way of streets, easements, and other rights-of-way, and property lines of lots and other tracts, with accurate dimensions, bearings, and curve data, including radii, arcs and chords, points of tangency, and central angles.

6. Name and right-of-way width for each street or other right-of-way.

7. Location, dimensions, and purposes of all easements, shown by light dashed lines.

8. All lot lines together with an identification of all lots and blocks.

9. Purpose for which sites, other than residential lots, are dedicated or reserved.

10. Building setback or front yard lines and dimensions.

11. Floor elevation and siting of each proposed building shall be approved by the Building Inspector before a building permit is issued.

12. Location, type, material, and size of all monuments and lot markers, including elevations related to mean sea level, as established by the U. S. Geological Survey.

13. Names of owners and mortgages accepting said plat, with owner or owners personally signing all plans or drawings.

14. Names of record owners of adjoining unplatted land, shown by

medium dashed and two (2) dotted lines.

15. Reference to recorded subdivision plats of adjoining platted land by record name, date, and number, shown by medium dashed and two (2) dotted lines.

16. Restrictions of all types which will run with the land and become covenants in the deeds for lots. Restriction lines should be shown by medium dashed lines.

17. Title, north arrow, scale, and date.

18. Certification by a registered land surveyor with registration numbers and seal affixed to all documents of the Final Plat.

19. Certification by the registered land surveyor stating that all lots conform to the requirements of the zoning district in which they are located.

20. Certification by the registered land surveyor as to the absence of or presence, location, and depth of mine openings, subsurface mine workings, or unmined coal.

21. Certification that the subdivision is or is not within five hundred (500) feet of any surface drain or watercourse serving a tributary area of six hundred and forty (640) acres or more.

22. Certification of dedication of all public areas.

23. Certification that all taxes and assessments due have been paid.

24. Certificate for approval by the Commission.

25. Certificate for approval by the City Council.

10-3-2-106.3 <u>Review Procedure</u>

(a) Submission to Zoning Administrator: Upon receipt of or in conjunction with the submission of Improvement Plans for approval in accordance with Section 10-3-2-105, the applicant may submit four (4) copies of the Final Plat to the Zoning Administrator who shall determine compliance with all applicable submission requirements. The Zoning Administrator shall distribute copies to other appropriate City personnel for review and comment.

(b) Plan and Zoning Commission: The various City Departments shall review

the Final Plat in a timely manner and transmit their comments to the Zoning Administrator for forwarding to the Commission. If submitted ten (10) or more days prior to a regularly scheduled meeting of the Commission, said Final Plat shall be reviewed by the Commission at that time. The Commission shall, by majority vote, approve or disapprove the Final Plat. The approval of the Commission shall be shown on the plat with the date of approval If the Commission does not grant approval of the Final Plat, the Zoning Administrator shall inform the applicant of the action, including the reasons for denial and corrections necessary.

(c) City Council: Once approved by the Plan and Zoning Commission, the Final Plat shall be submitted to the City Council for the passage of the necessary ordinance creating the subdivision, which approval and date shall be shown on the Final Plat. Such approval shall not be effective until the Council has likewise received and approved the appropriate security arrangements for the construction and installation of all site improvements required in the approval Improvement Plans.

ARTICLE III. LAND SUBDIVISION STANDARDS

10-3-3-101 GENERAL PRINCIPLES

In addition to the submission requirements for subdivision review and approval, the following standards shall guide the City Staff, the Plan and Zoning Commission, and the City Council in their review of preliminary and final subdivision plats and improvement plans before the City for review and action.

10-3-3-101.1 CONFORMANCE TO RULES AND REGULATIONS

All application for land subdivision shall conform to the following laws, rules and regulations:

(a) Any approved comprehensive master plan for the City of Centralia or any portion thereof.

(b) City of Centralia Zoning Ordinance and Building Codes as applicable.

(c) Other standards and regulations adopted by the City Council or by other applicable boards, commissions, agencies, or departments of the City of Centralia.

(d) Established goals, objectives, and policies of the City Council and the Plan and Zoning Commission.

(e) Applicable standards or regulations of other federal, state, county or regional agencies.

10-3-3-101.2 CHARACTER OF THE LAND

Land with features which may present a hazard to the safety of present or future inhabitants of a subdivision or of adjacent property shall not be developed unless adequate methods are formulated by the applicant, recommended by the Plan and Zoning Commission and approved by the City Council to solve the problems created by such unsuitable land conditions. Such land shall be set aside for uses that do not involve such danger.

In particular, areas with extremely steep slopes, areas which are known to have been undermined, and land within the 100-year flood plain as defined by the Flood Insurance Administration of the Department of Housing and Urban Development or other appropriate federal, state, or local agency and recognized by the City. Such flood plains areas shall not be platted for development within permanent structures, unless the subdivider shall conform with the requirements of Section 2-3-110 of the Centralia Zoning Code and the pertinent regulations of the Federal Flood Insurance Administration.

10-3-3-101.3 ADEQUACY OF PUBLIC FACILITIES AND SERVICES

Land which cannot be provided with adequate water, sanitary sewer services, storm drainage facilities, or other essential public services shall not be subdivided for purposes which require such services.

10-3-3-101.4 SUBDIVISION AND STREET NAMES

The proposed subdivision name and street within subdivisions shall not duplicate, or too closely approximate phonetically, the name of any other street or subdivision within the City of Centralia, adjacent municipalities, or in the adjacent unincorporated area. However, streets that are obviously in alignment with others already existing and names shall bear the names of the existing streets.

10-3-3-102 BLOCKS

10-3-3-102.1 The length, width, and shape of blocks shall be determined with due regard for the following considerations: the provision of adequate building sites suitable for the type of use and building contemplated, zoning requirements as to lot sizes and dimensions, need for convenient traffic access and circulation, and the limitations and opportunities of topography.

10-3-3-102.2 Except as approved by the Plan and Zoning Commission, blocks in residential subdivisions should not normally exceed two thousand (2,000) feet in length nor be less than four hundred (400) feet in length.

10-3-3-102.3 Blocks may be irregular in shape, provided they are harmonious with the overall pattern of blocks in the proposed subdivision, and provided their design meets the requirements of lot standards and of traffic flow and control considerations.

10-3-3-102.4 Blocks shall normally have sufficient width to provide for two (2) tiers of lots of appropriate depth fronting on approximately parallel streets unless in the judgment of the Plan and Zoning Commission a different arrangement is more desirable to accommodate a specific proposed development or use.

10-3-3-103 LOTS

10-3-3-103.1 Every lot shall abut a public or private street approved by the City. The size, shape, and orientation of lots shall be designed, to the maximum extent possible, to take maximum advantage of and preserve significant natural features (e.g.., larger trees or groups of trees, views, etc.) and to be appropriate for the type of development and use contemplated.

10-3-3-103.2 The minimum area of lots shall be in accordance with the requirements and use provisions of the zoning district in which the property is located and with the

Centralia Zoning Code. The calculation of the lot area shall be exclusive of the area of the street right-of-way or road or utility easement abutting the lot. The lots shall also have a width and depth adequate to provide the necessary front, side and rear yard requirements of the Centralia Zoning Code.

10-3-3-103.3 Side lines of lots shall be generally at right angles to straight street lines, or radial to curved street lines unless a variation to this concept will give a better street and lot plan in the judgment of the Plan and Zoning Commission.

10-3-3-103.4 Where lots that front upon the outside curve of a curved street have a radius of two hundred (200) feet or less, as measured at the center line of the street, the minimum continuous width of the lot may be measured at the minimum front building or setback line as established in the Centralia Zoning Code. However, the width at such street right-of-way line shall not be less than fifty percent (50%) of the required lot width with such width being measured on the arc of the street right-of-way line.

10-3-3-103.5 Where lots front upon the inside curve of a curved street, the minimum continuous width of the lot shall be measured at the minimum front building or setback line.

10-3-3-103.6 Where a lot is located at the intersection of two (2) or more streets, extra width shall be provided sufficient to permit the establishment of front building lines on both the front and the side or sides of the lots adjoining the streets.

10-3-3-103.7 Double frontage lots on opposing streets should be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography. If unavoidable, the primary frontage of the double frontage lots shall be so designated on the subdivision plat, a common landscape buffer or easement shall be defined along the secondary street frontage, and no access to the lot shall be allowed from the secondary street frontage. Where possible, primary frontage for such double frontage lots shall be on interior subdivision streets; and a landscaped buffer or low masonry wall within an easement shall be on the major street, collector or arterial street.

10-3-3-104 <u>UTILITY AND DRAINAGE EASEMENTS</u>

10-3-3-104.1 Utility easements for poles, wires, conduits, storm sewers or drainage ways, sanitary sewers, gas lines, water mains and lines, and other similar purposes shall be provided where necessary. Where possible, such easements shall be located either within alleys or service drives where provided or along rear and side lot lines where alleys are not provided. Such easements shall not be less than fifteen (15) feet in width but may be divided between two (2) abutting structures. Easements of greater width may be required where necessary to accommodate collector or main utility lines (e.g., sewer, water, electric, gas, etc.). All easements shall be aligned such that existing, and any future, utilities or drainage

facilities can be extended beyond the boundaries of the subdivision. No permanent structure shall be constructed over utility easements.

10-3-3-104.2 DRAINAGE EASEMENTS

(a) General Requirements - Where a subdivision or site to be developed is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a stormwater drainage easement or, if appropriate as determined by the Zoning Administrator, right-of-way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose.

(b) Drainage Easements

1. Perpetual unobstructed dedications of land (easements, rights-of-way, etc.) at least fifteen (15) feet in width for stormwater drainage facilities shall be provided across property or within road rights-of-way and with sufficient access by road to accommodate maintenance and inspection of these facilities as necessary. Easements for stormwater drainage shall be indicated on the preliminary Plat and Final Plat.

2. The proposed internal drainage system of the subdivision or land development shall not discharge water onto public or private land outside the proposed subdivision or beyond the subject property, except via natural or publicly dedicated drainage courses.

3. The developer may be required to dedicate to the City, either in fee simple or by drainage or conservation easement, land on both sides of existing streams and drainage areas, as determined by the Zoning Administrator and recommended by the Plan and Zoning Commission. The City may require drainage areas, including detention storage areas, to be established by indenture. Such drainage areas shall be maintained in perpetuity by the subdivision property owners or dedicated to another legally established entity which has as one of its responsibilities the management and maintenance of storm drainage systems.

10-3-3-105 STREETS

10-3-3-105.1 GENERAL GUIDELINES

(a) Streets shall be related appropriately to the topography so as to produce usable lots and streets of reasonable gradient as required herein. Grading for streets should involve minimum disturbance of the original site topography. Combinations of steep grades and curves shall be avoided.

(b) The street layout should be appropriate for the type of development proposed and properly integrated with the street system in the area adjoining the subdivision.

(c) Major traffic generators such as large industrial plants, business districts, central school facilities, shopping centers, and large multifamily residential developments shall obtain primary access from streets classified as collector or major streets.

(d) Residential streets shall be laid out to discourage use by through or non-residential traffic, and to permit efficient drainage and utility systems.

(e) Residential streets shall, to the maximum degree possible, be laid out to provide convenient and safe access to property with the minimum amount of pavement.

(f) Curvilinear streets, cul-de-sacs, and loop streets are encouraged within residential neighborhoods.

(g) Proposed through streets shall be extended to the boundary lines of the tract to be subdivided. Conversely, the arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining areas and for their proper protection where adjoining land is not subdivided. The design of such streets in new subdivisions shall be in conformance with the Street Design Standards established in Section 3-3-105.2.

(h) Provision should be made for through streets at intervals of approximately one-half (1/2) mile or less. Offset streets and intersections should be avoided. Outlet streets from a subdivision to an arterial street or highway shall be located to provide sufficient sight distance to view oncoming traffic as determined by the Plan and Zoning Commission.

(i) The streets, rights-of-way, and paving installed in all new subdivisions shall be connected to an “approved street”. Any street that has been approved by the City at the date of adoption of this Chapter shall be considered an approved street.

(j) All streets or street widenings required by these regulations shall be dedicated to the City, if within the corporate limits of Centralia, or, at the City’s discretion, be established as a private road easement or right-of-way. In no case shall any instruments be recorded which contain any clause causing reversion to any persons except those having title to adjacent properties.

10-3-3-105.2 STREET DESIGN STANDARDS

Every subdivision shall be served by an adequate system of publicly dedicated streets or private streets which meet City standards as specified herein. All such streets within any subdivision or segments of streets to be built as part of any land development shall be located, platted, and suitable for dedication to the City in accordance with the standards defined in this Ordinance. The following table describes the design standards required for all such streets to be built within the City of Centralia, with the exception of arterial streets or major highways.

10-3-3-105.3 DEAD END STREETS AND CUL-DE-SACS

(a) Cul-de-sacs shall have a maximum length of five hundred (500) feet.

(b) A cul-de-sac must be approved by the Fire Chief of the City of Centralia relative to the maneuverability of fire equipment and provision of adequate fire hydrant placement and water pressure.

(c) Cul-de-sac turnarounds shall be provided at the end of all permanent dead end streets. cul-de-sac turnarounds shall have a right-of-way diameter of one hundred (100) feet and a pavement width diameter of eighty (80) feet. At the option of the developer, a circular island may be provided in the cul-de-sac provided the pavement has a minimum width of twenty (20) feet from back of curb to back of curb.

(d) In the case of temporary dead end streets, which are stub streets designed to provide future connections with unsubdivided adjacent areas, the Plan and Zoning Commission shall require a temporary easement for a cul-de-sac or an appropriate area for a back around.

10-3-3-105.4 MINOR SUBDIVISIONS

(a) The Plan and Zoning Commission may authorize the development of minor subdivisions consisting of not more than four (4) lots having primary access to a minor subdivision street (Cases E) as specified in Section 3-3-105.2.

(b) Minor subdivision streets may be developed without a cul-de-sac or turnaround if the Fire Chief for the City of Centralia determines that sufficient access and water pressure for fire fighting equipment can otherwise be provided.

(c) No minor subdivision street shall extend more than four hundred (400) feet in street length from a Class A, B, C, or D street as defined in Section 3-5-105.2(a).

10-3-3-105.5 INTERSECTIONS AND STREET ALIGNMENTS

(a) Non-perpendicular streets shall have a perpendicular approach at intersections of at least one hundred (100) feet. No more than two (2) streets shall intersect at any one point.

(b) Where collector streets (Class A or B) intersect with another street of any classification, the curb radius at the intersection shall not be less than thirty (30) feet. All other intersections between approved streets shall have a minimum curb radius of twenty (20) feet.

(c) "T" intersections should be no closer than one hundred-fifty (150) feet center line to center line. Proposed new intersections with an existing street shall, whenever appropriate and practical, coincide with any existing "T" intersection on the opposite side of the street.

(d) Intersections shall be designed with grades as level as possible, consistent with proper provision for drainage. Approaches to intersections shall have a grade not exceeding three percent (3%) for a distance of not less than one hundred fifty (150) feet measured from the center line of the intersecting street.

(e) Additional right-of-way and/or street paving for turning lanes may be required at intersections of collector streets with other collectors or minor streets.

(f) Where visibility at any proposed street intersection would be impeded by existing earthen berms or vegetation, existing earth berms and/or vegetation shall be cut in conjunction with the grading of the street right-of-way sufficient to provide adequate sight distance as specified in the Centralia Zoning Code, 2-2-103.

10-3-3-105.6 DESIGN CHARACTERISTICS OF STREET PAVEMENT

(a) All street pavements shall be constructed in accordance with:

1. Standard Specifications of Road and Bridge Construction, Sate of Illinois Department of Transportation current edition.

2. Manual for Structural Design of Portland Cement Concrete Pavement, Illinois Department of Transportation current edition.

3. Manual of Instructions for the Structural Design of Bituminous Pavements on Projects involving MFT and FAS funds, Illinois Department of Transportation current edition.

(b) Pavement Requirements: Concrete

	Type of Street	
	Class A, B, C, or D*	Class E or F*
Concrete Uniform Design Thickness	***	6”**

* MANUAL FOR THE STRUCTURAL DESIGN OF PORTLAND CEMENT PAVEMENTS IN ILLINOIS classified these streets as: Class I, Class II, Class III, and is based on the number of traffic lane and the average daily traffic.

** Sub-base will not be required for municipal streets having curbs, gutters, and storm sewer systems that are to serve only residential traffic. Standard reinforcement may be omitted provided transverse contraction joints are spaced no greater than twenty (20) feet apart. Local streets and alleys will be constructed in accordance with the Illinois Department of Transportation Specifications.

*** Major and collector streets shall be designed in accordance with State of Illinois Standard Specifications for Road and Bridge Construction, adopted October 1, 1979, and Manual for the Structural Design of Portland Cement Concrete Pavements in Illinois, December 1964, revised February 1965, and any supplemental specifications issued from the date of adoption of this ordinance.

(c) Pavement Requirements: Bituminous Concrete

	TYPE OF STREET	
	Class A, B, C, or D*	Class E or F*
FLEXIBLE		
a. Base Courses		
1. Gravel or Crushed Stone	**	10”
2. Cement stabilized	***	8” a/
3. Bituminous stabilized		
Emulsified asphalt	***	8”b/
Liquid asphalt	***	8”b/
Paving asphalt	***	8”
b. Surface Course:		
I-11	***	4”

*MANUAL OF INSTRUCTION FOR THE STRUCTURAL DESIGN OF BITUMINOUS PAVEMENTS ON PROJECTS INVOLVING MFT AND FAS FUNDS classified these streets as: Class I, Class II, Class III, Class IV and is based on the number of traffic lanes and the structural design.

** Gravel or Crushed Stone can only be used as a base course for local streets and alleys. It may be used as a sub-base on major or collector streets if required by design.

*** Major and collector streets shall be designed in accordance with State of Illinois Standard Specifications for Road and Bridge Construction, adopted October 1, 1979, and Manual for the Structural Design of Portland Cement Concrete Pavements in Illinois, December 1964, revised February 1965, and any supplemental specifications issued from the date of adoption of this ordinance.

(a) Cement stabilized base courses six (6) inches thick are based on a minimum seven (7) day comprehensive strength of 300 PSI.

(b) Emulsified and liquid asphalt stabilized base course six (6) inches thick are based on a minimum Marshall Stability of three hundred (300) pounds.

(c) If for any reason required, sidewalks are not constructed at the time of grading and construction of street improvements, the street grade shall be completed so that additional grading would not be necessary for any future provision of sidewalks.

10-3-3-106 SIDEWALKS

10-3-3-106.1 Sidewalks shall be provided along both sides of all streets, with the following exceptions: a neighborhood residential street (Class D) or a cul-de-sac, a minor subdivision street (Class E), or a residential subdivision street of any classification where the average density of platted lots is less than 3.3 units per acre may have a sidewalk on only one side. Sidewalks may further be required wherever deemed by the Plan and Zoning Commission to be essential for the public safety.

10-3-3-106.2 All sidewalks shall be constructed of Portland cement in accordance with the standard specifications recommended by the Zoning Administrator and approved by the City Council and shall have a minimum thickness of our (4) inches, which shall be increased to six (6) inches at driveways.

10-3-3-106.3 Except where otherwise required, sidewalks shall be place din the street right-of-way, at least one (1) foot from and parallel to the edge of the right-of-way.

10-3-3-106.4 The minimum width of sidewalks in residential subdivisions shall be four (4) feet and six (6) feet in commercial and industrial subdivisions.

10-3-3-106.5 An internal pedestrian circulation system in the form of paved walking paths or jogging trails may be substituted in whole or part for sidewalks along residential streets upon the request of the applicant and the approval of the Plan and Zoning Commission, provided that the appropriate easements are obtained.

10-3-3-106.6 Where in the opinion of the Plan and Zoning Commission sufficient foot traffic will be realized across proposed streets to merit a crosswalk and/or pedestrian signal, the Plan and Zoning Commission may require the installation of such signals or striping of the street to enhance the safety of pedestrians.

10-3-3-107 STORMWATER DRAINAGE

10-3-3-107.1 Every land development or subdivision shall make adequate provision to accommodate or dispose of stormwater by means of drains, detention storage areas, sewers, catch basins, culverts, and other facilities per the requirements of Section 2-5-102 of the Centralia Zoning Code. Such facilities are to be maintained by the owners of the subject property or owners of the subdivision through agreement of the appropriate trust indenture or deed restriction or, if deemed appropriate by the Plan and Zoning Commission, dedicated to an appropriate public utility responsible for stormwater and maintenance.

10-3-3-107.2 Facilities for storm drainage should be designed and constructed so as to prevent any increase in the rate of storm runoff onto adjoining property over that which existed prior to development. Erosion or flooding which existed prior to development shall not be increased by the development of the subdivision or other land development.

10-3-3-107.3 The storm drainage system for a proposed subdivision shall be designed to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision or land development. The Zoning Administrator shall review the proposed system to assure it is sufficient to accommodate existing upstream stormwater and any anticipated increase in upstream volume resulting from development permitted by the Zoning Code of the City of Centralia and adjacent jurisdictions and the stimulated development potential of the watershed.

10-3-3-107.4 The Zoning Administrator shall study the effect of each subdivision on the existing downstream drainage facilities both inside and outside the area of the subdivision. Where it is anticipated that an increase in runoff created by the development of the subdivision will overload an existing downstream facility, the Plan and Zoning Commission may withhold approval of the Improvement Plans and Final Plat until sufficient provisions have been made to eliminate such overload. No subdivision shall be approved unless adequate drainage is provided to an adequate drainage watercourse or catchment and storage facility. Complete hydrologic computations including but not limited to outlet velocities shall be submitted with Subdivision Improvement Plans to support the storm sewer design.

10-3-3-107.5 Landscaping shall be provided in the form of seeded or sodded grass, ground cover, low walls, earth berms, trees, and shrubbery to enhance the appearance and the function of all surface stormwater drainage facilities.

10-3-3-108 EROSION CONTROL

Every land development or subdivision shall make adequate provisions to minimize and control both long and short term erosion.

10-3-3-108.2 TEMPORARY CONTROL MEASURES

(a) Temporary erosion and sediment control measures are intended to maintain siltation on the land development or subdivision especially if construction is not going to be completed within a single construction season.

(b) Grading shall be phased so that the amount of exposed area at any one time is minimized. The applicant shall document to the satisfaction of the Zoning Administrator how this requirement is to be fulfilled prior to approval of the Final Plat by the Plan and Zoning Commission or a building permit for any other land development.

(c) Graded areas shall be stabilized immediately upon grading and maintained to prevent or minimize erosion until permanent stabilization measures are in place. Permissible interim erosion control techniques include contour furrowing or other surface roughening techniques, fertilizing and seeding, mulching, and/or sodding. On steep slopes (1:4, h:v, or greater) the application or asphalt emulsion is a desirable technique.

(d) Slope changes should be designed to keep the slope length and gradient to a minimum, thus minimizing stormwater velocities over graded areas.

(e) Measures shall be taken to direct stormwater from graded portions of the site. This may be accomplished utilizing diversion berms, ditches, and/or sediment basins.

(f) Sediment shall be retained, to the maximum degree possible, on site by filtering runoff and/or by providing properly designed siltation basins.

(g) Truck and equipment accessways to the site of the subdivision or other land development shall be located so as to minimize danger to traffic and nuisance to surrounding properties. Such access shall be kept either wet or oiled or treated with a chemical dust deterrent, or paved to the extent necessary to prevent any dust nuisance to surrounding developed properties. All such accessways shall be posted approximately two hundred (200) feet distant from such accessways or other traveled areas. Such signs shall read “Caution: Trucks Entering” and be of an appropriate size, type coloring, lettering, and format. Debris, soil, and other materials shall be removed from trucks before they leave the site. Public streets and sidewalks shall be maintained free of soil and debris.

10-3-3-108.3 LONG TERM EROSION CONTROL

The Grading and Excavation Plan shall be designed to minimize the grading on and erosion from the site and shall be submitted with and incorporated into the Improvement Plans. Final Plat approval and issuance of any Subdivision Construction Permit shall be conditional upon the approval by the Zoning Administrator of a satisfactory plan which conforms with the following standards.

(a) All excavations, grading, or filling shall have a finished grade not to exceed three to one (3:1, h:v) except that embankments less than three (3) feet in height shall be exempt therefrom if properly sodded. Steeper grades are allowed if the excavation is through rock or the excavation or fill is protected by a properly designed revetment or retaining wall approved by the Zoning Administrator. Such walls shall not normally exceed a height of four (4) feet. Any retaining wall in excess of four (4) feet requires specific approval by the City Engineer.

(b) The Grading and Excavation Plan shall provide for sediment basins, silt barriers, diversions, grass waterways, mulching, seeding, and other acceptable erosion control techniques whenever necessary to avoid damage to adjoining properties, road, ditches, and storm sewers.

(c) For sites in excess of two (2) acres, the finished grade of the site shall direct surface water to diversion swales or inlets, which in turn will lower the water to a stable outlet constructed of concrete, riprap, or pipe.

(d) Land adjoining the proposed land development or subdivision shall be provided with protection from accelerated and increased surface water, silt disposition and any other consequences of erosion. The applicant shall be responsible for all damage to public or private property resulting from his failure to properly protect and carry out such grading.

(e) Lots shall be laid out so as to provide positive drainage away from all buildings. Individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designated so as to substantially prevent stormwater drainage from each lot onto adjacent lots.

10-3-3-109 UTILITIES

10-3-3-109.1 All utility facilities, including but not limited to gas, water, sewer, electric, and telephone cables, shall be located underground throughout any land development or subdivision. Existing utility service located above ground shall be removed and placed underground. All utility facilities existing and proposed throughout the subdivision shall be shown on the Improvement Plans. Underground service connections to each platted lot in a subdivision shall be installed.

10-3-3-109.2 WATER FACILITIES

(a) Water distribution facilities, including supply mains of not less than six (6) inches, fittings, valves, hydrants, and water stub terminals to the property line of each lot shall be installed to serve all properties within the subdivision. The water supply system shall be designed in accordance with the requirements of the State Environmental Protection Agency and the City. The water system shall be constructed under the direction, control, and with the approval of the City Engineer. All water mains shall be installed in the parkway opposite from the parkway containing the storm sewer or in easements. The developer shall be responsible to circulate all proposed mains to existing mains.

(b) All service taps shall be initiated by the City in accordance with the City requirements.

(c) The applicant shall install adequate water facilities, including fire hydrants, subject to the specifications and standards of the City of Centralia.

(d) A water distribution plan shall be a part of the subdivision Improvement Plans and must be approved by the Zoning Administrator.

10-3-3-109.3 SEWERS

(a) If a public sanitary sewer is accessible and a sanitary sewer is place din a street or alley abutting upon property, the owner thereof shall be required to connect to said sewer for the purpose of disposing of waste, and it shall be unlawful for any such owner or occupant to maintain upon any such property an individual sewage disposal system.

(b) If public sewer facilities are not available and individual disposal systems are proposed, minimum lot areas shall conform to the requirements of the Zoning Code and percolation tests and test holes shall be made as directed by the Building Official in his capacity as Health Officer based on the recommendation of the City Engineer and the results submitted to the Health Department. The individual disposal system, including the size of

the septic tanks and size of the tile, fields or other secondary treatment device, shall also be approved by the Health Officer and City Engineer.

(c) All sanitary sewers, sanitary sewer connections, subdivision sanitary sewer systems, sewage treatment plants and similar sanitary installations shall comply with the regulations of all applicable local, state or federal government agencies.

(d) All storm sewers, storm sewer connections, subdivision storm sewer systems and other drainage facilities shall be subject to the regulations, approval and supervision of the City of Centralia.

10-3-3-110 STREET SIGNS

10-3-3-110.1 Street name signs shall be erected by the subdivider on diagonally opposite corners at all street intersections in the subdivision so they will be on the far right-hand side of the intersection for traffic on the more important street. Signs indicating both streets shall be erected at each location mounted as close to the corner as practical, facing traffic on the cross street, with the nearest portion of each sign not less than one (1) foot nor more than ten (10) feet from both curb lines.

10-3-3-110.2 The street name on street name signs shall be at least three and one-half (3 1/2) inches high and shall meet the standards set and approved by the Zoning Administrator prior to installation.

10-3-3-110-3 No signs or other device regulating or directing traffic within a subdivision whether or not the streets are dedicated to the City or remain private shall be erected by a subdivision or by the trustees of a subdivision. All such signs shall be the exclusive responsibility of appropriate City, County or State agencies.

ARTICLE IV. ENFORCEMENT

10-3-4-101 GRADING PERMIT

Grading or excavation of any tract or portion thereof whether or not within a proposed subdivision shall not be undertaken without having received approval of the Final Plat, approval of a Grading and Excavation Plan in accordance with Section 3-2-105.2(d)(4) of this Ordinance and/or having obtained a Subdivision Construction Permit.

10-3-4-102 SUBDIVISION CONSTRUCTION PERMIT

10-3-4-102.1 Following Final Subdivision Plan approval, construction of the subdivision may not begin unless the applicant has first obtained a Subdivision Construction Permit from the Zoning Administrator.

10-3-4-102.2 A Subdivision Construction Permit shall not be granted until the applicant has submitted and received approval from the Commission of a Grading and Excavation Plan as required by Section 3-2-105.2(d)(4) and has paid the fees for the street improvements as may be required herein.

10-3-4-102.3 A Subdivision Construction Permit fee shall be paid to the City at the time the Grading and Excavation Plan is submitted. The amount of the fee shall be determined in accordance with a schedule of fees established by the City Council.

10-3-4-102.4 The provisions of this section regarding permits and inspections do not, and are not to be interpreted as abrogating or repealing any other inspections and permits as may be required by the City of Centralia.

10-3-4-103 INSPECTIONS

All projects shall be constructed according to plans and specifications of an Engineer registered in the State of Illinois. When the improvements required by these rules and regulations have been completed and installed, the applicant shall submit a letter to the Zoning Administrator certifying that improvements and installations have been made in accordance with the approved construction plans, specifications, drawings, and the standards established by the City, and are functioning properly.

The City Engineer shall then inspect those facilities, improvements and installations for conformance with approved plans and specifications. If such final inspection reveals that there are any defects, deficiencies, or deviations in such improvements as installed or that the improvements differ from the approved construction plans and specifications, the City Engineer shall make a report to the Zoning Administrator who shall notify the applicant in writing of such defects, deficiencies or deviations. The applicant shall, at the applicant’s expense, correct

such defects, deficiencies, or deviations within six (6) months of the date of notification. When such defects, deficiencies, or deviations have been corrected, the applicant shall notify the Zoning Administrator in writing that the improvements are again ready for final inspection.

10-3-4-103.2 CONSTRUCTION INSPECTIONS

Periodically, the City Engineer shall inspect the subdivision areas during the planning stages and as construction progresses. The City Engineer shall inspect all streets and improvements within the street right-of-way and all storm sewers during the progress of construction. In the case of private streets in a subdivision, the Zoning Administrator shall make his inspections as aforesaid, as the official representative of the Commission and shall promptly report all defects and substandard work or materials to the Commission.

10-3-4-103.3 ADDITIONAL INSPECTIONS

In addition to the inspections provided for herein, the subdivider shall pay for and arrange for inspections by the plumbing inspector, the electrical inspector and such other inspections as may be required by the ordinances and regulations of the City or by those agencies having jurisdiction within the City.

10-3-4-104 BONDS AND OTHER SECURITY ARRANGEMENTS

10-3-4-104.1 PURPOSE

The purpose of the bonds and other security arrangements provided for in this Section is to ensure that the subdivision improvements required by this Code and agreed to by the applicant will be completed as promised. Approval of a Final Plat in accordance with Section 3-2-106 shall not be granted by the Commission and City Council until appropriate security arrangements have been provided as required herein.

10-3-4-104.2 CERTIFICATION OF COMPLETION OF IMPROVEMENTS

If the applicant has completed installation of all required improvements, he may apply to the City Engineer for a Certificate of Completion of Improvements. The City Engineer shall inspect the improvements, and if he finds that they have been completed to his satisfaction and according to the approved plans and specifications, he shall issue the Certificate and Final Plat approval shall be granted by the Commission and City Council.

10-3-4-104.3 ALTERNATE SECURITY ARRANGEMENTS

If the applicant cannot certify that all improvements have been completed in accordance with the approved plans prior to the approval of the Final Plat, one of

the following methods shall be used to guarantee the installation of such improvements in a manner satisfactory to the City Council. The City Council shall have the discretion to require one method rather than another in each instance.

(a) Surety Bond: The applicant may procure and file with the City Council a surety bond in favor of the City of Centralia. Said bond shall be in such amount and with surety and conditions satisfactory to the Council. The bond shall be accompanied by the signed statement of the Zoning Administrator that the amount of the bond is adequate to cover the figure cost of completion of improvements. The period that the bond shall cover shall be specified by the Commission, but shall not exceed one (1) year for water lines, sanitary sewers, sewage treatment plants or other sanitary facilities or two (2) years for other improvements required by this Code. Under extraordinary circumstances, this period may be extended by the Council for not more than an additional twelve (12) months. In the event the subdivider shall in any case fail to complete those improvements, as secured by bond within the period covered by such bond, the City Council shall require the bonding party to install or complete the improvements in conformance with the approved Improvement Plans or in a manner satisfactory to the City Council in conformance with the intent of these regulations. Failure of the bonding party to complete the improvements as required by the City Council shall be sufficient cause to require forfeiture of the bond to the City. Financial failure, bankruptcy or other failure of the bonding party that would make it impossible for the bonding party to complete any improvements covered by such bond shall cause such improvements to be completed by the City and the cost of such completed work to be equally assessed, as a lien, against each lot of the subdivision.

(b) Escrow Account: The applicant may establish an escrow account in an amount determined by the applicant and approved by the Zoning Administrator as sufficient to complete the improvements and installations required to comply with the provisions of this Code and other applicable regulations. The escrow may be withdrawn in direct proportion to the amount of work completed as approved by the Zoning Administrator.

(c) Lender Agreement: The applicant, the project lender and the City may enter into an agreement requiring that:

1. The funds for the required improvements will be set aside and held separate form the balance of the development financing, and

2. The funds set aside for the improvements will be disbursed only for the required public improvements and for no other purpose, and

3. The funds will be disbursed in direct payment for completion of the

improvements if the applicant defaults under the contract for improvements.

10-3-4-104.4 MAINTENANCE BOND

(a) The contractor making subdivision improvements shall furnish a one-year maintenance bond in the amount of fifty percent (50%) of the total cost of any improvements and installations excluding street tree plants and landscaping, which are to be maintained by the City. Such bond shall be in full force and effect from the date of the letter from the Zoning Administrator certifying that all required subdivision improvements and installations have been completed. This bond shall provide that all defects in the improvements and installations will be corrected at the end of the bond period subject to the approval of the Zoning Administrator. In those cases where a surety bond has been posted for the improvements in accordance with Section 3-4-104.3(a), the applicant may provide that the surety bond be extended to cover this one-year period. Otherwise, a separate maintenance bond shall be posted.

(b) The subdivider or the landscaping contractor shall furnish a separate landscaping maintenance bond for a period of at least two (2) years in the amount of fifty percent (50%) of the total cost of the installation of all plant materials and associated site improvements located either within the public right-of-way and to be maintained by the subdivision trustees or occupants of property within the subdivision. Such bond shall provide that all defects in the improvements and installation should be remedied, or any dead or dying plant materials shall be replaced.

(c) The formal acceptance of the public improvements including landscaping will be assumed by the City of Centralia one (1) year following certification by the Zoning Administrator that all improvements and installations have been made in accordance with the approved construction plans, provided that all defects in the improvements and installations have been corrected and approved by the Zoning Administrator.

10-3-4-105 ENFORCEMENT

This Code shall be enforced by the Zoning Administrator with the assistance and cooperation of other officials of the City of Centralia. If the Zoning Administrator finds that any of the provisions of this Code are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall take any other action authorized by law to ensure compliance with or to prevent violation of the provisions of this Code. No Building Permit shall be issued in accordance with Section 2-6-106 of the Centralia Zoning Code for any building, structure or improvement located on any lot that was created by subdivision after the effective date of, and not in conformity with, the provisions of this Code.

10-3-4-106 VIOLATIONS AND PENALTIES

10-3-4-106.1 Any person, firm or corporation who constructs any public improvement or portion thereof in violation of the provisions of this Code shall be, upon conviction, fined not more than five hundred dollars ($500.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

10-3-4-106.2 Whoever shall sell or offer for sale, lease or offer for lease, while this Code is in effect, any lot or lots or block or blocks, within the incorporated limits of the City, or any addition thereto, or any resubdivision of any lot or block therein or within contiguous territory (and not more than one and one-half (1 1/2) miles beyond the incorporated boundary of the City), before all of the requirements of this Code have been complied with, shall be fined not more than five hundred dollars ($500.00) for each lot, block, or part thereof so disposed of, offered for sale, or lease.

ARTICLE V. GENERAL REGULATIONS

10-3-5-101 RECORDING OF PLATS

All approved Final Plats for subdivision of land in the City of Centralia shall be filed in a book of plats of the City and adjoining area, and shall be filed and kept by the City among its records. Copies of the Final Plat shall be submitted to the Zoning Administrator prior to issuance of an occupancy and use certificate for buildings constructed within the subdivision.

10-3-5-102 CHANGES IN APPROVED SUBDIVISIONS

Any change in an approved and/or recorded Final Subdivision Plat, including but not limited to changes in street layout, areas dedicated to public use, lot lines or changes that affect any plat approved or recorded prior to the adoption of the subdivision regulations in effect at the time the change is proposed shall be approved or disapproved by the Plan and Zoning Commission and City Council in accordance with the provisions governing Final Plat approval.

10-3-5-103 INTERPRETATION

The provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety, and general welfare. Whenever the regulations of this Ordinance require a higher standard than that required by other regulation, order of a public official, private deed restriction or private covenant, this Ordinance shall govern. If the requirements of such other regulations, order, private deed restriction or private covenant are the more restrictive, then those requirements shall govern. This provision does not require and shall not be interpreted to require the City to enforce private deed restrictions.

10-3-5-104 SEVERABILITY

It is hereby declared to be the intention of the City of Centralia that the provisions of this Subdivision Ordinance are separable. If any part of element of this Ordinance is declared invalid by any court of competent jurisdiction, such judgment shall not affect or impair the integrity or validity of the remainder of this Ordinance or its application to other persons, property or circumstances. The City Council of Centralia hereby declares that the portions of this Ordinance not judged invalid would have been enacted even without the portions or application held invalid.

10-3-5-105 AMENDMENT

The City Council, from time to time, may adopt, and amend public rules and instructions for the administration of this Subdivision Ordinance to the end that the public be informed and that approval of plats be expedited. This Ordinance may be changed or amended by the Council after public hearing by the Commission, due notice of which shall be given as required by law.

ARTICLE VI. DEFINITIONS

Accepted Public Street - Any public street duly accepted for maintenance by the City, the state highway commission, the federal government or a municipal government.

Alley - A secondary means of ingress and egress serving more than one (1) tract of land and used primarily for vehicular service.

Approved Street - Any street whether public or private meeting all applicable construction and design standards and specifications this ordinance, or any accepted public streets.

Arterial Street or Major Highway - A highway, parkway, freeway, expressway or arterial street utilized primarily for high vehicular speeds or for heavy volumes of traffic on a continuous route with intersections at grade or separated.

Block - An area of land or collection of lots surrounded by a combination of one or more of the following: approved streets, natural features such as streams or steep slope areas, railroad rights-of-way or major utility easement, parks, or other similar areas, facilities, or features.

Building Line - A line parallel to and equidistant from the street between which line and the street right-of-way no buildings or structures may be erected as prescribed in the Centralia Zoning Code.

Center Line - (a) The center line of any right-of-way having a uniform width; (b) the original center line where a right-of-way has been widened irregularly; (c) the new center line whenever a road has been relocated.

Collector Street - Any street designed and located to collect traffic from intersecting minor streets (commercial or neighborhood residential) while still giving access to abutting property, and to conduct such traffic to and from a variety of destinations outside of a single subdivision, neighborhood or business district (See Section 3-3-105.2).

Common Land - That land set aside for open space or recreational use for the owners of the residential lots in a subdivision, which land is conveyed by the developer in fee simple absolute title by a warranty deed to trustees whose trust indenture shall provide that said common land be used for the sold benefit, use and enjoyment of the lot owners present and future. No lot owner shall have the right to convey his interest in the common land except as an incident of the ownership of a regularly platted lot.

Cul-de-Sac - An approved turnaround at the end of a dead end street in

accordance with Section 3-3-105.3

Dead End Street - A street having only one (1) end open for vehicular traffic and the other permanently terminated by an approved turnaround or cul-de-sac for vehicles.

Easements - The legal right to use a designated portion of another person's real property for certain limited purposes.

Final Plat - The map or plan or record of a subdivision and any accompanying material, as provided in Section 3-2-106.

Frontage - That portion of a lot, parcel or tract of land adjacent to or abutting an approved street.

Grading and Excavation Plan - As required in Section 3-2-105.2(d)(4), an element of the Improvement Plans for a subdivision to be approved prior to Final Plat approval or a requirement for any other land development activity prior to issuance of a Grading Permit.

Grading Permit - A permit to commence grading or excavation of a subdivision or other land development but not permitting installation of site or building improvements requiring either a Subdivision Construction Permit (Section 3-4-102) or a Building Permit (Section 2-6-106 of the Centralia Zoning Code) granted in accordance with the provisions of Section 3-4-101.

Improvement Plans - The engineering drawings showing types of materials and construction details for the physical structures and facilities excluding dwelling units or other primary buildings to be installed on individual lots created by the subdivision as provided in Section 3-2-105.

Improvements - Street pavement, sidewalk pavement, pedestrian way pavement, water mains, storm sewers, sanitary sewers, signs, monuments, landscaping, street lights, buildings or other structures, and other similar items.

Land Development - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, site improvements, mining, dredging, filling, grading, paving, excavation or drilling operation.

Lot (site, premises, parcel, tract) - A parcel of land which has been or which is proposed to be used, developed or built upon s a unit under single ownership. Such lot may consist of a single lot of record or a part or combination of one (1) or more lots of record, any may be subject to subdivision regulations if intended to be subdivided further into one (1) or more lots.

Lot Area - The total horizontal area within the boundaries of a lot exclusive of any area designated for street purposes.

Lot, Corner - A lot abutting upon two (2) or more streets at their intersection.

Lot, Double Frontage - A lot having frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

Lot Line, Front - In case of an interior lot, the lot line adjacent to the street or place; and in the case of a corner lot, the line of narrowest abutment adjacent to a street.

Major Recreational Equipment - Any equipment such as travel trailers, pick-up campers or coaches, motorized campers, tent trailers, boats and boat trailers, and the like, and cases, boxes or trailers for transporting recreational equipment, whether occupied by such equipment or not.

Manufactured Housing Unit - A building assembly or system of building sub-assemblies, designed for habitation as a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilation and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation or assembly and installation on the building site with a permanent foundation. All such units shall comply with the pertinent building codes of the City and the minimum width of the unit as assembled and set up shall not be less than 18 feet as measured across the narrowest portion.

Master Development Plan - A comprehensive plan for the City of Centralia of land use, circulation and public facilities made and adopted by the Plan and Zoning Commission and/or the City Council indicating the recommended locations for the major highways, streets, parks and open space, public buildings and facilities, and various classes of commercial, residential, and institutional uses.

Metes and Bounds - The method used to describe a tract of land by angular (metes) and linear (bounds) measurements.

Minor Street (Residential or Commercial) - A minor commercial street or neighborhood residential street designed primarily to give access to abutting property in accordance with Section 3-3-105.2.

Minor Subdivision Street - See Sections 3-3-105.2 and 3-3-105.4

Mobile Home - A movable or portable unit, which is eight (8) body feet or more in width and is thirty two (32) body feet or more in length, and constructed to be

towed on its own chassis (comprised of frames and wheels) and designed to be used as a dwelling, with or without permanent foundation, when connected to the required utilities. A Double-Wide Mobile Home is a unit composed of 2 or more separately towable components designed to be joined into one integral unit capable of being separated again into components.

Mobile Home Park - A tract of land or two (2) or more contiguous parcels upon which five (5) or more mobile homes are located for the purpose of long-term habitation.

Motel - See Hotel.

Nonconforming Land Use or Structure - A land use or structure which existed lawfully prior to the date this Code or any amendment thereto became effective and which fails to conform to one (1) or more of the applicable regulations in the Code or amendments thereto.

Nonconforming Lot of Record - An unimproved lot which does not comply with the lot size requirements for any permitted use in the district in which it is located.

Nonconformities - Some thing, activity or use prohibited under the terms of this Chapter but previously lawful.

Pavement - That portion of a street having an all-weather, stable constructed surface and subsurface for the support and movement of vehicular traffic.

Plat - A map, chart or drawing, to scale, of a tract of land to be subdivided showing such information as required in this Ordinance.

Predesign Conference - A step in the subdivision approval process, pursuant to Section 3-2-102, providing an opportunity to communicate with the City prior to preparation of a Preliminary Plat.

Preliminary Plat - The preliminary drawing or drawings, described in Section 3-2-103, indicating the proposed manner or layout of the subdivision to be submitted for approval.

Private Street - Any street, way or place in private ownership and used for vehicular traffic by the owner or owners and those having express or implied permission from the owner(s).

Setback Line - See Building Line.

Sketch Plat - A sketch subdivision layout preparatory to the submission of a preliminary plat to enable the developer to save time and expense in reaching general agreement with the City as to the form of the plat and the objectives of

these regulations. (See Section 3-2-102.2).

Slope - The rate of deviation of the ground surface from the horizontal surface, as expressed in percentages.

Street - A general term denoting a public or private thoroughfare which affords the principal means of vehicular movement and access to abutting property. The term includes all facilities which normally occur within the right-of-way, including such other designations as highway, thoroughfare, parkway, expressway, road, pike, avenue, boulevard, land, place, court, but shall not include an alley or a pedestrian way.

Subdivision - Either or both of (a) a division or redivision of a tract of land into two (2) or more lots, plats, or sites for development purposes any one of which is less than three (3) acres in area, or (b) the dedication or establishment of a street, alley, pedestrian or public way in conjunction with or used in any such tract.

Subdivision, Minor - The division of land into not more than four (4) lots, pursuant to Section 3-3-105.4.

Subdivision Construction Permit - As provided in Section 3-4-102, a permit which must be granted following Final Plat approval and prior to construction of improvements within the subdivision.

Utilities Plan - A component of the Improvement Plans, as provided in Section 3-2-105.2(d)(5), to indicate compliance with water and sewer service standards.

Vicinity Map - A drawing incorporated in the Improvement Plans, covering a one (1) mile radius of the proposal subdivision, pursuant to Section 3-2-105.2(b).

Voluntary Technical Design Conference - A voluntary step in the subdivision approval process, following approval of a Preliminary Plat, enabling the developer to receive City input into preparation of the Improvement Plans and Final Plat. (See Section 3-2-104).

Zoning District - The zoning districts as established by Chapter 10, Division 2, Centralia Zoning Code.