

AMENDING CHAPTER 23 "UNIFIED DEVELOPMENT ORDINANCE", ARTICLE 5 "ZONING DISTRICT REGULATIONS", AND ARTICLE 7 "SUPPLEMENTARY DISTRICT REGULATIONS", OF THE CITY OF DEKALB, ILLINOIS MUNICIPAL CODE, PERTAINING TO SELF-STORAGE FACILITIES WITH EXTERIOR UNIT ACCESS.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, the City's Unified Development Ordinance (the "UDO") prescribes the City's zoning and subdivision standards and procedures; and

WHEREAS, the City wishes to amend the UDO, as set forth in Exhibit A attached hereto and incorporated herein (the "Text Amendments"), to: (1) add "self-service storage facility, exterior unit access" as a special use in the "LC" Light Commercial District and "GC" General Commercial District; and (2) change "self-service storage facility, exterior unit access" from a special use to a permitted use in the "LI" Light Industrial District and the "HI" Heavy Industrial; and

WHEREAS, the City's Planning and Zoning Commission held a public hearing regarding the Text Amendments at its meeting on December 20, 2021 and recommended the City Council's approval of the Text Amendments; and

WHEREAS, the City's corporate authorities find that approving the Text Amendments is in the City's best interests for the protection of the public health, safety, and welfare; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The recitals to this Ordinance are true, material, adopted and incorporated herein as Section 1 to this Ordinance.

SECTION 2: The City's corporate authorities approve the Text Amendments to the UDO as set forth in Exhibit A attached hereto and incorporated herein by reference as Section 2 to this Ordinance.

SECTION 3: This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 10th day of January 2022 and approved by me as Mayor on the same day. Passed

on First Reading by an 8-0 call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Second Reading waived by an 8-0 call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None.




COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant

EXHIBIT A

5.07 "LC" Light Commercial District

5.07.01 Purpose and Intent

This section contains the district regulations for the "LC" Light Commercial District. These regulations are supplemented and qualified by additional general regulations elsewhere in this Ordinance which are incorporated as a part of this section by reference. The "LC" Light Commercial District is intended to be located in areas adjacent to collector streets and some arterial streets and is designed to accommodate the retail and limited service needs of a larger consumer population than is typically served by the Neighborhood Commercial District.

5.07.02 Permitted Land Uses and Developments in the "LC" Light Commercial District

The following land uses and developments are permitted in this district:

Any use permitted in the "NC" Neighborhood Commercial District, except those uses that may be modified in this list of permitted uses;

Accessory uses;

Automobile detailing;

Automobile parts and accessory stores;

Banks and other financial institutions, not including drive-through facilities;

Bicycle stores; sales, rental, and repair;

Catering establishments, including pizza delivery;

Clothing and shoe stores; sales and repair;

Clubs, lodges, meetings halls;

Department, discount and variety stores;

Drug stores;

Greenhouses, nurseries, garden supply and seed stores;

Food stores and grocery stores; convenience stores (excluding motor fuel on the premises); meat markets and bakeries;

Funeral homes, mortuaries;

Furniture stores with repair and re-upholstery only as an accessory use;

Hardware stores;

Household appliance stores, sales, service, and rental;

Interior decorating stores, including carpet, paint, and wallpaper stores;

Medical and dental offices;

Musical instrument stores, sales and repair;

Museums and art galleries;
Nursing and convalescent homes and retirement centers;

Office supply stores;

Optical sales, examinations;

Pet stores and animal grooming shops;

Public buildings used by any departments of the City, School District, Township, Park District, County, State, or Federal governments, except for vehicle maintenance, raw material storage and other similar type facilities;

Radio, television and recording studios;

Radio and television stores, sales and service;

Recreation centers, health clubs, athletic clubs, and fitness centers;

Restaurants, with or without alcohol (2008-064);

Restaurants (fast-food), but not including drive-through facilities;

Schools for business, professional or technical training;

Service facilities including barber shops; beauty shops; nail salons; copying services; artists' studios; photographers; locksmith; tailors; music and dance instruction studios; suntan parlors; travel agencies and ticketing offices; minor vehicle services not included under "Vehicle Service Facility"; and other similar type uses.

Specialty shops including antique shops; art and school supplies; bookstores; camera shops, including film developing; card and stationery shops; candy shops; florists; newspaper and magazine stores; gift and novelty shops; jewelry stores; pet shops; record shops; hobby shops and other similar type uses.

Sporting goods stores;

Theaters, indoor and auditoriums;

Toy stores;

NOTE: Any of the above permitted land uses and developments which include drive-through facilities are considered "Special Land Uses and Developments" (See Subsection 5.07.03).

5.07.03 Special Land Uses and Developments in the "LC" Light Commercial District

The following land uses and developments may be permitted under conditions and requirements specified in Article 14, "Permits."

All permitted or special uses and developments which include drive-through facilities;

Amusement establishments, but limited to bowling alleys, indoor skating rinks, swimming pools, video arcades, pinball and other similar non-gambling machine or table games (but specifically excluding activities involving the discharge of firearms, which are separately addressed herein as firing ranges);

Animal boarding facilities;

Animal hospitals and veterinary clinics;

Automobile, truck, trailer and recreational vehicle sales and rental, except for automobile sales on property greater than three (3) acres that derives a majority of annual sales from new vehicles (see Section 5.08.03);

Banquet halls;

Bars, taverns, and package liquor stores;

Cannabis business establishment;

Car washes;

Dwelling units when located above the ground floor, with an allowed commercial use on the ground floor;

Gasoline stations and any other establishments selling motor fuel on the premises, but not including vehicle repair;

Group homes;

Hospitals and clinics;

Hotels and motels;

Laboratories, medical, dental, research, and technical;

Lodging house;

Outdoor seating, service, dining and/or recreation areas accessory to any restaurant, bar, tavern, club, lodge or meeting hall (2008-064);

Parking lots, as a principal use;

Public or private schools, within buildings existing prior to the effective date of this Ordinance (1995-116);

Public utility facilities. Any installation, other than poles and equipment attached to the poles, shall be:

adequately screened with landscaping, fencing or walls, or any combination thereof, or

placed underground, or

enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted as a part of the special use permit application;

Retail Tobacco Stores (see Article 7.17);

[Self-service storage facility, exterior unit access \(see Article 7.21\) \(2018-008\);](#)

Self-service storage facility, interior unit access (see Article 7.21) (2018-008); and

Video Gaming Establishments.

5.07.04 Density and Dimensional Regulations in the "LC" Light Commercial District

1. *Minimum Lot Area:* Except as required for residential dwellings, no minimum lot area is established for permitted and special land uses in the LC District, however, lot dimensions shall be sufficient to meet other requirements of this Section and Article 12, "Off-Street Parking and Loading Requirements."
2. *Building Setback Requirements:* Except as provided for in Article 7, "Supplementary District Regulations," the following setback requirements apply to buildings and structures in the LC District.
 - a. *Front Yard:* No principal building shall be allowed within forty (40) feet of any front lot line or a street right-of-way line.
 - b. *Side Yard:* No principal building setback is required from a side lot line, except for a lot which abuts a residence district or upon an alley separating this lot from a residence district. Under these circumstances, no principal building shall be allowed within thirty (30) feet of the side lot line. See Article 7, "Supplementary District Regulations" for screening requirements.
 - c. *Rear Yard:* No principal building setback is required from a rear lot line, except for a lot that abuts a residence district or upon an alley separating this lot from a residence district. Under these circumstances, no principal building shall be allowed within thirty (30) feet of the rear lot line. See Article 7, "Supplementary District Regulations" for screening requirements.
3. *Maximum Site Coverage:* Site coverage shall not exceed seventy (70) percent, except as may be approved under the provisions of a "Planned Development" district (see Section 5.13 of this Article) (2008-064).
4. *Building Height Limitations:* No building shall exceed three (3) stories or forty-five (45) feet in height, except as provided in Article 7, "Supplementary District Regulations," and as provided in paragraph 5 below.
5. *Building Height Exceptions:* By Special Use Permit (see Article 14, "Permits"), or as part of a "Planned Development," buildings may exceed building height limitations, subject to the following building setback requirements:
 - a. *Front Yard:* The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no setback from a front lot line need ever exceed 150 feet.
 - b. *Side Yard:* The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no side yard setback need ever exceed fifty (50) feet.
 - c. *Rear Yard:* The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no setback from the rear lot line need ever exceed fifty (50) feet.

5.07.05 Other Development Regulations for the "LC" Light Commercial District

The following references the appropriate Articles of this Ordinance which specify the other regulations governing development in this district.

1. "Overlay District Regulations": Article 6
2. "Supplementary District Regulations": Article 7

3. "Streets, Sidewalks and Subdivision Design": Article 9
4. "Utilities": Article 10
5. "Floodways, Floodplains, Stormdrainage and Erosion": Article 11
6. "Off-Street Parking and Loading Requirements": Article 12
7. "Signs": Article 13

5.07.06 Conditions of Use in the "LC" Light Commercial District

1. Not more than one (1) principal building shall be located on a zoning lot. The only exception to this is for developments approved under the provisions of a "Planned Development" district (see Section 5.13 of this Article) (2008-064).
2. A principal building, in which one or more uses may locate, shall not exceed twenty-five thousand (25,000) square feet in gross floor area (2008-064).
3. All business, servicing, processing and storage, except for off-street parking and loading and drive-through facilities, shall be conducted within completely enclosed buildings.

5.08 "GC" General Commercial District

5.08.01 Purpose and Intent

This section contains the district regulations for the "GC" General Commercial District. These regulations are supplemented and qualified by additional regulations elsewhere in this Ordinance which are incorporated as a part of this section by reference. The "GC" General Commercial District is intended to be located in areas adjacent to arterial streets and designed to accommodate a wide range of retail and service needs for the consumer populations of the City of DeKalb and its surrounding areas.

5.08.02 Permitted Land Uses and Developments in the "GC" General Commercial District

The following land uses and developments are permitted in this district:

Any use permitted in the "LC" Light Commercial District, except those uses that may be modified in this list of permitted uses;

Accessory uses;

Animal boarding facilities;

Animal hospitals and veterinary clinics;

Automobile, truck, trailer and recreational vehicle sales and rental, except for automobile sales on property greater than three (3) acres that derives a majority of annual sales from new vehicles (see Section 5.08.03);

Banquet halls;

Bars, taverns, and package liquor stores;

Boat and marine sales and service;

Body Art Establishments

Community residences (small or large), when located above the ground floor;

Farm equipment sales and service;

Group homes, when located above the ground floor;

Hospitals and clinics;

Hotels and motels;

Laboratories, medical, dental, research, and technical;

Micro-Distillery;

Newspaper offices;

Parking lots and parking structures;

Building supply, electrical, plumbing and heating service and equipment stores (2008-064);

Printing and publishing establishments;

Tire stores, sales and service;

Union halls, hiring halls, and trade association offices/meeting rooms;

Warehouses associated with showrooms or retail outlets where the warehouse portion does not exceed fifty (50) percent of the total gross from the area.

NOTE: Any of the above permitted land uses and developments which include drive-through facilities are considered "Special Land Uses and Developments" (See Subsection 5.08.03).

5.08.03 Special Land Uses and Developments in the "GC" General Commercial District (2017-009)

The following land uses and developments may be permitted under conditions and requirements specified in Article 14, "Permits."

All permitted or special land uses and developments which include drive-through facilities;

Amusement establishments, indoor or outdoor, including miniature golf, water recreation and other similar type recreation facilities (2008-064) (but specifically excluding activities involving the discharge of firearms, which are separately addressed herein as firing ranges);

Automobile impound yards, but not including storage of wrecked vehicles;

Automobile sales on property greater than three (3) acres that derives a majority of annual sales from new vehicles;

Building material sales and storage (retail) as a principal use;

Bus and train stations/terminals;

Cannabis business establishment;

Cartage and express facilities;

Car washes;

Convention, exhibition, and civic centers, arenas and stadiums;

Distillery;

Dwelling units when located above the ground floor, with an allowed commercial use on the ground floor;

Firearm Retailers with a size of 50,000 square feet in area or more;

Gasoline stations;

Lodging house;

Parking lots and parking structures, as a principal use (2008-064);

Pawn shops;

Public or private schools, within buildings existing prior to the effective date of this Ordinance (1995-116);

Public utility facilities. Any installation, other than poles and equipment attached to the poles, shall be:

adequately screened with landscaping, fencing or walls, or any combination thereof, or placed underground, or

enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted as part of the special use permit application.

Restaurants (fast food) which include drive-through facilities;

Retail Tobacco Stores (see Article 7.17 regulations);

[Self-service storage facility, exterior unit access \(see Article 7.21\) \(2018-008\);](#)

Self-service storage facility, interior unit access (see Article 7.21) (2018-008);

Social Club;

Theaters, outdoor and drive-in;

Vehicle service facilities;

Vehicle repair facilities;

Video Gaming Establishments;

Wholesale establishments.

5.08.04 Density and Dimensional Regulations in the "GC" General Commercial District

1. *Minimum Lot Area:* Except as required for residential dwellings, no minimum lot area is established for permitted and special land uses in the GC District, however, lot dimensions shall be sufficient to meet other requirements of this Section and Article 12, "Off-Street Parking and Loading Requirements."
2. *Building Setback Requirements:* Except as provided for in Article 7, "Supplementary District Regulations," the following setback requirements apply to buildings in the GC District.
 - a. *Front Yard:* No principal building shall be allowed within forty (40) feet of any front lot line or street right-of-way line.
 - b. *Side Yard:* No principal building setback is required from a side lot line, except for a lot which abuts a residence district or upon an alley separating this lot from a residence district. Under these circumstances, no principal building shall be allowed within fifty (50) feet of the side lot line. See Article 7, "Supplementary District Regulations" for screening requirements.
 - c. *Rear Yard:* No principal building setback is required from a rear lot line, except for a lot that abuts a residence district or upon an alley separating this lot from a residence district. Under these circumstances, no principal building shall be allowed within fifty (50) feet of the rear lot line. See Article 7, "Supplementary District Regulations," for screening requirements.
3. *Maximum Site Coverage:* Site coverage shall not exceed seventy (70) percent, except as may be approved under the provisions of a "Planned Development" district (see Section 5.13 of this Article) (2008-064).

4. *Building Height Limitations:* No building shall exceed three (3) stories or forty-five (45) feet in height, except as provided in Article 7, "Supplementary District Regulations," and as provided in paragraph 5 below.
5. *Building Height Exceptions:* By Special Use Permit (see Article 14, "Permits"), or as part of a "Planned Development," buildings may exceed building height limitations, subject to the following building setback requirement:
 - a. *Front Yard:* The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no setback from a front lot line need ever exceed 150 feet.
 - b. *Side Yard:* The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no side yard setback need ever exceed fifty (50) feet.
 - c. *Rear Yard:* The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no setback from the rear lot line need ever exceed fifty (50) feet.

5.08.05 Other Development Regulations for the "GC" General Commercial District

The following references the appropriate Articles of this Ordinance which specify the other regulations governing development in this district.

1. "Overlay District Regulations": Article 6
2. "Supplementary District Regulations": Article 7
3. "Streets, Sidewalks and Subdivision Design": Article 9
4. "Utilities": Article 10
5. "Floodways, Floodplains, Storm drainage and Erosion": Article 11
6. "Off-Street Parking and Loading Requirements": Article 12
7. "Signs": Article 13

5.08.06 Conditions of Use in the "GC" General Commercial District

1. A principal building or combination of buildings on a zoning lot in which one or more uses may locate shall not exceed fifty-thousand (50,000) square feet in gross floor area. The only exception to this is for developments approved under the provisions of a "Planned Development" district (see Section 5.13 of this Article).
2. Outdoor display of items intended for direct sale to the public shall be permitted as an accessory use only. Outdoor storage of items not intended for direct sale to the public shall also be permitted as an accessory use as long as the storage area is completely screened from the public view and located behind the front building line of the principal building, except that automobiles, recreational vehicles, boats, etc. that have been serviced, or are awaiting service, may be temporarily stored in front of the building line of the principal building until such time as they are picked up by their owners.

5.11 “LI” Light Industrial District

5.11.01 Purpose and Intent

This section contains the district regulations of the “LI” Light Industrial District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Ordinance which are incorporated in this section by reference. The “LI” Light Industrial District’s uses are intended to be conducted in a manner not detrimental to the rest of the community by reason of noise, vibration, smoke, dust, toxic or noxious materials, odor, fire, explosive hazards, glare or heat.

5.11.02 Permitted Land Uses and Developments of the “LI” Light Industrial District (2017-044)

The following land uses and developments are permitted in this district:

Accessory uses;

Any use whose primary purpose includes the light manufacturing, fabricating, assembly, disassembly, processing or treatment of goods and products, including but not limited to:

appliances, small motors;

books, printed materials;

clothing and textiles;

drugs;

electrical components;

glass and ceramics;

paper and paper products;

plastic and fiberglass;

sheet metal;

tools;

wood assembly and finishing;

Airports, landing strips and heliports;

Animal boarding facilities and animal shelters, subject to the provisions of 5.11.06, subparagraph 3 (below) (2003-139);

Automobile detailing;

Automobile, truck, trailer and recreational vehicle sales and rental;

Boat and marine sales and service;

Body Art Establishment

Building-contractors office and materials storage;

Building material sales and storage;
 Bus and train stations and terminals;
 Business, professional, and technical training schools;
 Car washes;
 Cartage and express facilities;
 Data Center;
 Dwelling unit (one only) only when used by the caretakers and their families, who own or are employed in the allowable commercial or industrial use of the premises, and which may be located on the ground floor;
 Farm equipment sales and service;
 Fruit, Vegetable and grain processing, packaging, and storage;
 Gasoline Stations;
 Golf courses and other open space recreational uses;
 Ice processing, sales and storage;
 Lumberyards;
 Machinery sales, service and storage;
 Machine shops;
 Motor and rail freight terminals;
 Newspaper offices;
 Offices;
 Outdoor storage, as a principal use, except junkyards, salvage yards, and wrecked vehicle storage yards;
 Parking lots, as a principal use;
 Plating establishments;
 Plumbing and heating service and equipment stores;
 Printing and publishing establishments, duplicating services;
 Public buildings used by any department of the City, School District (except school buildings), Township, Park District, County, State, and Federal governments;
 Public utility facilities;
 Research laboratories and facilities; and

Self-service storage facility, exterior unit access. (See Article 7.21) (2018-008);

Self-service storage facility, interior unit access. (2018-008)

Sewage treatment plants;

Showrooms and retail outlets associated with warehouse or manufacturing facilities where the showroom or retail portion does not exceed thirty (30) percent of the total floor area;

Sign shops;

Tire stores, sales and service;

Tool and dye shops;

Union halls, hiring halls, and trade association offices/meeting rooms;

Upholstery stores;

Vehicle repair facilities;

Vehicle service facilities;

Warehouse and wholesale establishments, distribution centers;

Welding.

5.11.03 Special Land Uses and Developments of the "LI" Light Industrial District (2017-044)

The following land uses and developments may be permitted under conditions and requirements specified in Article 14, "Permits."

Cannabis business establishment;

Day Care Centers;

Distillery;

Firearm Retailers / Firearm Dealers regardless of size (See Article 7.19 regulations);

Indoor firing range (See Article 7.19.05 regulations);

Junkyards, salvage yards, and vehicle wrecking yards conducted within an enclosed building or surrounded by a solid sight-proof fence not less than ten (10) feet in height, or the height of the materials being screened, whichever is greater, and where no materials shall be piled or stacked to a height in excess of fifteen (15) feet above the ground level;

Penal, correctional, and other institutions necessitating restraint of inhabitants;

Railroad switching yards;

Recycling centers;

Retail Tobacco Stores (See Article 7.17 regulations); and

Sanitary landfills, solid waste transfer stations, composting, energy reclamation facilities, recycling plants, incinerators, and similar solid-waste management facilities, but excluding hazardous or radioactive waste disposal; and

~~Self-service storage facility, exterior unit access (see Article 7.21) (2018-08).~~

5.11.04 Density and Dimensional Regulations of the "LI" Light Industrial District

1. *Minimum Lot Area:* Except as required for residential dwellings, no minimum lot area is established for permitted and special land uses in the LI District, however, lot dimensions shall be sufficient to meet other requirements of this Section and Article 12, "Off-Street Parking and Loading Requirements."
2. *Building Setback Requirements:* Except as provided for in Article 7, "Supplementary District Regulations," the following setback requirements apply to buildings in the LI District.
 - a. *Front Yard:* No principal building shall be allowed within forty (40) feet of any front lot line or a street right-of-way line.
 - b. *Side Yard:* No building setback is required from a side lot line, except for a lot which abuts a residence district or upon an alley separating this lot from a residence district. Under these circumstances, no principal building shall be allowed within seventy-five (75) feet of the side lot line. (See Article 7, "Supplementary District Regulations" for screening buffer requirements.)
 - c. *Rear Yard:* No building setback is required from a rear lot line, except for a lot which abuts a residence district or upon an alley separating this lot from a residence district. Under these circumstances, no principal building shall be allowed within seventy-five (75) feet of the rear lot line. (See Article 7, "Supplementary District Regulations" for screening requirements.)
3. *Maximum Site Coverage:* On lots two (2) acres in size or greater, site coverage shall not exceed seventy (70) percent, except as may be approved under the provisions of a "Planned Development" district (see Section
 - a. of this Article). There is no limitation on site coverage on lots less than two (2) acres in size.
4. *Building Height Limitations:* No building shall exceed six (6) stories or seventy-five (75) feet in height, except as provided in Article 7, "Supplementary District Regulations," and as provided in paragraph 5 below.
5. *Building Height Exceptions:* By Special Use Permit (see Article 14, "Permits"), or as part of a "Planned Development," buildings may exceed building height limitations, subject to the following building setback requirement:
 - a. *Front Yard:* The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no setback from a front lot line need ever exceed 150 feet.
 - b. *Side Yard:* The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no side yard setback need ever exceed fifty (50) feet.
 - c. *Rear Yard:* The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no setback from the rear lot line need ever exceed fifty (50) feet.

5.11.05 Other Development Regulations for the "LI" Light Industrial District

The following references the appropriate Articles of this Ordinance which specify the other regulations governing development in this district.

1. "Overlay District Regulations": Article 6
2. "Supplementary District Regulations": Article 7
3. "Streets, Sidewalks and Subdivision Design": Article 9
4. "Utilities": Article 10
5. "Floodways, Floodplains, Storm Drainage and Erosion": Article 11
6. "Off-Street Parking and Loading Requirements": Article 12
7. "Signs": Article 13

5.11.06 Conditions of Use of the "LI" Light Industrial District.

1. Depending on sewage collection and treatment requirements, a developer or business shall verify the adequacy of said system with the Kishwaukee Water Reclamation District prior to applying for a building or occupancy permit.
2. All outdoor storage areas, whether they are the principal or accessory use of the property, shall be screened from this public view by placing a solid, sight-proof fence not less than six (6) feet in height around the storage area. Junkyards, salvage yards, and vehicle wrecking yards shall meet the screening requirements set forth in Subsection 5.11.03.

5.12 “HI” Heavy Industrial District

5.12.01 Purpose and Intent

This section contains the district regulations of the “HI” Heavy Industrial District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Ordinance which are incorporated as a part of this section by reference. The “HI” Heavy Industrial District is intended to be located in selected areas so that its permitted and special uses' noise, vibration, smoke, dust, toxic or noxious materials odors, fire, explosive, glare, heat, and other hazardous characteristics are not detrimental to the rest of the community.

5.12.02 Permitted Land Uses and Developments of the “HI” Heavy Industrial District

The following land uses are permitted in this district:

Any use permitted in the “LI” Light Industrial District;

Accessory uses;

Any use whose primary purpose includes the heavy manufacturing, fabrication, assembly (does not include disassembly), processing or treatment of goods and services, including but not limited to:

boats,

construction equipment,

containers and storage units,

motor vehicles and engines,

paints, inks,

stoneware, earthenware;

Data Center;

Railroad switching yards; and

[Self-service storage facility, exterior unit access. \(See Article 7.21\) \(2018-008\)](#)

Self-service storage facility, interior unit access. (2018-008)

5.12.03 Special Land Uses and Developments of the “HI” Heavy Industrial District

The following land uses and developments may be permitted under conditions and requirements specified in Article 14, “Permits.”

Animal slaughtering, meat packing, or rendering facilities;

Any use whose primary purpose includes the heavy manufacturing, fabrication, assembly, disassembly, processing or treatment of goods and services, including but not limited to:

concrete, asphalt, cement,

motor vehicles and engines,

Bulk fuel distribution or storage;

Distillery;

Extraction of raw materials from the earth and processing thereof;

Firearm Retailers / Firearm Dealers - regardless of size (See Article 7.19 regulations);

Firing Range, both indoor or outdoor (See Article 7.19 regulations);

Junkyards, salvage yards, vehicle wrecking yards conducted within an enclosed building or surrounded by a solid sight-proof fence not less than ten (10) feet in height, or the height of the materials being screened, whichever is greater, and where no materials shall be piled or stacked to a height in excess of fifteen (15) feet above the ground level.

Manufacturing and processing of flammable liquids, gases, explosives, chemicals, acids, fertilizers;

Penal, correctional, and other institutions necessitating restraint of inhabitants;

Petroleum refining or storage;

Recycling centers;

Retail Tobacco Stores (see Article 7.17);

Sanitary landfills, solid waste transfer stations, composting, energy reclamation facilities, recycling plants, incinerators, and similar solid waste management facilities, but excluding hazardous or radioactive waste disposal;

~~Self-service storage facility, exterior unit access (see Article 7.21) (2018-008);~~

Steel mills, foundries, forges, and smelters;

Storage of hazardous substances as the principal use of the property; and

Sulfur and rubber reclamation plants.

5.12.04 Density and Dimensional Regulations of the "HI" Heavy Industrial District

1. *Minimum Lot Area:* Except as required for residential dwellings, no minimum lot area is established for permitted and special land uses in the HI District, however, lot dimensions shall be sufficient to meet other requirements of this Section and Article 12, "Off-Street Parking and Loading Requirements."
2. *Building Setback Requirements:* Except as provided for in Article 7, "Supplementary District Regulations," the following setback requirements apply to buildings in the HI District.
 - a. *Front Yard:* No principal building shall be allowed within forty (40) feet of any front lot line or a street right-of-way line.
 - b. *Side Yard:* No building setback is required from a side lot line, except for a lot which abuts a residence district or upon an alley separating this lot from a residence district. Under these circumstances, no principal building shall be allowed within one hundred (100) feet of the side lot line. See Article 7, "Supplementary District Regulations" for screening requirements.

- c. *Rear Yard*: No building setback is required from a rear lot line, except for a lot which abuts a residence district or upon an alley separating this lot from a residence district. Under these circumstances, no principal building shall be allowed within one hundred (100) feet of the rear lot line. See Article 7, "Supplementary District Regulations" for screening requirements.
- 3. *Maximum Site Coverage*: There is no limitation on site coverage in the HI District.
 - 4. *Building Height Limitations*: No building shall exceed six (6) stories or seventy-five (75) feet in height, except as provided in Article 7, "Supplementary District Regulations," and as provided in paragraph 5 below.
 - 5. *Building Height Exceptions*: By Special Use Permit (see Article 14, "Permits"), or as part of a "Planned Development," buildings may exceed building height limitations, subject to the following building setback requirement:
 - a. *Front Yard*: The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no setback from a front lot right-of-way line need ever exceed 150 feet.
 - b. *Side Yard*: The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no side yard setback need ever exceed fifty (50) feet.
 - c. *Rear Yard*: The required building setback shall be increased by one (1) foot for each two (2) feet, or portion thereof, of increased building height, provided, however, that no setback from the rear lot line need ever exceed fifty (50) feet.

5.12.05 Other Development Regulations for the "HI" Heavy Industrial District

The following list references the appropriate Articles of this Ordinance which specify the other regulations governing development in this district.

- 1. "Overlay District Regulations": Article 6
- 2. "Supplementary District Regulations": Article 7
- 3. "Streets, Sidewalks and Subdivision Design": Article 9
- 4. "Utilities": Article 10
- 5. "Floodways, Floodplains, Storm Drainage and Erosion": Article 11
- 6. "Off-Street Parking and Loading Requirements": Article 12
- 7. "Signs": Article 13

5.12.03 Conditions of Use

Depending on sewage collection and treatment requirements, a developer or business shall verify the adequacy of said system with the Kishwaukee Water Reclamation District prior to applying for a building or occupancy permit.

Existing Video Gaming Establishments, as defined in Article 3 of this Ordinance, which do not meet the distance separation requirements listed in Article 7.20.01 (1) on the effective date of this Ordinance may continue to operate and have their annual Video Gaming License renewed, provided they meet the requirements of Chapter 38 "Intoxicating Liquors" of the Municipal Code, and Article 19 "Non-Conforming Situations" of this Ordinance. A change in ownership or tenancy of a non-conforming Video Gaming Establishment, as determined by Article 19 of this Ordinance, does not require the discontinuance of the use.

7.20.02 Planned Development Districts

Video Gaming Establishments proposed to be located in Planned Development Districts established prior to the adoption of this Ordinance shall be categorized as a "bar" or "tavern" for purposes of determining if they are a permitted use, special use or prohibited use. The distance separation requirement described in Article 7.20.01 of this Ordinance still applies.

7.21 Self-Service Storage Facilities (2018-008)

7.21.01 Building Requirements

"Self-Service Storage Facility, Interior Unit Access" facilities in the "LC" Light Commercial and "GC" General Commercial Districts shall only be allowed with a special use permit and located in an existing building or buildings and not in a newly constructed building or buildings.

7.21.02 Additional Special Use Requirements for the "LC" Light Commercial and "GC" General Commercial Districts, "LI" Light Industrial, and "HI" Heavy Industrial Districts

The applicant must also submit information that includes, when applicable, how the proposed special use will address the following physical characteristics as they relate to the standards for a special use in Article 14.03:

- Access/Traffic circulation,
- Hours of operation,
- Accessory uses such as retail sales of packing or mailing supplies,
- Fencing,
- Lighting,
- Architectural elevations,
- Screening,
- Security cameras,
- Dumpsters and enclosures,
- Parking, and
- Outdoor storage.

7.21.03 Additional Special Use Requirements for the "LC" Light Commercial and "GC" General Commercial Districts

In addition to the requirements of Article 14.03, the applicant for a special use request for a "Self-Service Storage Facility, Interior Unit Access" in the "LC" Light Commercial or "GC" General Commercial District shall provide a floor plan indicating how the storage units are divided including square footages. The applicant shall also be required to show how the property or tenant space has become obsolete for retail uses to warrant the special use permit. To determine obsolescence, the following three factors shall be used:

- Physical obsolescence – Physical structure itself has deteriorated;
- Functional obsolescence – Property or tenant space is no longer able to function in the way it was originally intended; and

- Economic obsolescence – Outside forces have negatively affected the commercial real estate property value.