

Chapter 17.12

DISTRICTS

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17.12.010 Established. In order to carry out the purpose and provision of this title, the city is divided into the following districts:

- Residential A-1 - One-family low-density district;
- Residential A-2 - One-family medium-density district;
- Residential RC - Multifamily medium-density district;
- Commercial C-1 - Central business district;
- Commercial C-2 - General business district;
- Industrial I - Industrial district;
- Agriculture AG - Agriculture district.

(Ord. 471 §4.1, 1976)

17.12.020 Zoning map. The locations and boundaries of the districts established in this chapter are shown upon the map entitled "El Paso, Illinois Zoning Map, 1976," which, with all notations thereon, is made a part of this title and included at the end of this chapter. (Ord. 471 §4.2, 1976).

17.12.030 Tentative classification of annexed land. Land which may be annexed to the city shall be classified in accordance with the following schedule until such time as the city council changes the classification in accordance with the provisions of this title:

<u>County Zoning</u>	<u>El Paso</u>
<u>Classification</u>	<u>Classification</u>
Residential AS	Residential A-1
Residential CS	Residential RC
Commercial	Commercial C2
Industrial	Industrial I
Agriculture	Agriculture AG
Conservation A	Agriculture AG
Conservation B	Agriculture AG

(Ord. 471 §4.3, 1976).

17.12.040 Zoning of steets, alleys, public ways and railroad rights-of-way. All streets, alleys, public ways and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting. Where the centerline of a street, alley, public way or railroad right-of-way serves as a district boundary, the zoning of such areas, when otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such centerline. (Ord. 471 §4.4, 1976).

17.12.050 Rules for the interpretation of district boundaries. Where uncertainty exists as to the boundaries of a district as shown on the zoning map, the following rules shall apply:

A. Boundaries indicated as approximately following the centerlines of streets or alleys shall be construed to follow such centerlines.

B. Boundaries indicated as approximately following recorded lot lines shall be construed as following such lot lines.

C. Boundaries indicated as approximately following city limits shall be construed as following such city limits.

D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

E. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines.

F. Boundaries indicated as parallel to or extensions of features indicated in subsection A through E of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.

G. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map or in other circumstances not covered by subsections A through F of this section, the board shall interpret the district boundaries. (Ord. 471 §4.5, 1976).

17.12.060 Application of district regulations and standards. The regulations and standards set by this title within each district shall be minimum regulations and standards and shall apply uniformly to each class, kind or type of structure, use or land except, as provided by this title. (Ord. 471 §4.6, 1976).

17.12.070 Construction and use restrictions--Conformance with regulations and standards required. A. No structure or land shall hereafter be used or occupied and no structure or part thereof shall hereafter be constructed, erected, altered, remodeled, extended or moved unless in conformity with all the regulations and standards specified in this title for the district in which it is located.

B. No structure shall hereafter be constructed, erected, altered, remodeled, extended or moved:

1. To exceed the height;
2. To occupy or house a number of families greater than;
3. To occupy a percentage of the lot area greater than;
4. To exceed the floor area ratio;
5. To have floor area per dwelling unit or lodging unit smaller or less habitable than;
6. To exceed the maximum floor area; required in this title or in any manner contrary to the regulations and standards of the district in which it is located. (Ord. 471 §4.60 (a), (b), 1976).

17.12.080 Construction and use restrictions--Main or principal structures. In no case other than in planned developments shall there be more than one main or principal structure, or main or principal use, on one lot or tract of land. (Ord. 471 §4.60(c), 1976).

17.12.090 Construction and use restrictions--Accessory uses and structures. No accessory use shall be established prior to the establishment of the main or principal use, and no accessory structure shall be constructed, erected, altered, remodeled, extended or moved prior to the establishment of construction of the main or principal structure,

except those accessory uses and structures of a temporary nature required for the establishment of the main or principal use, or for the construction of the main or principal structure. In the residential A-1, residential A-2 and residential R-C districts, dish antennas shall be permitted in rear yards only; said antennas shall not be located in a front yard, corner side yard or side yard, required or otherwise; no such antenna shall be located nearer than five feet from the side or rear lot line; and no such antennas shall be located or placed on an easement. In all other districts, dish antennas shall be considered an accessory structure and shall be regulated as such. When in conflict with the provisions of Section 17.16.060 and 17.20.060, this section shall control. (Ord. 582 §2, 1983; Ord. 471 §4.60(d), 1976).

17.12.100 Construction and use restrictions--Street access required.

No structure shall be constructed or erected on a lot or tract or land or moved to a lot or tract of land which does not abut a publicly maintained street. (Ord. 471 §4.60(e), 1976).

17.12.110 Construction and use restrictions--Effect on uses existing or under construction.

A. Nothing in this title shall be deemed to require any change in the plans, construction or designated use of any structure existing or upon which construction was lawfully begun prior to the effective date of the ordinance codified in this title, provided that such structure shall be completed within one calendar year from the effective date of the ordinance codified in this title.

B. The performance standards, regulations and standards, rules, requirements, provisions and restrictions set by this title shall apply to all structures, uses, lots and tracts of land created or established after the effective date of the ordinance codified in this title, and shall not be deemed to require any change in the structures, uses, lots and/or tracts of land lawfully existing on the effective date of the ordinance codified in this title, except as expressly specified in this title. (Ord. 471 §4.60(f), (g), 1976).

17.12.120 Construction and use restrictions--Permitted
uses must be specifically stated.

The uses permitted in one district shall not be permitted in any other district unless specifically stated. (Ord. 471 §4.60(h), 1976).

17.12.140 Open spaces.

A. No part of a yard, buffer strip or other open space, off-street parking space loading berth, or lot area required about or in connection with any structure for the purpose of complying with the regulations and standards of this title shall be included as part of a yard, buffer strip or other open space, off-street parking space or loading berth, or lot area similarly required for any other structure or use.

B. No yard, buffer strip or other open space, off-street parking space or loading berth, or lot existing on the effective date of the ordinance codified in this title shall be reduced in dimensions or area below the requirements set forth in this title. Yards, buffer strips or other open spaces, off-street parking spaces or loading berths, or lots created or established after the effective date of the ordinance codified in this title shall meet at least the minimum requirements established by this title. (Ord. 471 §4.61, 1976).

17.12.150 Supplementary district regulations and standards--Height. A. The height of any main or principal structure or accessory building may exceed the maximum permitted height by one foot for each additional foot by which the width of each yard exceeds the minimum yard dimension for the district in which such structure is located.

B. Height regulations and standards shall not apply to spires, belfries, penthouses or domes not used for human occupancy, nor to chimneys, ventilators, skylights, water tanks, bulkheads, utility poles and power lines, silos and other necessary mechanical appurtenances, provided their location shall conform where applicable to the regulations and standards of the Federal Communications Commission, the Civil Aeronautics Administration and other public authorities having jurisdiction. (Ord. 471 §4.70, 1976).

17.12.160 Supplementary district regulations and standards--Setback line. All buildings and all main or principal structures shall be positioned in conformance with the setback line regulations and standards specified in this title for the district in which they are located. (Ord. 471 §4.71, 1976).

17.12.170 Supplementary district regulations and standards--Yards. A. Notwithstanding any other provisions of this title, the minimum yard dimensions specified in this title shall not be reduced except through action by the board.

B. The following yard regulations and standards shall apply to all lots or tracts of land on which a structure is located:

1. Yards shall be kept unobstructed for their entire depth except as specified in this title.

2. Private driveways, service drives, easements, sidewalks, flagpoles, arbors, trellises, fences, walls, columns, light poles, hydrants, patios, accessory signs and other decorative, recreational and utility devices and equipment may be placed in any yard.

3. Agriculture may be carried on in any yard, except as provided by this title.

4. Notwithstanding any other provisions of this title, the following visibility regulations and standards shall apply:

a. Interior Lot. Fences, walls and/or hedges may be placed in any yard or along the edge of any yard, provided that no fence, wall or hedge, except in the case of a junkyard, along the sides or front edge of the front yard of an interior lot shall exceed the height here permitted:

i. Four feet, where the front yard dimension is the minimum established by this title;

ii. For each additional ten feet of front yard above the minimum established by this title, the height of such fence, wall or hedge may be increased six inches.

b. Corner Lot. On a corner lot, nothing shall be constructed, erected, placed, planted or allowed to grow in such a manner as materially to impede vision above a height of two and one-half feet above the centerline grades of the intersecting streets in an area bounded by the street right-of-way lines of such corner lot and a straight line joining points along such street right-of-way lines fifty feet from the nearest point of intersection. Beyond such fifty-foot limits, subsection B(4)(a) of this section shall apply. (Ord. 471 §4.72, 1976).

17.12.180 Exemptions from regulations and standards.

The following structures and uses are exempted by this title and are permitted in any district: poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, valves or any other similar distributing equipment for telephone or other communications, electric power, gas, water and sewer lines, provided that the installation shall conform, where applicable, with the rules and regulations of the Illinois Commerce Commission, the Civil Aeronautics Administration and other public authorities having jurisdiction. (Ord. 471 §4.73, 1976).

17.12.200 Zero lot line developments. Zero lot line developments consisting of single-family dwelling units with a common wall shall be allowed in any residential R-C district as long as all construction requirements are met as provided in this title. Zero lot line developments shall also be permitted in any other zoning districts provided a special use permit is obtained with the approval of the El Paso city council following a public hearing by the El Paso zoning board. (Ord. 684 §1(part), 1994).

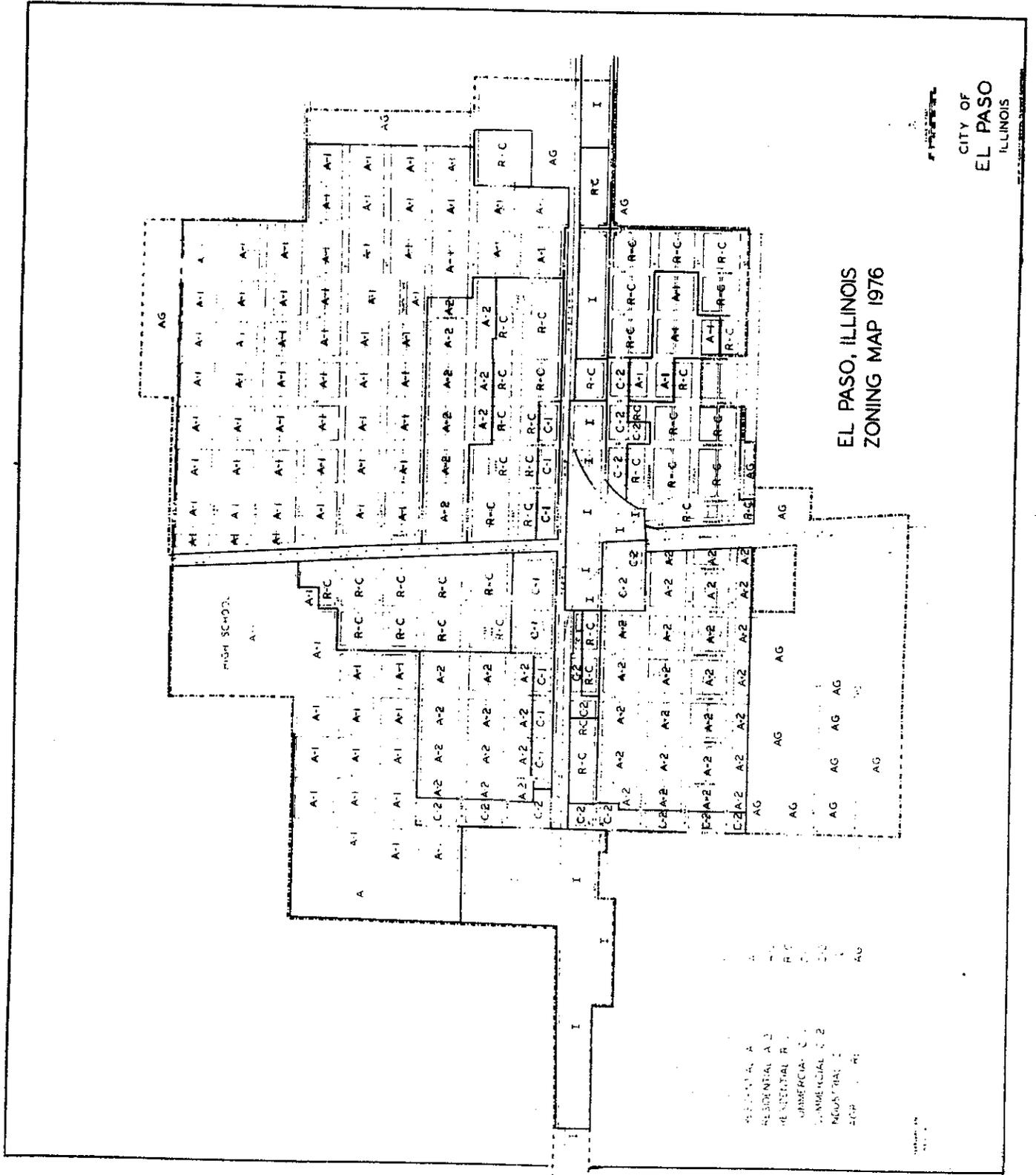
17.12.220 Construction requirements for zero lot line developments. In addition to all other requirements of this title, other than the side yard requirements, any zero lot line development structure shall contain fire separation walls as required by the Building Officials and Code Administrators (BOCA) National Building Code as revised from time to time. These single-family dwelling units shall be classified as Use Group R-3 under the BOCA Code and the fire separation walls shall comply with the minimum fire resistance ratings as prescribed by Table 401 of the BOCA Code. Any wall used as the common wall for a zero lot line development shall have no windows, doors, air-conditioning units, ducts, vents, apertures, or any other type of opening; provided, however, atriums or courts shall be permitted on the zero lot line side when such court or atrium is enclosed by three walls of the dwelling unit and a solid opaque wall of at least eight feet in height is constructed on the zero lot line side and is constructed of the same materials as the exterior walls of the dwelling unit. (Ord. 684 §1(part), 1994).

17.12.240 Zero lot line development maintenance and drainage easements. A perpetual wall maintenance easement at least five feet in width shall be provided on the lot adjacent to the zero side lot line, which with the exception of walls and/or fences, shall be kept clear of structures. Such easement shall be shown on the plat incorporated into each deed transferring title to the property. Such wall shall be maintained in its original color and treatment unless otherwise agreed to in writing by the two affected lot owners. Overhanging eaves and gutters may penetrate such easement on the adjacent lot a maximum of twenty-four inches, but the roof shall be so designed that water runoff from the dwelling constructed on the lot line is limited to such easement area. Footings for buildings, fences and walls may extend into such easement at heights no less than and at extension distances no greater than as originally constructed. (Ord. 684 §1(part), 1994).

17.12.260 Zero lot line plat required. A zero lot line development plat shall be presented to the El Paso zoning board in the same manner as any preliminary subdivision plat showing the location of all improvements intended to be placed on a zero lot line development, which plat shall show the perpetual wall maintenance easements, any drainage easements, the location of all improvements, the side yards that are not on the zero lot lines and all other items required pursuant to this title on subdivision plats. Following a hearing before the El Paso zoning board, such plats shall be approved by the El Paso city council and the zero lot line development shall not be approved and no building permits shall be issued until such plats are ap-

proved by the El Paso city council. The El Paso city council shall approve all plats of zero lot line developments within a residential R-C district which otherwise comply with all provisions and requirements of this title for a residential R-C development and which apply with the BOCA Code. All other zero lot line developments may be approved as a special use. (Ord. 684 §1(part), 1994).

17.12.280 Condominium developments. The regulations herein regarding zero lot line developments shall not replace or supersede any requirements of the statutes of the state of Illinois regarding condominiums and any condominiums located within the city shall comply with all Illinois statutes and the Condominium Act in particular. (Ord. 684 §1(part), 1994).



EL PASO, ILLINOIS
ZONING MAP 1976

- A RESIDENTIAL A
- A-1 RESIDENTIAL A-1
- A-2 RESIDENTIAL A-2
- A-2.1 RESIDENTIAL A-2.1
- A-2.2 RESIDENTIAL A-2.2
- C-1 COMMERCIAL C-1
- C-2 COMMERCIAL C-2
- C-2.1 COMMERCIAL C-2.1
- C-2.2 COMMERCIAL C-2.2
- I INDUSTRIAL I
- AG AGRICULTURAL AG