

## CHAPTER 150

### TABLE OF CONTENTS

ARTICLE I	General
ARTICLE II	Interpretation and Definitions
ARTICLE III	Administration
ARTICLE IV	Regulations for Permitted and Conditional Land Uses
ARTICLE V	Planned Developments
ARTICLE VI	Performance Standards
ARTICLE VII	Area, Bulk, and Density
ARTICLE VIII	Off-Street Parking and Loading
ARTICLE IX	Non-Conforming Structures and Uses
ARTICLE X	Occupancy Certificates
ARTICLE XI	The Zoning Board of Appeals
ARTICLE XII	Variations
ARTICLE XIII	Appeals
ARTICLE XIV	Special Uses
ARTICLE XV	Amendments
ARTICLE XVI	Special Exceptions
ARTICLE XVII	Reserved
ARTICLE XVIII	Stormwater Management, Wetlands Protection, and Flood Plain Regulation
ARTICLE XIX	Steep Slope Zone
ARTICLE XX	Signs
ARTICLE XXI	Inclusionary Housing
ARTICLE XXII	Landscape Planting and Screening

## TABLE OF CONTENTS

### ARTICLE I. GENERAL

Sec. 150.101 Purpose.....	I-1
Sec. 150.102 Scope of Regulations.....	I-3
Sec. 150.103 Interpretation -- Other Restrictions -- Burden of Proof.....	I-3
Sec. 150.104 Lots or Parcels of Land of Record.....	I-4
Sec. 150.105 Established Setbacks -- Single Family Districts.....	I-4
Sec. 150.106 Driveways for Commercial and Industrial Districts.....	I-5
Sec. 150.107 Zoning District Boundaries.....	I-5
Sec. 150.108 Effect of Headings.....	I-6
Sec. 150.109 Report by Department of Community Development.....	I-6
Sec. 150.110 Severability.....	I-6
Sec. 150.111 Proceedings to Prevent Violation.....	I-6
Sec. 150.112 Penalties.....	I-7

### ARTICLE II. INTERPRETATION AND DEFINITIONS

Sec. 150.201 Rules of Construction.....	II-1
Sec. 150.202 Definitions.....	II-1

### ARTICLE III. ADMINISTRATION

Sec. 150.301 Office of the Zoning Administrator.....	III-1
Sec. 150.302 Assistance.....	III-2
Sec. 150.303 Restrictions.....	III-2
Sec. 150.304 Proceedings to Prevent Violation.....	III-2
Sec. 150.305 Zoning Board of Appeals.....	III-3
Sec. 150.306 Cost Recovery Fees.....	III-3
Sec. 150.307 Settlement of Litigation.....	III-5
Sec. 150.308 Pending Land Use Application Disclosure Notice.....	III-7

### ARTICLE IV. REGULATIONS FOR PERMITTED AND CONDITIONAL LAND USES

Sec. 150.401 Establishment of Districts.....	IV-1
Sec. 150.402 Located on Legal Lot of Record.....	IV-6
Sec. 150.403 Allowable Uses.....	IV-7
Sec. 150.404 Principal and Accessory Uses.....	IV-7
Sec. 150.405 Interpretation of Uses.....	IV-8
Sec. 150.406 Accessory Buildings and Uses.....	IV-8
Sec. 150.407 Uses Within Buildings.....	IV-9
Sec. 150.408 Uses Outside Buildings.....	IV-9
Sec. 150.409 Temporary Buildings.....	IV-10
Sec. 150.410 Uses within the HC (Health Care) Zoning District.....	IV-10
Sec. 150.411 Conditional Uses.....	IV-14
Sec. 150.412 Dormitory Buildings as Conditional Uses in Residential Districts.....	IV-14
Sec. 150.413 Tennis, Racquetball, Handball, Swimming and Other Private Recreational Clubs as Conditional Uses in Residential Zoning Districts.....	IV-15
Sec. 150.414 Additional Regulations for Towers and Conditional Uses for Use with Television and/or Other Transmitting and Receiving Equipment, Including Cellular Telephone and Personal Wireless	

	Telecommunications Facilities.....	IV-16
Sec. 150.415	Special Regulations for the Pedestrian Oriented Shopping Overlay(POSO)Zone.....	IV-21
Sec. 150.416	Public Safety Emergency Warning Facilities.....	IV-25
Sec. 150.417	Additional Regulations for Community Residential Alternatives.....	IV-26
Sec. 150.418	Wind Energy System Regulations.....	IV-27
Sec. 150.419	Public Utility Infrastructure Facilities.....	IV-35
Sec. 150.420	Additional Regulations for Medical Cannabis Dispensing Organizations.....	IV-36
	Table of Allowable Uses.....	IV-42

#### ARTICLE V. PLANNED DEVELOPMENTS

Sec. 150.501	Intent and Purpose.....	V-1
Sec. 150.505	Applicability. ....	V-2
Sec. 150.510	Modifications to Zoning District Regulations. ....	V-4
Sec. 150.515	Public Benefit. ....	V-5
Sec. 150.520	Site Planning Constraints and Design Standards.....	V-7
Sec. 150.525	Preliminary Development Plan Filing Requirements. ....	V-13
Sec. 150.530	Preliminary Development Plan Review Procedure. ....	V-19
Sec. 150.535	Final Development Plan Filing Requirements. ....	V-23
Sec. 150.540	Final Development Plan Review Procedure. ....	V-25
Sec. 150.545	Amendments to Approved Planned Developments .....	V-26
Sec. 150.550	Concurrent Review of Preliminary and Final Development Plans.....	V-28
Sec. 150.555	Enforcement and Recording.....	V-28
Sec. 150.560	Construction Timing .....	V-29
Sec. 150.565	Completion of Planned Development.....	V-30

#### ARTICLE VI. PERFORMANCE STANDARDS

Sec. 150.601	Purpose.....	VI-1
Sec. 150.602	Other Regulations. ....	VI-1
Sec. 150.603	Application. ....	VI-1
Sec. 150.604	Electromagnetic Radiation. ....	VI-1
Sec. 150.605	Lighting. ....	VI-3
Sec. 150.606	Heat. ....	VI-13
Sec. 150.607	Noise.....	VI-13
Sec. 150.608	Odorous Matter. ....	VI-14
Sec. 150.609	Radioactive Materials. ....	VI-15
Sec. 150.610	Smoke, Particulate Matter, and Other Air Contaminants. ....	VI-15
Sec. 150.611	Vibration.....	VI-15
Sec. 150.612	Refuse Disposal and Screening of Refuse Receptacles.....	VI-17

#### ARTICLE VII. AREA, BULK, AND DENSITY

Sec. 150.701	Scope of Requirements.....	VII-1
Sec. 150.702	Bulk Conformance.....	VII-1
Sec. 150.703	Low Density Residential District Regulations. ....	VII-1
Sec. 150.703.1	Special Regulations for the LFOZ Lakefront Density and Character Overlay Zone.....	VII-2
Sec. 150.703.2	Special Regulations for the SLOZ South Green Bay Road Small Lot Overlay Zone.....	VII-11

Sec. 150.703.3 Regulations for Low Density Residential FAR.....	VII-13
Sec. 150.704 High Density Residential and Health Care District Regulations.....	VII-15
Sec. 150.705 Commercial and Light Industrial District Regulations.....	VII-18
Sec. 150.705.1 Public Activity District Regulations.....	VII-20
Sec. 150.706 Special Area Considerations.....	VII-21
Sec. 150.707 Special Yard Considerations.....	VII-22
Sec. 150.708 Special Height Considerations.....	VII-28
Sec. 150.709 Special Density Considerations.....	VII-28
Sec. 150.710 Lots or Parcels of Land of Record.....	VII-29
Sec. 150.711 Established Setbacks — Single Family Districts.....	VII-29
Sec. 150.712 Garage Door Openings.....	VII-30
 ARTICLE VIII. OFF-STREET PARKING AND LOADING	
Sec. 150.801 Scope of Requirements.....	VIII-1
Sec. 150.802 Limitations on Existing Uses.....	VIII-1
Sec. 150.803 Computation of Parking and Loading Requirements for New Development.....	VIII-3
Sec. 150.804 Joint Parking Facilities.....	VIII-4
Sec. 150.805 General Location Requirements.....	VIII-7
Sec. 150.806 Legal Requirements for Off-Site Facilities.....	VIII-8
Sec. 150.807 Relief from Off-Street Parking and Loading Requirements.....	VIII-8
Sec. 150.808 Design and Maintenance of Parking Facilities.....	VIII-10
Sec. 150.809 Design of Loading Spaces.....	VIII-16
Table of Parking and Loading Requirements.....	VIII-17
 ARTICLE IX. NON-CONFORMING STRUCTURES AND USES	
Sec. 150.901 General Provisions.....	IX-1
Sec. 150.902 Nonconforming Uses of Land and Nonconforming Uses in Structures. ...	IX-1
Sec. 150.903 Nonconforming Structures other than Signs.....	IX-3
 ARTICLE X. OCCUPANCY CERTIFICATES	
Sec. 150.1001 Occupancy Certificate Required.....	X-1
Sec. 150.1002 Application for an Occupancy Certificate.....	X-1
Sec. 150.1003 Issuance of Occupancy Certificate.....	X-2
Sec. 150.1004 Posting of Occupancy Certificates.....	X-2
 ARTICLE XI. THE ZONING BOARD OF APPEALS	
Sec. 150.1101 Creation and Membership.....	XI-1
Sec. 150.1102 Hearings.....	XI-1
Sec. 150.1103 Jurisdiction.....	XI-3
Sec. 150.1104 Limitation.....	XI-3
Sec. 150.1105 Administrative Review.....	XI-3
 ARTICLE XII. VARIATIONS	
Sec. 150.1201 Authorization.....	XII-1
Sec. 150.1202 Application for Variation.....	XII-1
Sec. 150.1203 Processing, Notice, and Hearing.....	XII-3
Sec. 150.1204 Authorized Variations.....	XII-4
Sec. 150.1205 Standards.....	XII-7

Sec. 150.1206	Variation by Final Order of the Zoning Board of Appeals. ....	XII-7
Sec. 150.1207	Variations by Ordinance. ....	XII-8
Sec. 150.1208	Duration of Variation. ....	XII-8
ARTICLE XIII. APPEALS		
Sec. 150.1301	Scope of Appeals. ....	XIII-1
Sec. 150.1302	Notice of Appeal. ....	XIII-1
Sec. 150.1303	Processing, Notice and Hearing. ....	XIII-2
Sec. 150.1304	Action on Appeal. ....	XIII-3
ARTICLE XIV. SPECIAL USES		
Sec. 150.1401	Purpose and Authorization. ....	XIV-1
Sec. 150.1402	Application for Special Use. ....	XIV-2
Sec. 150.1403	Processing, Notice, and Hearing. ....	XIV-3
Sec. 150.1404	Standards. ....	XIV-4
Sec. 150.1405	Plan and Design Commission Recommendation. ....	XIV-5
Sec. 150.1406	Action by City Council. ....	XIV-6
ARTICLE XV. AMENDMENTS		
Sec. 150.1501	Authorization. ....	XV-1
Sec. 150.1502	Initiation of Amendments. ....	XV-1
Sec. 150.1503	Application for Amendment. ....	XV-1
Sec. 150.1504	Processing, Notice, and Hearing. ....	XV-2
Sec. 150.1505	Standards. ....	XV-3
Sec. 150.1506	Plan and Design Commission Recommendation. ....	XV-5
Sec. 150.1507	Action by City Council. ....	XV-5
ARTICLE XVI. SPECIAL EXCEPTIONS		
Sec. 150.1601	Purpose. ....	XVI-1
Sec. 150.1602	Authority to Grant Special Exceptions. ....	XVI-1
Sec. 150.1603	Application for Special Exceptions. ....	XVI-1
Sec. 150.1604	Processing, Notice, and Hearing. ....	XVI-3
Sec. 150.1605	Authorized Special Exceptions. ....	XVI-4
Sec. 150.1606	Standards for Special Exceptions. ....	XVI-4
Sec. 150.1607	Alternative Review by Plan and Design Commission. ....	XVI-5
Sec. 150.1608	Conditions and Restrictions. ....	XVI-6
Sec. 150.1609	Action on Special Exceptions. ....	XVI-7
Sec. 150.1610	Duration of Special Exceptions. ....	XVI-7
Sec. 150.1611	Notice of Special Exception. ....	XVI-7
ARTICLE XVII. RESERVED		
ARTICLE XVIII. STORMWATER MANAGEMENT, WETLANDS PROTECTION, AND FLOOD PLAIN REGULATION		
Sec. 150.1801	Lake County Watershed Development Ordinance Adopted. ....	XVIII-1
Sec. 150.1805	Amendments to the Watershed Development Ordinance. ....	XVIII-1
Sec. 150.1810	Administration. ....	XVIII-3
Sec. 150.1815	Amendments to Article XVIII. ....	XVIII-3
Sec. 150.1820	Severability. ....	XVIII-4

ARTICLE XIX. STEEP SLOPE ZONE

Sec. 150.1901	Introduction.....	XIX-1
Sec. 150.1902	Statement of Purpose.....	XIX-1
Sec. 150.1903	Aesthetic and Safety Control of Steep Slopes.....	XIX-2
Sec. 150.1904	Special Setbacks.....	XIX-3
Sec. 150.1905	Maintenance of the Steep Slope Zone.....	XIX-4
Sec. 150.1906	Exemptions.....	XIX-4
Sec. 150.1907	Required Plans - Review Required. ....	XIX-6
Sec. 150.1908	Development Standards.....	XIX-8
Sec. 150.1909	Removal of Trees in the Steep Slope Zone.....	XIX-10
Sec. 150.1910	Permits. ....	XIX-14
Sec. 150.1911	Appeals. ....	XIX-15
Sec. 150.1912	Variations.....	XIX-15
Sec. 150.1913	Enforcement and Penalties.....	XIX-15
Sec. 150.1914	Corrective Measures. ....	XIX-16
Sec. 150.1915	Amendments to Article XIX.....	XIX-16

ARTICLE XX. SIGNS

Sec. 150.2001	Policy .....	XX-2
Sec. 150.2002	Intent.....	XX-2
Sec. 150.2003	Scope.....	XX-2
Sec. 150.2004	Application. ....	XX-2
Sec. 150.2005	Sign Classifications.....	XX-3
Sec. 150.2006	General Standards.....	XX-7
Sec. 150.2007	Illumination.....	XX-7
Sec. 150.2008	Permitted Additional Information on Identification Signs.....	XX-6
Sec. 150.2009	Electrical Elements .....	XX-8
Sec. 150.2010	Structural Elements.....	XX-8
Sec. 150.2011	Obstruction of Access Ways. ....	XX-8
Sec. 150.2012	Obstruction of Window Surface.....	XX-9
Sec. 150.2013	Traffic Safety.....	XX-9
Sec. 150.2014	Locational Restrictions .....	XX-9
Sec. 150.2015	Sign Maintenance .....	XX-9
Sec. 150.2016	Sign Measurement .....	XX-10
Sec. 150.2017	Method of Determination of Number of Signs.....	XX-10
Sec. 150.2018	Signs on Lots with Multiple Uses.....	XX-10
Sec. 150.2019	General Safety .....	XX-10
Sec. 150.2020	Sign Height .....	XX-11
Sec. 150.2021	Obscenity Prohibited .....	XX-11
Sec. 150.2022	District Regulations: Single Family Residential Districts .....	XX-12
Sec. 150.2023	District Regulations: Multiple Family Residential Districts .....	XX-16
Sec. 150.2024	District Regulations: B1, B1-A, B2, B2-RW, B4, and B5 Districts .....	XX-21
Sec. 150.2025	District Regulations: B3 and I Districts .....	XX-28
Sec. 150.2026	District Regulations: HC District .....	XX-37
Sec. 150.2027	Signs Specifically Prohibited in All Districts .....	XX-43
Sec. 150.2028	Signs that Require Sign Permit Approval .....	XX-46
Sec. 150.2029	Signs that Require Review by the Design Review Commission .....	XX-49
Sec. 150.2030	Sign Packages .....	XX-50
Sec. 150.2031	Variances .....	XX-52

Sec. 150.2032 Appeals .....	XX-54
Sec. 150.2033 Continuance of Legal Nonconforming Signs .....	XX-55
Sec. 150.2034 Compliance or Removal .....	XX-56
Sec. 150.2035 Violations .....	XX-56
Sec. 150.2036 Abatement .....	XX-57
Sec. 150.2037 Penalty .....	XX-57
Sec. 150.2038 Amendments to Article XX .....	XX-58
Sec. 150.2039 Political Election Signs on Public Property .....	XX-58

#### ARTICLE XXI. INCLUSIONARY HOUSING

Sec. 150.2100 Policy .....	XXI-1
Sec. 150.2101 Covered Development Projects. ....	XXI-2
Sec. 150.2102 Percentage of Affordable Housing Units Required .....	XXI-2
Sec. 150.2103 Application and Inclusionary Housing Plan.....	XXI-3
Sec. 150.2104 Development Agreement and Other Documents.....	XXI-6
Sec. 150.2105 Development Cost Off-Sets. ....	XXI-7
Sec. 150.2106 Density Bonuses.....	XXI-7
Sec. 150.2107 Integration of Affordable Housing Units.....	XXI-8
Sec. 150.2108 Alternatives to On-Site Affordable Housing Units .....	XXI-9
Sec. 150.2109 Target Income Levels for Affordable Housing Units.....	XXI-9
Sec. 150.2110 Eligibility of Households.....	XXI-10
Sec. 150.2111 Marketing of the Affordable Housing Units .....	XXI-11
Sec. 150.2112 Period of Affordability.....	XXI-11
Sec. 150.2113 Affordability Controls .....	XXI-12
Sec. 150.2114 Departures from Requirements .....	XXI-14
Sec. 150.2115 Administrative Guidelines.....	XXI-14

#### ARTICLE XXII LANDSCAPE PLANTING AND SCREENING

Sec. 150.2201 Intent.....	XXII-1
Sec. 150.2202 Scope.....	XXII-1
Sec. 150.2205 Approval Required .....	XXII-2
Sec. 150.2210 Landscaping Planting and Screening Application .....	XXII-2
Sec. 150.2215 Review of Application.....	XXII-3
Sec. 150.2220 Vehicular Use Area Landscaping .....	XXII-4
Sec. 150.2225 Foundation Landscaping .....	XXII-6
Sec. 150.2230 Landscape Planting Quantities .....	XXII-7
Sec. 150.2235 Natural Landscape Buffering .....	XXII-8
Sec. 150.2240 Ground Sign Planting .....	XXII-8
Sec. 150.2245 Refuse Container Screening.....	XXII-9
Sec. 150.2250 Ground-Mounted Mechanical or Utility Screening .....	XXII-9
Sec. 150.2255 Non-Supportive Landscape Areas .....	XXII-9
Sec. 150.2260 Variations.....	XXII-9
Sec. 150.2265 Appeals .....	XXII-11
Sec. 150.2270 Follow-up by Director of Community Development.....	XXII-11

#### ARTICLE XXIII DOWNTOWN FORM AND DESIGN

Sec. 150.2305 General.....	XXIII-1
Sec. 150.2310 Frontage Classifications .....	XXIII-1

Sec. 150.2312 Measurements and Exceptions .....	XXIII-4
Sec. 150.2315 Pedestrian Frontage Regulations .....	XXII-6
Sec. 150.2320 Vehicular Frontage Regulations .....	XXII-7
Sec. 150.2325 Neighborhood Frontage Regulations .....	XXII-8
Sec. 150.2327 Streetscape Improvements .....	XXII-9