

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

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#### Sec. 150.401 Establishment of Districts.

In order to carry out the purposes of this Chapter, the City of Highland Park is hereby divided into the following zoning districts, listed in the order of restrictiveness with the most restrictive being shown first. These districts are necessary in order to classify, regulate and restrict the locations of dwellings, trades, industries, and the location of buildings designed for specific uses, to regulate and limit the height and bulk of buildings hereafter erected or structurally altered, to regulate and limit by the intensity of the use of the lot areas, and to regulate and determine the areas of yards, courts, and other open spaces within the surroundings of such buildings.

(A) R1: Country Estate Residential District. This zoning district provides for single family residential and normal accessory uses in outlying or environmentally sensitive areas, where farming and conservation of land with ample open space is desirable or needed. It is not intended to allow commercial, industrial, governmental, recreational, or like uses in this district; however, certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential and open space character.

(B) R2: Country Home Residential District. This zoning district provides for single family residential and normal accessory uses in outlying or environmentally sensitive areas. It is not intended to allow commercial, industrial, governmental, recreational, or like uses in this district; however certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential and open space character.

(C) R3: Low Density Residential District. This zoning district provides for low density residential and normal accessory uses. It is not intended to allow commercial, industrial, governmental, recreational, or like uses in this district; however, certain facilities required to serve educational, religious,

or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential character.

(D) R4: Low-To-Moderate Density Residential District. This zoning district provides for low-to-moderate density residential and normal accessory uses. It is not intended to allow commercial, industrial, governmental, recreational, or like uses in this district; however, certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential character.

(E) R5: Moderate Density Residential District. This zoning district provides for moderate density residential and normal accessory uses. It is not intended to allow commercial, industrial, governmental, recreational, or like uses in this district; however, certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential character.

(F) R5A: Moderate-To-Medium Density Residential Zoning District. This zoning district provides for moderate-to-medium density residential and normal accessory uses. It is not intended to allow commercial, industrial, governmental, recreational, or like uses in this district; however, certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential character.

(G) R6: Medium Density Residential District. This zoning district provides for medium density residential and normal accessory uses. It is not intended to allow commercial, industrial, governmental, recreational, or like uses in this district; however, certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential character.

(H) R7: Single- and Two-Family Residential District. This district is intended to provide for medium density single-family and two-family residential development and accessory uses. It is not intended to provide for multiple-family residential buildings having in excess of two dwelling units, commercial, industrial, governmental, recreational, or other non-single or non-two-family residential uses in this district; however, certain facilities required to serve educational, religious, or other needs of the area may be permitted within the district as conditional uses subject to restrictions intended to preserve and protect the residential character.

(I) RM1: Medium-To-High Density Residential District. This zoning district provides for medium-to-high density multiple family residential and normal accessory uses. It is not intended to allow commercial, industrial, governmental, recreational, or like uses in this district; however, certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential character.

(J) RM1A: Medium to High Density Multiple Family Residential Zoning District. This zoning district provides for medium to high density multiple family residential and normal accessory uses. It is intended to be transitional in both use and intensity between service commercial and lower intensity multiple and single family land use and zoning. The base density is between the base densities permitted in the RM1 and RM2 zoning districts. The base density may be equal to the density allowed in the RM2 Zoning District by utilizing a bonus for the provision of affordable housing. It is not intended to allow commercial, industrial, governmental, recreational, or like uses; however, certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential character. (Ord. 57-02, J. 28, p. 410-473, passed 9/9/02)

(K) RM2: High Density Residential District. This zoning district provides for high density multiple family residential and normal accessory uses. It is not intended to allow commercial, industrial, governmental, recreational, or like uses in this district; however, certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect the residential character.

(L) RO: High Density Residential/Office District. This zoning district provides for a mixture of multiple family residential and compatible office uses in locations immediately adjacent to the greatest concentrations of commercial, transportation and cultural facilities. It is not intended to allow retail commercial, industrial, governmental, recreational, or like uses in this district; however, certain facilities required to serve educational, religious, or other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts. Certain facilities required to serve educational, outdoor commercial, and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(M) B1: Neighborhood Commercial District. This zoning district provides for groups of small business establishments located to serve frequent retail and personal service needs of residents within convenient traveling distance, and for the option of moderate density multiple family residential uses located above those establishments. It is not intended to allow major commercial or service establishments, which would attract substantial amounts of trade from outside the neighborhood. Certain facilities required to serve educational, outdoor commercial, and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(N) B1A: Waukegan-Bloom Neighborhood Commercial District. This district is intended to provide for groups of commercial and office establishments located to serve both the frequent retail and personal service needs of residents within convenient traveling distance, and to complement and support uses within the adjacent Central Commercial District of the City of Highwood, as well as allowing for the portion of moderate density multiple-family residential uses located above first floor commercial uses. Certain facilities required to serve outdoor commercial and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(O) B2: Ravinia Commercial District. This zoning district provides for retail and service establishments located in the commercial center established when Ravinia was a separate village but which are now related primarily to the needs of the surrounding neighborhood. Certain facilities required to serve educational, outdoor commercial and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(P) B2-RW: Roger Williams Commercial District Overlay Zone. This district is intended to impose certain additional regulations on properties within the B2 zoning district and containing frontage along Roger Williams Avenue for the purpose of enhancing the Ravinia Commercial District as a viable and profitable retail center for the neighborhood. It is intended that only retail or retail-oriented service uses shall be allowed as allowed uses in first floor areas of all structures that have frontage along Roger Williams Avenue within this district, to result in the clustering of retail uses and exposing such uses to maximum pedestrian traffic, while keeping such traffic in concentrated areas. It is also the intent of this district to provide of comparison and complementary shopping among the retail uses. Non-retail-oriented

service uses are allowed and encouraged on upper floor areas of all structures that have first floor frontage along Roger Williams Avenue within this district. These allowed uses are related primarily to the needs of the surrounding neighborhood, but existing and future focus of operations are not, and need not be, necessarily limited to that market area. It is intended that the district be broader than a neighborhood commercial district, but limited in scale and to a traffic generating capacity which can be handled by the existing street system. Certain non-retail-oriented service or office uses, or facilities required to serve educational, outdoor commercial and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(Q) B3: Highway Commercial District. This zoning district provides for commercial uses in locations which abut or front, and have access to, either directly or via frontage roads, heavily traveled multi-laned major roadways. These uses may include facilities related to the traveler or highway user, as well as commercial activities, which require large land areas and do not depend upon adjoining uses for reasons of comparison shopping and pedestrian trade. Certain facilities required to serve educational, outdoor commercial and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(R) B4: Commercial Service District. This zoning district provides for the wide range of goods and services required by central business district firms, their employees, and visitors in close proximity to the core of highest development intensity. It is also intended to include commercial uses that because of their single purpose shopping characteristics or their heavy traffic impact due to frequency of trip generations and types of required vehicles make them more appropriately located adjacent to the major roadways servicing the central business district, rather than relying primarily upon pedestrian traffic within that district. Certain facilities required to serve educational, outdoor commercial and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(S) B5: Central Business District. This zoning district provides for the City's highest intensity core of retail, commercial, financial, and service facilities which tend to draw trade that is mutually interchangeable and so promote public convenience and business prosperity with high density multiple family residential uses located at the second floor and above being also encouraged to accommodate people disposed to urban living in proximity to employment, shopping and public transportation, thereby promoting a balanced downtown community. Certain facilities required to serve educational, outdoor commercial and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(T) POSO: Pedestrian Oriented Shopping Overlay Zone. This overlay zone is intended to impose certain additional regulations on properties within the B5 Zoning District for the purpose of enhancing the commercial pedestrian core of the B5 Zoning District as a viable and profitable retail center. It is intended that only retail or retail-oriented service uses shall be allowed as permitted uses in ground floor areas of all structures that have frontages along selected streets in the B5 Zoning District. The Pedestrian Oriented Shopping Overlay Zone is generally bounded by Green Bay Road on the west, Elm Place on the north, mid-block of Central between St. Johns and Linden on the east, and Laurel Avenue on the south. The purpose of this overlay zone is to create a clustering of retail uses, and expose such uses to maximum pedestrian traffic while maintaining traffic in concentrated area. Finally, the Pedestrian Oriented Shopping Overlay Zone is intended to promote and preserve a balanced presence of retail and commercial uses to maintain the downtown pedestrian shopping character. (Ord. 28-04, J. 30, p. 97-116, passed 4/26/04)

(U) HC: Health Care District. This zoning district provides for large scale development of health care and related uses with a master planned setting. Certain facilities required to serve educational, outdoor commercial and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(V) I: Light Industrial District. This zoning district provides for light manufacturing, processing, storage, wholesaling, and distribution operations; but also permits limited commercial uses. Certain facilities required to serve educational, outdoor commercial and other needs of the area may be allowed within the district as conditional uses subject to restrictions intended to preserve and protect their compatibility with regularly allowed uses and adjacent uses in other districts.

(W) PA: Public Activity District. This zoning district provides for public, quasi-public, and institutional uses having purposes and impacts similar to governmental and special district facilities and that serve governmental, educational, religious, or recreational needs. It is the intent of this Code to create the PA district to avoid the problems inherent in locating governmental and special district facilities, permitted or conditional, in a zoning district with uses bearing no similarity to public, quasi-public, and institutional uses.

(X) LFOZ: Lakefront Density and Character Overlay Zone. This overlay zone is intended to impose additional lot dimension and density restrictions on newly subdivided lakefront lots in the R4 Low-To-Moderate Density Residential District for the purpose of protecting the density and character of the lakefront area. Many of the parcels along the lakefront are substantially larger than the minimum lot area requirements of the R4 District. This overlay zone is intended to preserve the spacious character and existing density of the area by requiring that any new subdivision in the overlay zone, with certain exceptions, complies with special average lot width and minimum lot area regulations. With the exception of the minimum lot area and average lot width requirements that specifically apply to lots in the LFOZ Overlay Zone pursuant to Section 150.703.1 of this Code, the R4 District regulations shall continue to govern property in the LFOZ Overlay Zone. (Added by Ord. 83-2000, passed 12/11/00; Ord. 33-01, J. 27, p. 136-139, passed 5/29/01; Ord. 42-02, J. 28, p. 313-337, passed 7/8/02)

(Y) SLOZ: South Green Bay Road Small Lot Overlay Zone. This overlay zone includes those lots in the R6 Medium Density Residential District area generally bounded on the west by Green Bay Road, on the north by Ravinia Road and Ridgewood Drive, on the east by the railroad tracks, and on the south by Blackstone Place existing on January 8, 2001, being the effective date of the Overlay Zone and regulations (the "Effective Date"). The lots in this overlay zone were platted prior to the adoption of this Code, and many do not comply with the R6 District regulations. The special lot area, lot width, and side yard regulations for the SLOZ Overlay Zone apply to lots existing prior to the Effective Date that have nonconforming conditions regarding the minimum lot area regulations or the minimum lot width regulations, or both, of the R6 District. Special regulations for the SLOZ Overlay Zone are not intended to apply to any new lot created by a subdivision of an existing lot in the SLOZ Overlay Zone after the Effective Date. With the exception of the minimum lot area, average lot width, and minimum side yard requirements that specifically apply in the SLOZ Overlay Zone pursuant to Section 150.703.2 of this Code, the R6 District regulations shall continue to govern property in the SLOZ Overlay Zone ( added by Ord. 01-01, passed 1/8/01; Ord. 32-01, J. 27, p. 130-135, passed 5/29/01; Ord. 42-02, J. 28, p. 313-337, passed 7/8/02)

(Section 150.401 amended in its entirety by Ord. 42-02, J. 28, p. 313-337, passed 7/8/02)

Sec. 150.402 Located on Legal Lot of Record.

Every building hereafter erected, converted, enlarged, reconstructed or structurally altered, or every land use hereafter initiated, shall be located upon a legal lot of record as herein defined.

(A) Single Lot. No principal structure shall be located upon a legal lot of record which contains any other principal structure or land use unless such lot is improved as part of a special use in the nature of a Planned Unit Development, or unless such use is located within the HC (Health Care) Zoning District.

(B) More Than One Lot. No principal structure or land use shall be located upon more than one lot of record unless such principal structure or land use has been approved as part of a Planned Unit Development, or unless such lot is located within the HC (Health Care) Zoning District.

(C) Use of Legal Lots of Record.

(1) Except as provided in Section 150.402(C)(2) of this Chapter, the Development and use of a legal lot of record shall comply with all of the regulations applicable in the zoning district in which the lot in question is located. (Ord. 81-07, J. 33, p.694-703, passed 11/13/07)

(2) Notwithstanding Section 150.402(C)(1) of this Chapter, a lot that is a legal lot of record pursuant to Subparagraph of the definition of legal lot of record shall not be required to comply with the otherwise applicable regulations set forth in Article VII of this Chapter for Minimum Lot Area for Single-Family Use or for Minimum Lot Area for Multiple-Family Use, if the legal lot of record is: (Sec. 150.402 amended by Ord. 35-2000, adopted 5/8/00; Ord. 81-07, J. 33, p.694-703, passed 11/13/07)

(a) Improved solely with one Single Family Residential Structure and any structures accessory thereto; or (Ord. 81-07, J. 33, p.694-703, passed 11/13/07)

(b) Located in a Multiple Family Residential District, and is the subject of a variation granted by the Zoning Board of Appeals for multiple-family use, in accordance with Section 150.1204(A)(2) of this Chapter. (Ord. 81-07, J. 33, p.694-703, passed 11/13/07)

Sec. 150.403 Allowable Uses.

No building or premises, improved or unimproved, shall be used, and no building shall be hereafter erected, converted, enlarged, reconstructed, or structurally altered, except for a purpose permitted in the zoning district in which the building or land is located as shown in the Table of Allowable Uses contained in this Article as having a "P" located after such use; or, in the alternative, after a public hearing for a special use permit as set forth in Article XIV for those uses having a "C" located after such use:

(A) In the aforesaid table, the uses listed in the horizontal rows with the letter "P" are permitted by right as a principal use in the zoning district listed at the head of the vertical column in which the letter "P" appears; similarly, the letter "C" indicates that the use is allowed as a conditional use in those zoning districts, subject to the regulations and procedures specified in this Chapter. The table does not consider accessory uses.

(B) Unless allowed as a permitted use, all land uses in the following table which include drive-in facilities shall be allowed only as conditional uses and may only be allowed subject to the approval of a special use permit in conformance with the procedures specified in this Chapter.

(C) The use of rights-of-way and easements for highways, public streets, public alleys, sidewalks, railroads, electric power lines, telephone lines, water mains, sanitary sewers, and storm sewers that belong to a governmental body or a public utility shall be considered permitted uses in all zoning districts.

Sec. 150.404 Principal and Accessory Uses.

(A) The uses listed in the Table of Allowable Uses contained in this Article as either permitted by right or as conditional uses in the various zoning districts are considered principal uses.

(B) Except as otherwise regulated by this Chapter, an accessory use, building, or structure is permitted to accompany the principal use to which it is subordinate where such principal use is either permitted by right or authorized by a special use permit.

(C) A structure, building, or use of land may be erected or established as an accessory structure, building, or use to a permitted principal structure, building, or use, provided that:

- (1) It is located on the same lot of record occupied by the principal structure, building, or use;
- (2) It is compatible in character and extent with the principal structure, building, or use and the zoning district within which it is located;
- (3) It conforms with such other regulations as apply;
- (4) It is not prohibited by other City ordinances;
- (5) It shall not be erected or established prior to the establishment of the principal structure, building, or use, except as authorized by the City Council; and
- (6) It is customarily incidental to the principal structure, building, or use.

Sec. 150.405 Interpretation of Uses.

Any uses not specifically listed as shown in the Table of Allowable Uses contained in this Article as having a "P" located after such use; or, in the alternative, after a public hearing for a special use permit as set forth in Article XIV for those uses having a "C" located after such use shall be deemed prohibited. However, the City Council, upon recommendation of the Plan Commission, shall have the right to permit any other use not specifically listed in the said Table of Allowable Uses without formal amendment, provided that the proposed use is similar to and compatible with those uses permitted in the zoning district in question and is consistent with the purposes of this Chapter, provided that:

(A) Public meeting. Such determination by the City Council shall be made at a regularly scheduled public meeting of that body; and

(B) Public Record. A record shall be kept of each additional use(s) allowed and such record shall be available for public inspection.

Sec. 150.406 Accessory Buildings and Uses.

(A) Until the construction of the main building has been actually commenced, no accessory structure or use shall be constructed or initiated upon a lot and no accessory building shall be used for dwelling purposes.

(B) Home Occupations. Home occupations are permitted accessory uses in residential districts provided the use does not change the exterior character of the building other than for the existence of a small nameplate not more than one (1) square foot in area. In connection with a home occupation there shall not be the keeping, sorting, or maintaining of an inventory, equipment, or machinery; nor shall there be any commodity located upon the premises or sold upon or from the premises. In addition, other than members of the immediate family residing on the premises, not more than one (1) person shall be employed, nor shall there be more than three (3) pupils, clients, or customers present at the same time, and no mechanical equipment shall be used except such as is normally used for purely domestic or household purposes. No commercial vehicle used in connection with a home occupation shall be stored or parked upon the lot except within a fully enclosed and closed private garage.

(C) Sales in residential zoning districts. Not more than one (1) sale in any calendar year shall be permitted on any given premises in a residential zoning district. Any such sale shall be subject to the following conditions:

- (1) The merchandise sold must be limited to household goods and furnishings, which have been in use in the dwelling unit(s) located on the premises;
- (2) Such sale shall not extend over more than three (3) consecutive weekends;
- (3) Written notice of such sale must be delivered to, and received by, the Department of Police not less than three (3) days in advance of the first day of the sale.

(D) Automatic Teller Machines in the B5 Zoning District. Automatic Teller Machines shall be prohibited in the B5 Zoning District, unless the Automatic Teller Machine is accessory to a primary use and is located inside the structure containing the primary use. (Ord. 28-04, J. 30, p. 97-116, passed 4/26/04)

Sec. 150.407 Uses Within Buildings.

No cellar in any building shall be used for or contain any quarters for sleeping or residential cooking. (Paragraph B Deleted by Ord. 24-07, J. 33, p. 180-181, passed 3/12/07)

Sec. 150.408 Uses Outside Buildings.

In the commercial and industrial zoning districts no use or accessory use may be conducted outside of a permanently constructed building, nor shall any outdoor storage or storage inside a trailer be permitted, except as provided below:

(A) Principal uses are permitted as literally described and conditioned in the Table of Allowable Uses contained in this Article.

(B) Outdoor accessory uses (including Christmas tree sales and temporary sales stands) may be permitted by the City Manager in conformance with the following requirements:

- (1) The permitted outdoor accessory use shall be for the purpose of direct retail sales only, not for storage;
- (2) The area of the permitted outdoor accessory use may not exceed ten percent (10%) of the indoor gross floor area or 100 square feet (whichever is greater) of the related principal use on the same premises; and

(3) Permission may be granted by the City Manager for a maximum term of one hundred twenty (120) days only per calendar year for all uses other than food and beverage uses, and for a maximum term of one hundred and eighty (180) days only per calendar year for food and beverage uses; however, extensions may be granted by the City Manager upon request. (Ord. 55-02, J. 28, p. 407-408, 9/9/02)

Sec. 150.409 Temporary Buildings.

Temporary buildings or trailers that are used only in connection with construction work may be permitted in any zoning district only during the period of construction subject to the following conditions:

(A) The City Manager may impose conditions related to the following items to insure that temporary buildings or trailers have the least possible negative impact upon the adjoining neighborhood:

- (1) The required removal time;
- (2) The location on the construction site;
- (3) The presence or use of exterior lighting;
- (4) The presence of signs; and
- (5) The hours of use.

(B) The City Manager may require a deposit of up to Five Hundred Dollars (\$500) in cash, a letter of credit or other form of financial guarantee acceptable to the Corporation Counsel of the City to insure compliance with the conditions stated above.

Sec. 150.410 Uses within the HC (Health Care) Zoning District.

(A) Permitted Use. Health Care Campus.

(B) Accessory Uses. Uses which are deemed accessory to the permitted health care campus uses within an HC (Health Care) Zoning District include, but are not limited to: bus shelters; chapels; convenience banking facilities, including but not limited to automatic teller machines; barber shops/hair salons; credit union offices; data processing centers; day or evening care facilities and kindergartens/child care facilities (including adult or child care); drug stores; dry cleaning facilities; general business offices; gift shops; halfway houses; health club/fitness facilities; home health care facilities; libraries; lodging houses; medical appliance and supply stores; not-for-profit museums; underground or surface off-street parking; optical goods stores; pedways; pharmacies; postal service pick-up stations; radio, radar, television and cellular telephone towers; recycling collection points; restaurants; satellite receiving/communication devices; and other similar uses.

(C) Conditional Uses.

- (1) Heliports;
- (2) Parking Decks – unless included in an approved Master Site Plan.  
(Ord. 29-02, J. 28, p. 111-114., passed 5/13/02)

(D) Minimum Size. This zoning district is intended to provide for the large scale development of health care and related uses within a master planned setting located on a minimum of ten (10) contiguous literal acres.

(E) Master Site Plan Review. At the time any given land is zoned to lie within the HC (Health Care) zoning district, a Master Site Plan must be provided for such land and approved by the City Council and made a part of the ordinance rezoning such given land to the HC (Health Care) zoning district. The Framework Plan shall remain on file with the City Clerk. The purpose of requiring a Master Site Plan is to allow for building site plan review (as set forth below) of individual structures that may be located within a master planned development reflected on the Master Site Plan for the land located in the HC (Health Care) zoning district.

(F) Building Site Plan Review.

(1) Purpose. Building Site Plan review of the proposed footprint of a structure provides a means of determining whether a construction proposal conforms to the approved Master Site Plan and whether the proposed development meets the standards of the City as set forth in its zoning, subdivision, and land development ordinances.

(2) Applicability. All proposed land development in the HC (Health Care) zoning district which involves construction of a structure, modifications or additions to an existing structure that will alter the existing footprint, and/or other substantial alterations to a site shall be subject to Building Site Plan review.

(3) Procedure Preliminary to Building Permit Application.

(a) Prior to filing an application for a building permit, the applicant shall submit twelve (12) copies of the Building Site Plan to the Director, whereupon the Director shall examine and evaluate the Building Site Plan in accord with the criteria set forth below:

(i) The conformity of the Building Site Plan with the Master Site Plan and the applicable provisions of the Zoning Ordinance of the City;

(ii) The conformity of the arrangement of the proposed structure on the site to the best use of the topographical features of the site, causing minimal adverse environmental impact on the natural resources of the site such as steep slopes, wetlands, and wildlife habitats (Where practical, site improvements shall not interfere with views to outstanding natural features or existing structures);

(iii) The compatibility in use and visual character of all proposed structures, and other site improvements with the existing development (if any) on the subject site and with the adjacent property in the surrounding neighborhood;

(iv) The creation of privacy and security for the site user by reason of the arrangement on the site of structures and their relationship to other site features;

(v) The detention of stormwater runoff as close as possible to its point of origin, in conformance with the City's ordinances;

(vi) The availability of adequate and efficient provision of municipal services by reason of the design of the site;

(vii) The screening from direct view of utilities and service equipment such as gas meters, trash receptacles, loading docks, HVAC mechanical equipment, and storage tanks without eliminating access for maintenance or during emergencies;

(viii) The existence of pedestrian and vehicular circulation systems which provide adequate and safe access to and within the site and which direct vehicular traffic to roads of appropriate capacity;

(ix) The design, location, and screening of proposed parking areas or facilities in order to minimize adverse visual impact on adjacent properties (Perimeter parking lot screening shall be provided, and interior parking lot landscaping shall be required where necessary to mitigate large areas of pavement);

(x) The improvement of the character of existing improvements by establishing and maintaining landscaping and on-site open space;

(xi) The design, location, and installation of site illumination in a manner that will minimize adverse impacts on adjacent properties; and

(xii) The overall design of all structures, uses, and site improvements so as to ensure that the use of the site is in conformance with all performance standards of the City and of the State of Illinois regarding health, safety and welfare of its citizens.

(b) Following the review and evaluation of the Building Site Plan in light of the foregoing standards, the Director shall forward a report to the City Manager.

(c) Upon receipt of the report of the Director, the City Manager may approve the Building Site Plan:

(i) When the approval of the Building Site Plan will not constitute any deviation from the said Master Site Plan; or

(ii) Whenever the approval thereof will cause a change to the Master Site Plan as in his judgment shall not constitute a substantial deviation from the theretofore approved Master Site Plan.

(d) Before any changes approved by the City Manager may become effective, however, within seven (7) days of his receipt of the Director's report the City Manager shall notify in writing the City Council of such changes. In the alternative, the City Manager may determine that such change will constitute a substantial deviation from the approved Master Site Plan; and, in such event, he shall deny approval of the Building Site Plan.

(e) Nothing in this procedure shall preclude at any time the applicant's right to return voluntarily to the Plan Commission for review by the Plan Commission of an amended Master Site Plan.

(4) Action by City Council.

(a) Upon its receipt of notice from the City Manager of his approval of a Building Site Plan, construction and development of which in his judgment will cause a minor deviation from the Master Site Plan, the City Council, at its next regular meeting, may reverse the approval of such

Building Site Plan upon its finding that such approval will produce a substantial deviation from the approved Master Site Plan in that such change will significantly and adversely affect the surrounding neighborhood or the health, safety or welfare of the community.

In the event the City Council determines that construction of the proposed change pursuant to the Building Site Plan creates a substantial deviation from the Master Site Plan, then the City Council shall deny approval of the Building Site Plan.

(b) At such meeting, in the event the City Council does so reverse the approval of the City Manager and deny approval of the Building Site Plan, the approval of the City Manager shall not be effective and shall not be forwarded to the Coordinator of the Building Division. However, in the event the City Council does not reverse the approval of the City Manager, the approval of the City Manager shall be effective and shall be forwarded to the Coordinator of the Building Division.

(5) Amendment of Master Site Plan.

(a) Upon its receipt of an application to amend an approved Master Site Plan (which application shall conform to the requirements for a zoning map amendment) the Plan Commission shall conduct a public hearing and review the requested amendment of the Master Site Plan using the criteria set forth in the Framework Plan. When the Plan Commission completes its review of an amendment to the Master Site Plan it shall forward its recommendation thereon to the City Council.

(b) Following receipt of recommendations of the Plan Commission with respect to any amendment of an approved Master Site Plan for the HC (Health Care) zoning district, by adoption of an ordinance the City Council may approve such amendment as recommended by the Plan Commission, may modify the amendment, or may deny the amendment of the Master Site Plan and return it to the Plan Commission for further consideration.

Sec. 150.411 Conditional Uses.

(A) Purpose. Conditional use permits are intended to be a mechanism whereby specific special uses may be authorized on specific parcels of ground in zoning districts where they would normally be excluded, provided such uses are judged desirable to serve the cultural, recreational, educational, medical, governmental, religious, or specialized commercial and industrial needs of the adjacent neighborhood or the community as a whole.

(B) Limitation on Location. Special uses may be located in a particular zoning district by conditional use permit only as permitted in this Chapter.

(C) Procedure. The procedure for securing a conditional use permit shall be the same as the procedure for securing all special use permits outlined in Article XIV (Special Uses) of this Chapter.

(D) Conditions. Aside from the minimum standards which may be imposed by this Article upon certain conditional uses, after reviewing an application for a conditional use permit and considering the unique features of the specific special use proposal, the Plan Commission may recommend, and the City Council may require, such additional conditions upon the construction, location, and operation of any special use as shall be deemed necessary to insure that the use will meet the standards for special uses set forth in Article XIV (Special Uses) of this Chapter.

Sec. 150.412 Dormitory Buildings as Conditional Uses in Residential Districts.

Whenever Dormitory Buildings exist as conditional uses on privately owned and operated golf courses, they shall be located in residential districts other than the RM1, RM1A, RM2, and RO zoning

districts, subject to the following minimum standards and development conditions: (Ord. 57-02, J. 28, p. 410-473, passed 9/9/02)

- (A) No more than forty (40) occupants shall be permitted to occupy a Dormitory Building.
- (B) Rooms in a Dormitory Building shall not be subject to lease and shall be restricted to employees of privately owned and operated golf courses located upon the same lot of record. Family members of employees shall not be permitted to reside in a Dormitory Building.
- (C) A Dormitory Building shall be generally screened from the view of one standing on private property adjacent to the golf course properties and, where visible from public property or rights-of-way, a Dormitory Building shall present an appearance in keeping with the character of residences in the surrounding community.
- (D) Outdoor recreation space of employees of the golf course shall be provided adjacent to the Dormitory Building and screened from the surrounding grounds.
- (E) Common cooking and dining facilities, and indoor recreational space shall be located within each Dormitory Building or in an adjacent accessory building.
- (F) Sleeping rooms of a Dormitory Building shall provide a minimum of 70 square feet of floor area per occupant. Sleeping rooms shall include secure space for the storage of clothing and personal items.
- (G) Off-street parking shall be provided for each Dormitory Building at a ratio of one parking space for every three (3) occupants of such Dormitory Building.
- (H) Although situated on the golf course land, a Dormitory Building shall be set back from golf course ownership lines in accord with the minimum setback from lot lines as required for the zoning district within which the Dormitory Building is to be located.
- (J) Whenever the main golf course use ceases for six (6) consecutive months, accessory uses incidental to such main uses shall cease, and in the case of Dormitory Buildings, such Dormitory Buildings shall be razed within thirty (30) days of the cessation of the principal use: the privately owned and operated golf course.

Sec. 150.413 Tennis, Racquetball, Handball, Swimming and Other Private Recreational Clubs as Conditional Uses in Residential Zoning Districts.

Whenever a Tennis, Racquetball, Handball, Swimming and Other Private Recreational Club exists as a conditional use in any residential zoning district other than the RM1, RM1A, RM2, and RO Zoning Districts, such Club shall be subject to the following minimum standards and conditions: (Ord. 57-02, J. 28, p. 410-473, passed 9/9/02)

- (A) The minimum lot size shall be 10 acres.
- (B) The maximum allowable F.A.R. shall be 5 percent.
- (C) The maximum allowable Impervious Surface Ratio shall be 50 percent. For purposes of this Section, Impervious Surface Ratio is any area having a runoff coefficient of 0.5 or greater, including roofs, decks, patios, driveways, sidewalks and normal gradation graveled areas.

(D) In all single family zoning districts, Private Recreational Clubs shall adhere to a special zoning yard requirement equal to a minimum of 50 feet from all lot lines comprising the perimeter of the Club.

(E) An adequate landscape buffer shall be provided which shall include a mix of coniferous and deciduous plantings, and which shall be subject to review by the Design Review Commission on a case-by-case basis.

(F) The principal use of a Private Recreational Club shall be located outdoors. The only uses allowed indoors shall be accessory uses. No playing court or swimming pool shall be allowed indoors.

(G) Parking requirements shall be: three spaces per court for tennis, racquetball and handball courts, and one space per swimmer, based on 20 percent of swimming pool capacity.

(H) Any lighting used to illuminate courts shall be directed or shaded to avoid casting direct light on any adjacent property or public right-of-way and the intensity of light shall not exceed 1/2 foot candle at the property line. It shall be unlawful to use unshielded light or any string of lights, and, further, it shall be unlawful to utilize outdoor court and/or swimming pool lighting, or conduct any outdoor activities before the hour of 8:00 a.m. and after the hour of 10:00 p.m. Sunday through Thursday and before the hour of 8:00 a.m. and after the hour of 11:00 p.m. on Friday and Saturday.

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.

(A) Purpose and Interpretation. The purpose of this Section is to provide specific regulations for the placement, construction, and modification of radio and/or television towers and/or other transmitting and receiving equipment, including personal wireless telecommunications facilities. The provisions of this Section are not intended and shall not be interpreted to prohibit or have the effect of prohibiting the provision of personal wireless services, nor shall the provisions of this Section be applied in such a manner as to unreasonably discriminate between or among providers of functionally equivalent personal wireless services. To the extent that any provision or provisions of this Section are inconsistent or in conflict with any other provision of this Chapter, the provisions of this Section shall be deemed to control.

(B) Action by Plan Commission and City Council.

(1) Time for Action; Written Decision. Upon its review of any request by an applicant for any approval required under this Chapter to provide personal wireless service or to install radio and/or television towers and/or other transmitting and receiving equipment (including personal wireless telecommunications facilities), the Plan Commission and City Council shall each act within a reasonable period of time after the request is duly filed with the City Clerk and a recommendation forwarded by the Plan Commission, respectively, taking into account the nature and scope of the request. A recommendation to deny or a final decision to deny such a request shall be in writing and supported by substantial evidence contained in a written record. [*Formerly Paragraph 150.414(A)(2)*] (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(2) Modifications to or Replacement of Existing Facilities.

(a) Non-Structural Alterations. Any non-structural alteration of any existing antennas, antenna support structures, or related appurtenances, including the repair, maintenance, replacement, or addition of new antennas or internal equipment in equipment structures may be

undertaken only after approval pursuant to the design review process required by Chapter 176 of this Code; provided, however, that the applicant shall comply with all requirements in Paragraphs (C)(5) and (C)(6) of this Section. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(b) Structural Alterations. Notwithstanding the provisions of Article IX of this Chapter, any proposed structural alteration to, or replacement of, existing antenna support structures, including towers hosting antennas, or related equipment structures shall be required to comply with this Chapter as though they are a new structure. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(3) Other Relief by Special Request. Should the application of this Section have the effect of prohibiting a person or entity from providing personal wireless service or other telecommunications service to all or a portion of the City, or discriminating against such a person or entity in their provision of such service, such provider may petition the City Council for (a) an amendment to this Section in the manner provided in Article XV of this Chapter, or (b) a variation from an applicable standard in the manner provided in Article XII of this Code. The City Council, upon receipt of such a petition, shall promptly undertake review of the petition and shall, or if applicable, shall direct the Zoning Board of Appeals to, make a determination on the petition within a reasonable period of time, taking into account the nature and scope of the petition. A decision to deny such a petition shall be in writing and supported by substantial evidence contained in a written record. [*Formerly Paragraph 150.414 (A)(3)*] (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(C) Criteria for Cell Sites and the Placement of Radio and/or Television Tower and/or Other Transmitting and Receiving Equipment, Including Personal Wireless Telecommunications Facilities. Subject to the terms, conditions, provisions, and limitations of this Section, including those set forth below, all antennas and antenna support structures shall, at all times, be subject to the applicable standards, regulations, and requirements at all times of those zoning districts in which they are located, and all requests for relief under this Chapter shall be subject to the applicable standards for special use permits, conditional uses, and variations, as appropriate: (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(1) Antenna Height. Each applicant for a special use permit shall demonstrate that antenna height is the minimum required to provide satisfactory operation of the radio and/or television tower and/or other transmitting and receiving equipment or personal wireless telecommunications facilities. No antenna height that is higher than such minimum shall be approved. In the case of personal wireless services facilities placed on antenna support structures intended to support other public utilities as a primary use, each of the antennae and any overhead lines strung between the involved antenna support structures used for the operation of the personal wireless services shall be located at the maximum height on the designated antenna support structure permitted by the public utility provider, but shall not be installed less than 12 feet above the base of the antenna support structure. The applicant shall submit plans and supporting technical reports and certifications specifying the antenna support structure's fall-zone area and designated 'snap' area. Whenever the proposed antenna height exceeds the 12 ft. maximum limit as set forth in this Chapter for the zoning district wherein the radio and/or television towers and /or other transmitting and receiving equipment is sought to be erected, the provider shall be required to follow the procedures for seeking a variation or text amendment, as may be appropriate, pursuant to this Chapter. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02; Ord. 63-07, J. 33, p. 434-436, passed 7/23/07)

(2) Color. Antenna support structures and antennas shall have a finish color of non-contrasting black, blue, gray, or other color which minimizes the visibility of the antenna support structure.

(3) Aesthetic Design Compatibility. Radio and/or television towers and/or other

transmitting and receiving equipment, including personal wireless telecommunications facilities, shall be compatible architecturally with adjacent buildings and land uses or otherwise integrated, through location and design, to blend in with existing characteristics of the site to the extent practical. Building mounted facilities shall be stepped back from the front façade, and any other sides of the building that are open to public viewing, in order to limit their visual impact on the building's silhouette. Site location and erection of a radio and/or television tower and/or other transmitting and receiving equipment or personal wireless telecommunications facility shall preserve the pre-existing character of the site as much as possible. Existing vegetation shall be preserved and improved, and disturbance of the existing topography of the site shall be minimized, unless such disturbance will result in less visual impact of the site upon the areas adjacent thereto. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(4) Screening Stealth Designs. Where possible, towers and roof and wall mounted facilities should be camouflaged by screening materials or stealth designs, including, without limitation, the use of elements such as church steeples, spires, bell towers, smokestacks, radio towers, street lights, or fiberglass tree towers. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(5) Technical Design, Coverage, and Capacity. All applicants shall provide one or more coverage and capacity analyses to demonstrate that the location of the antenna or antenna support structure as proposed is necessary to meet the frequency use and spacing needs of the personal wireless services facilities. In addition, all applicants shall provide an ambient and predictive radio frequency emissions report, prepared by an Illinois registered professional structural engineer that is not on retainer with the applicant, to demonstrate the cumulative impacts of the proposed facility and any other existing or currently proposed facilities on the subject lot and all lots that are adjacent to and/or abut the subject lot. Antennas shall be constructed to the then current standards of the Electronic Industries Association, the FAA, and the FCC. Guyed towers are prohibited. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(6) Co-Location. Co-location of other radio and/or television towers and/or other transmitting and receiving equipment or personal wireless telecommunications facilities on the same antenna support structure shall be encouraged to the maximum extent possible, so as to minimize the proliferation of antennas and antenna support structures. The number of positions to be available for co-location shall be based on the capacity of the facility, which shall be based on technical and capacity information and analysis submitted by the applicant and evaluated by the City. The applicant shall be required and shall agree to provide information to other personal wireless service and other providers seeking potential co-location positions. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(a) Additional Required Submittals for Co-Location. In cases where an applicant intends to co-locate on an existing or approved antenna support structure or provide a co-location structure, the applicant shall provide, at a minimum, the following submittals to the City;

(i) A statement prepared by an Illinois registered professional engineer regarding co-channel interference and potential intermodulation interference. The report shall specifically include information regarding potential interference with City, county, state, and other governmental and public services and radio, television, and other services enjoyed by occupants of the site and adjacent residential and nonresidential properties;

(ii) An ambient and predictive radio frequency emissions report, prepared by an Illinois registered professional structural engineer that is not on retainer with the applicant, to demonstrate that co-location is feasible;

(iii) After co-location on an existing antenna support structure, the applicant shall provide a radio frequency emissions report prepared by an Illinois registered professional

engineer who is not on retainer with the applicant. The report shall include data on predictive and cumulative radio frequency measurements; and

(iv) Copies of leases or other agreements between the owner of an existing antenna support structure and all co-locators that contain provisions allowing termination of the lease or relocation of the antenna facilities in the event that an antenna or other antenna support structure must be dismantled. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(b) Additional Required Submittals where Inability to Co-locate is Alleged. In cases where an applicant claims an inability to co-locate on an existing or approved antenna or antenna support structure, the applicant shall provide, at a minimum, the following submittals to the City:

(i) Evidence that the applicant has sought and been denied the opportunity to co-locate its radio and/or television tower and/or other transmitting and receiving equipment or personal wireless telecommunications facilities on an existing antenna or antenna support structure; and evidence that the applicant has made adequate efforts, but is unable, to obtain a site for its facilities within the B3 Highway Commercial District. [*Formerly Subparagraph 150.414(C)(1)(b)*]

(ii) A report regarding the applicant's co-location efforts, detailing contacts and negotiations with other service providers within the applicant's search area, without regard for municipal borders. The report shall provide specific details regarding the infeasibility of co-locating including statements that demonstrate, without limitations, the following:

(aa) The new facility would exceed the structural capacity of an existing antenna support structure;

(bb) The new facility would cause interference with other existing or planned equipment at the antenna or antenna support structure that cannot be corrected;

(cc) Existing or approved antenna support structures cannot reasonably accommodate the new facility at the height necessary for the proposed new facility to provide services to the residents and businesses of the City and the area;

(dd) The owners or lessors of the existing or approved antennas or antenna support structures are unwilling to allow co-location upon their facilities; and

(ee) The owners or lessors of the existing or approved antenna support structures will not offer a commercially reasonable market rate for a co-location lease.

(iii) Payment to the City for any expenses the City incurs in retaining a technical expert to confirm that each site within the applicant's search area would not be conducive for co-location.

(c) Revocation. The City may revoke an existing special use permit or other approval under this Chapter for a site on which it is determined that an existing service provider has not demonstrated good faith to provide co-location, where possible, at commercially reasonable rates to other service providers. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(7) Equipment Structures. All ground level equipment structures shall comply with the requirements of the Highland Park Building Code, shall be designed to be consistent with the architectural styles, materials, and roof designs typical of the vicinity in which the facility is located, shall

have a floor area not exceeding 300 square feet per provider nor a height exceeding twelve feet (12'), and shall be screened by non-deciduous plantings from the view of persons of at least six feet (6') in height who stand 100 feet from all adjacent lot lines. Where feasible, equipment shelters shall be located in underground vaults or fully enclosed buildings and shall have the capacity, or shall be designed in a manner, to easily allow expansion and to house the equipment of potential co-locators. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(8) Noise. Unless the applicant demonstrates that the proposed facility will generate no increased sound levels as measured at the property line of the subject property during [*the hours of 5:00 p.m. to 9:00 a.m. the next day*], ground mounted equipment shall be surrounded with solid masonry or concrete walls. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(9) Fencing. In order to thwart unauthorized access and minimize any danger to persons, all antennas, antenna support structures, and ground level equipment structures shall be fenced from adjacent areas by a six foot (6') high fence otherwise meeting the requirements of this Code. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(10) Lights and Signs. Unless required by the FCC and/or the FAA, lights, signals, and/or signs of any kind are prohibited on any radio and/or television tower and/or other transmitting and receiving equipment, including a personal wireless telecommunications facility.

(11) Off-street Parking. Paved off-street parking adequate to provide parking for at least two trucks shall be required to be installed upon the lot for which any special use permit is issued. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(12) Setback. The radio and/or television tower and/or other transmitting and receiving equipment or personal wireless telecommunication facility, including the required fencing, shall be set back from adjacent lot lines and existing buildings and structures as determined by the primary use of the antenna support structure and any single family dwelling, child care facility, day nursery, preschool or educational institution that may be within the specified distance, in accordance with the following table: (Ord. 63-07, J. 33, p. 434-436, passed 7/23/07)

Zoning District	Antenna Support Structure Use	Required Setback from Lot Lines and Specified Buildings or Structures
All Districts Other Than Residential Districts	Primary or secondary use for personal wireless services facilities	A distance from the lot line that is at least equal to the antenna height or the required front yard, rear yard, or side yard, whichever is greater
All Residential Districts	Primary use for personal wireless services facilities	A distance from the lot line that is at least equal to the antenna height or the required front yard, rear yard, or side yard, whichever is greater

All Residential Districts	Primary use for public utilities other than personal wireless services facilities	A distance no less than 100 ft. from any building or structure used as a single family dwelling, child care facility, day nursery, preschool or educational institution, excluding attached garages"
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(Ord. 63-07, J. 33, p. 434-436, passed 7/23/07)

(D) Prohibited Placement of Radio and/or Television Tower and/or Other Transmitting and Receiving Equipment, Including Personal Wireless Telecommunications Facilities. No public utility service use which satisfies the definition of personal wireless telecommunication facility shall be permitted in any zoning district in the City unless it complies with all applicable federal laws and regulations concerning its use and operation. (Ord. 11-98, passed 1/26/98)

(E) Continued Compliance. All applicants shall provide reports to the City, prepared by an Illinois registered professional engineer, not on retainer with the applicant, certifying continued compliance with current Federal radio frequency emission standards on an annual basis or upon modifications to equipment and facilities. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

(F) Obsolete or Unused Support Structures, or Other Abandon Facilities. All obsolete, damaged, unused, or abandoned antenna towers, antenna support structures, and accompanying accessory facilities shall be removed no later than 90 days after the end of a twelve month period of continuous cessation of operations. In the case of multiple operators sharing the use of a single tower, this provision shall not become effective until all users cease operations for a period of twelve consecutive months. The site shall be restored to its original or improved state after the facilities are removed. The terms and conditions of a bond to assure removal of support structures and accessory facilities shall be specified in any special use permit granted for the installation or upgrade of telecommunication facilities. (Ord. 69-02, J. 28, p.516-525, passed 11/12/02)

Sec. 150.415 Special Regulations for the Pedestrian Oriented Shopping Overlay (POSO) Zone.

(A) Purpose. The purpose of the Pedestrian Oriented Shopping Overlay Zone (“POSO”) is set forth in Section 150.401(T) of this Chapter.

(B) Overlay Zone. The POSO Overlay Zone appears on the Zoning Map as an “overlay zone” in portions of the B5 Zoning District. Development of property in the POSO Overlay Zone shall comply with the regulations of the POSO Overlay Zone contained in this Section and with the B5 Zoning District regulations contained in this Chapter. If there is any conflict between the POSO Overlay Zone regulations and the general B5 Zoning District regulations contained in this Chapter, the POSO Overlay Zone regulations shall control.

(C) Special POSO Overlay Zone Definitions. For the limited purpose of this Section 150.415, the following words shall have the meanings ascribed to them below:

(1) “PREMISES”: Any building or separately owned, leased, or occupied space of a building.

(2) “GROUND FLOOR”: Any occupiable floor of a building with direct access to grade, that is located less than one story above, or less than one story below, grade; provided, however, that no portion of a floor that constitutes a “cellar,” as defined in this Chapter, shall constitute a “ground

floor.”

(3) “**POSO REGULATED STREET**”: The following public rights-of-way, or segments thereof, located within the POSO Overlay Zone:

The north and south sides of Central Avenue, from the centerline of Green Bay Road on the West, to the eastern boundary line of the B5 Zoning District (mid-block of Central Avenue between Sheridan Road and Linden Avenue) on the East.

The east and west sides of Second Street, from the centerline of Elm Place on the North to the centerline of Laurel Avenue on the South.

The west side of First Street, from the centerline of Elm Place on the North to the centerline of Laurel Avenue on the South.

The south side of Elm Place, from the centerline of Green Bay Road on the West to the centerline of First Street on the East.

The east side of St. Johns Avenue, from the centerline of Park Avenue on the North to the centerline of Laurel Avenue on the South.

The east and west sides of Sheridan Road, from the centerline of Park Avenue on the North to the centerline of Central Avenue to the South.

The east side of Green Bay Road, from Elm Place on the North to the mid-block of Green Bay Road on the South that is between Central Avenue on the North and Laurel Avenue on the South.

The south side of Park Avenue from St. Johns on the West to the mid-block of Park Avenue on the East that is between Sheridan Road on the West and Linden Avenue on the East.

(4) “**POSO REGULATED PREMISES**”: Any Premises in the POSO Overlay Zone that (1) is located on the Ground Floor of a building and (2) has “frontage” on one or more POSO Regulated Streets. For purposes of this definition, a Premises shall be deemed to have frontage on a POSO Regulated Street if any exterior elevation of the Premises is either adjacent to the right-of-way line of a POSO Regulated Street or is separated therefrom only by a public or private sidewalk, access drive, parking lot, or plaza.

(D) Use Regulations.

(1) Permitted Uses. The only uses that shall be allowed within a POSO Regulated Premises shall be those that are specifically identified as “Permitted Uses” under the heading “POSO” in the Table of Allowed Uses in Article IV of this Chapter.

(2) Prohibited Uses. Subject to the non-conforming use provisions set forth in Article IX of this Chapter, the special non-conforming use provisions set forth in Section 150.415(F)(1), unless a use is specifically identified as a “Permitted Use” under the heading “POSO” in the Table of Allowed Uses in Article IV of this Chapter, such use shall not be allowed at any time, or under any circumstances, in any POSO Regulated Premises.

(E) POSO Regulated Premises Determination of Applicability. The Zoning Administrator shall have the authority to determine, or resolve any issue as to, whether a premises constitutes a POSO Regulated Premises and is therefore subject to the use regulations set forth in Section 150.415(D). Such determination or resolution may be made either at the initiation of the Zoning Administrator or upon the written application to the Zoning Administrator by the owner or occupant of any POSO Regulated Premises. The determination of the Zoning Administrator shall be final and binding, subject to the appeal provisions set forth in Article XIII of this Chapter.

(F) Non-Conforming Uses.

(1) Special Provisions. Any use that qualifies as a nonconforming use of land solely as a result of the adoption and application of the POSO Overlay Zone regulations shall be subject to the following regulations:

(a) Notwithstanding Section 150.902(E) of Article IX of this Chapter, no such nonconforming use shall be extended, expanded, or enlarged within a building or other structure to any portion of the floor area that is vacant, otherwise not occupied by a legal conforming use, or newly created within the existing building or structure.

(b) Notwithstanding Section 150.902(G) of Article IX of this Chapter, no such nonconforming use may be replaced by another nonconforming use unless (a) such use is identical to the nonconforming use that immediately preceded it, as identified in the Table of Allowed Uses in Article IV of this Chapter, or (b) such use is authorized by a special use permit issued pursuant to the standards set forth in Subsections (1), (4), and (9) of Section 150.1404(A) of Article XIV of this Chapter.

(c) Notwithstanding Section 150.902(I)(1) of Article IX of this Chapter, when such a nonconforming use is discontinued for a period of one year, regardless of any intent to resume or not to terminate such use, such use shall be deemed abandoned and shall not thereafter be reestablished or resumed. Any subsequent use or occupancy of the POSO Regulated Premises within which such abandoned non-conforming use was located shall comply with the use regulations of the POSO Overlay Zone.

Except as expressly modified and excepted herein, all regulations in Article IX of this Chapter shall apply within the POSO Overlay Zone.

(2) Special Application. In addition to those uses that otherwise qualify as legal non-conforming uses pursuant to Article IX of this Chapter, the following uses shall be deemed to be legal non-conforming uses for the limited purposes of this Section 150.415:

(a) A use for which a completed and executed application for a building permit was submitted to the Department of Community Development prior to December 22, 2003.

(b) A use for which all of the requirements for receipt of an occupancy permit from the Department of Community Development were fulfilled prior to December 22, 2003.

(c) A use for which a completed and executed application for subdivision/consolidation approval or zoning relief for such building or property within which such use is intended to be located was submitted to the Department of Community Development prior to December 22, 2003; provided that evidence is produced, satisfactory to the City's Corporation Counsel, establishing that a non-conforming use, with a specific, actual, and identified user, was, at the time of submission of

such application, intended to be located in the building or property. Such evidence may include a lease agreement fully executed prior to December 22, 2003.

(Section 150.415 added by Ordinance 28-04, J. 30, p. 97-116, passed 4/26/04)

Sec. 150.416 Public Safety Emergency Warning Facilities.

1. Purpose. In order to preserve and protect the public health and safety and consistent with the goals of this Chapter, the City may, as needed, erect or approve Public Safety Emergency Warning Facilities.
2. Location. Public Safety Emergency Warning Facilities shall be permitted uses in all zoning districts established herein. Such facilities may be located at ground level or mounted on poles.
3. Principal or Accessory Use: Public Safety Emergency Warning Facilities may be considered either principal or accessory uses as follows:
  - (a) Principal Use: Public Safety Emergency Warning Facilities that are situated on a Lot where there is no principal use shall be considered the principal use on that Lot.
  - (b) Accessory Use: Public Safety Emergency Warning Facilities that are situated on a Lot where there exists a principal use shall be considered an accessory use to the principal use on that Lot.
4. Minimum Lot Size and Yard/Setback Requirements. The minimum Lot Area and yard/setback requirements applicable to the particular Lot on which Public Safety Emergency Warning Facilities are located shall not apply to Public Safety Emergency Warning Facilities, but shall apply to any principal use otherwise located on that Lot.
5. Maximum Height: Pole-mounted Public Safety Emergency Warning Facilities shall not exceed a height of 60'; provided, however, the City Council may, by resolution duly adopted, authorize the construction of Public Safety Emergency Warning Facilities in excess of 60' upon a determination, in its sole discretion, of a need to exceed such height in the interest of public safety.
6. Associated Buildings: Buildings associated with Public Safety Emergency Warning Facilities shall not exceed 50 square feet and shall require approval by the City Council.
7. Co-Location: The City Council may consider and approve a request from other units of local government to co-locate other Public Safety Emergency Warning Facilities on City structures or poles.”

(Section 150.416 added by Ordinance 63-05, J. 31, p. 258-260, passed 10/24/05)

TABLE OF ALLOWABLE USES

The land uses in the following tables are grouped into generic categories and listed alphabetically within each category.

## RESIDENTIAL USES

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A ~	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1A	B2	B2 RW	B3	B4	B5	POSO	I	PA
							P	C	P		Boarding Houses											
							P	C	P		Lodging Houses											
											Watchkeepers' Quarters											C
C	C	C	C	C	C						Dormitory Buildings											
C	C	C	C	C	C	C	C	C	C		Group Homes											
							P	P	P	P	Multiple Family Dwellings											
											Dwellings Only Above First Floor Permitted Commercial or Office Uses		P	P	P	P		P	P			
C	C	C	C	C	C		C	C	C	C	Dwellings as Part of a Planned Unit Development											
							C	C	C	C	Nursing Home Care Facility (including Skilled Nursing Facility, Intermediate Care Facility, Licensed Intermediate Care Facility, and/or Sheltered Care Facility)						C					
P	P	P	P	P	P	P	P	P	P	P	Rectories		P	P			P	P				C*
P	P	P	P	P	P	P	P	P	P	P	Single Family Dwellings											
						P	P	P	P		Two Family Dwellings											
								C +			<b>Dwelling Units per acre in excess of 30, up to a maximum of 40, subject to the conditions set forth in Section 150.704, footnote (d) of this Code</b> ~ +											

\* Added by Ord 42-02, J. 28, p. 313-337, passed 7/8/02, Amended by Ord. 01-03, J. 29, p. 01-16, passed 1/13/03

~ RM1A Zoning Added by Ord. 57-02, J. 28, p. 410-473, passed 9/9/02

+ Deleted by Ord. 28-03, J. 29, p. 112-114, passed 3/24/03

**PERSONAL SERVICES ESTABLISHMENTS AND CUSTOM CRAFT USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1A	B2	B2 RW	B3	B4	B5	POSO	I	PA	
											Art Shops		P	P	P	P	P	P	P	P	P`	P	
											Barber Shops		P	P	P	P	P	P	P	P	P`	P	
											Beauty Shops		P	P	P	P	P	P	P	P	P`	P	
											Hobby Shops		P	P	P	P	P	P	P	P	P`	P	
											Key & Lock Shops		P	P	P	P	P	P	P	P	P`	P	
											Laundry & Dry Cleaning Establishments, drop-off & pick-up stations only		P	P	P	P	P	P	P	P	P`	P	
											Laundry & Dry Cleaning Establishments, with only coin-operated & self-service facilities		P	P	P	P	P	P	P	P	P`	P	
											Photographic Studios		P	P	P	P	P	P	P	P	P`	P	
											Shoe Repair Shops		P	P	P	P	P	P	P	P	P`	P	
											Printing Shops, hand press, off-set press, & photography only		P	P	P	P	P	P	P	P	P`	P	
											Tailoring & Dressmaking Stores		P	P	P	P	P	P	P	P	P`	P	
											Tanning Salon		P		P	P	P	P	P	P	P`	P	
											Travel Agencies		P	P	P	C	P	P	P	P	P`	P	
											Upholstery Shops			P	P	P	P	P	P			P	
											Weight Loss Clinics (Diet Centers)		P		P	C	P	P	P			P	

` POSO Zoning Added by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

**GENERAL RETAIL SALES AND RELATED SERVICE USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
											Antique Shops		P	P	P	P	P	P	P	P	P`	P	
											Art & School Supply Stores		P	P	P	P	P	P	P	P	P`	P	
											Bicycle & Accessories Sales & Service		P	P	P	P	P	P	P	P	P`	P	
											Book Stores		P	P	P	P	P	P	P	P	P`	P	
											Camera & Photographic Supply Stores		P	P	P	P	P	P	P	P	P`	P	
											China, Glassware, & Metalware Stores		P	P	P	P	P	P	P	P	P`	P	
											Clothing Stores		P	P	P	P	P	P	P	P	P`	P	
											Coin & Stamp Stores		P	P	P	P	P	P	P	P	P`	P	
											Computer Equipment Sales & Service		P		P	P	P	P	P	P	P`	P	
											Craft Supply Stores		P		P	P	P	P	P	P	P`	P	
											Department Stores					C	P	P	P	P	P`	P	
											Drapery, Curtain & Window Covering Stores		P	P	P	P	P	P	P	P	P`	P	
											Dry Goods Stores		P	P	P	P	P	P	P	P	P`	P	
											Electrical Appliance Shops		P	P	P	P	P	P	P	P	P`	P	
											Fabrics & Sewing Accessory Stores		P	P	P	P	P	P	P	P	P`	P	
											Floor Covering Stores		P	P	P	P	P	P	P	P	P`	P	
											Florist Shops, retail		P	P	P	P	P	P	P	P	P`	P	
											Furniture Stores			P	P	P	P	P	P	P	P`	P	

**GENERAL RETAIL SALES AND RELATED SERVICE USES (CONTINUED)**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA
											Furriers & Fur Apparel Stores		P	P	P	P	P	P	P	P	P	
											Garden Supply Shops		P	P	P	P	P	P				P
											Gift, Novelty, & Souvenir Stores		P	P	P	P	P	P	P	P	P	
											Hardware Stores		P	P	P	P	P	P	P	P	P	
											Home Decorating Sales & Service		P	P	P	P	P	P	P	P	P	
											Hotels and Motels **						C	C	C	C	C	
											Jewelry Stores		P	P	P	P	P	P	P	P	P	
											Kitchen & Bath Cabinet Showrooms				P	P	P	P	P	P	P	
											Laundry & Dry Cleaning Establishments, except coin-operated & self-service - under 5000 sq. ft.				P	P	P	P				P
											Laundry & Dry Cleaning Establishments, except coin-operated & self-service - over 5000 sq. ft.											C
											Leather Shops		P	P	P	P	P	P	P	P	P	
											Luggage & Suitcase Stores				P	P	P	P	P	P	P	
											Liquor Stores				P	P	P	P	P	P	P	
											Musical Instrument Stores				P	P	P	P	P	P	P	
											Newspaper & Magazine Stands		P	P	P	P	P	P	P	P	P	
											Office Supply Stores			P	P	P	P	P	P	P	P	
											Paint & Wallcovering Stores		P	P	P	P	P	P	P	P	P	
											Pet Shops						C	C	C	C	C	
											Record Shops		P	P	P	P	P	P	P	P	P	
											Resale Shops		P	P	P	P	P	P	P	P	P	
											Security Equipment Sales & Service		P		P	P	P	P	P	P		P
											Shoe Stores		P	P	P	P	P	P	P	P	P	
											Specialty Shops		P	P	P	P	P	P	P	P	P	
											Sporting Goods Stores		P	P	P	P	P	P	P	P	P	
											Stationery Stores		P	P	P	P	P	P	P	P	P	
											Ticket Sales Facility		P		P	P	P	P	P	P		P
											Tobacco Shops		P	P	P	P	P	P	P	P	P	
											Toy Stores		P	P	P	P	P	P	P	P	P	
											Video Sales and/or Rental Store		P		P	P	P	P	P	P	P	
											Drug Stores		P	P	P	P	P	P	P	P	P	
											Optical Goods Store		P	P	P	P	P	P	P	P	P	
										P	Pharmacies		P	P	P	P	P	P	P	P	P	
											Lighting & Electrical Equipment Store with Retail Sales Component				P	P			P		P	
											Plumbing shop, Sales & Service with Retail Sales Component				P	P			P		P	
											Medical Appliances & Supply Stores				P	C	P	P	P			P

\*\* Amended by Ord. 51-01, J. 27, p. 232, passed 8/27/01

POSO Zoning Added by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

## PLANTS, ANIMALS AND RELATED USES

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
											Animal Clinics or Hospitals						C	C				C	
											Animal Pounds												C*
											Botanical Gardens												C*
P	P										Agriculture												
											Florist Shops, wholesale						P	P					P
											Greenhouses, commercial						P						P
C	C	C	C	C	C						Kennels						P						P
											Nurseries						P						P

\* Added by Ord 42-02, J. 28, p. 313-337, passed 7/8/02

## FOOD PRODUCT USES

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
											Bakeries & Confectioneries, Retail		P	P	P	P	P	P	P	P	P	P	
											Bakeries, Wholesale												P
											Convenience Food Mart		P		P	P	P	P	P	P	P		P
											Fruit & Vegetable Stores		P	P	P	P	P	P	P	P	P	P	P
											Grocery Stores, with or without meat		P	P	P	P	P	P	P	P	P	P	P
											Meat, Fish & Seafood Shops		P	P	P	P	P	P	P	P	P	P	P

^ Deleted by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

## FOOD AND BEVERAGE SERVICE USES

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	R M2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	PSOO	I	PA	
											Catering Service Facilities						P	P					P
											Delicatessens		P	P	P	P	P	P	P	P	P	P	P
											Frozen Dessert Stores, without-Drive-in Facilities		P	P	P	P	P	P	P	P	P	P	P
											Outdoor Restaurants		C	C	C	C	P	P	P	P	P	P	P
											Restaurants, Drive-in						C	C					C
											Restaurants, Fast-food or Carry-out		P	P	P	P	P	P	P	P	P	P	P
											Restaurants, excluding dancing & entertainment		P	P	P	P	P	P	P	P	P	P	P
											Restaurants, with dancing & entertainment				C	C	P	P	P	P	P	P	P

^ POSO Zoning Added by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

## FINANCIAL USES

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA
										P	Accounting, Auditing, & Bookkeeping Services			P	P	C	P	P	P		P	
											Automatic Teller Machine	P	P		P	P	P	P	P <sup>~</sup>		P	
											Banks, without Drive-in Facilities				P	P	P	P	P		P	
											Banks with Drive-in Facilities **				C	C	P	P <sup>~</sup> C**	P <sup>~</sup>		P	
										P	Collection Service Offices				P	C	P	P	P		P	
										P	Commodity Broker, Dealer, & Exchange Offices (including Wholesale)				P	C	P	P	P		P	
										P	Credit Reporting Service Offices				P	C	P	P	P		P	
										P	Credit Union Offices		C*	P	P	C	P	P	P		P	
											Currency Exchange						C					
										P	Financial Counseling Service Offices			P	P	C	P	P	P		P	
										P	Holding & Investment Service Offices			P	P	C	P	P	P		P	
										P	Income Tax Services			P	P	C	P	P	P		P	
										P	Insurance Carriers, Agents, Brokers, & Service Offices			P	P	C	P	P	P		P	
											Money Transmitting Businesses			P+								
											Savings & Loan Institutions, with Drive-in Facilities **				C	C	P	P <sup>~</sup> C**	P		P	
											Savings & Loan Institutions, without Drive-in Facilities				P	P	P	P	P <sup>~</sup>		P	
										P	Security Broker, Dealer, & Exchange Offices				P	C	P	P	P		P	
										P	Loan Company Offices				P	C	P	P	P		P	

\* A special use permit for the "Credit Union Offices" conditional use shall not be issued in any area of the B-1 District other than the specific B-1 district indicated on the City of Highland Park Zoning map and located in a portion of the area bounded by Ridge Road, Deerfield Road, and Richfield Avenue. (Amended by Ord. 44-03, J. 29, p. 153-154, passed 7/28/03)

~ Deleted by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

+ Added by Ord. 41-04, J. 30, p. 159-160, passed 6/28/04

\*\*Notwithstanding the provisions of Section 150.411(C) of this Code, a permitted use (under any provision of this Code, including without limitation, Section 150.405) with Drive-in Facilities that was made a conditional use by the amendment to this Zoning Code effective June 28, 2004 shall be considered a lawful conditional use, and may continue in existence as such use, as of June 28, 2004, provided, however, that the conditional use may not be expanded without first obtaining a conditional use permit in full accordance with Section 150.411 of this Code, and any other zoning relief required by applicable provisions of this Code. (Ord. 43-04, J. 30, p. 163-165, passed 6/28/04)

## BUSINESS SERVICE USES

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA
										P	Advertising Agency Offices			P	P	C	P	P	P		P	
											Printing Shop including Blueprinting & Photocopying Shops					P	P	P	P <sup>~</sup>		P	
											Printing Shop including Blueprinting & Photocopying Shops With Retail Sales Component			P					P	P <sup>~</sup>		
											Building Maintenance Service Offices				P	C	P	P				P
										P	Consumer Protection Organization Offices				P	C	P	P	P		P	
										P	Data Processing Centers						P	P	P		P	

**BUSINESS SERVICE USES (CONTINUED)**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
										P	Detective & Protective Service Offices						P	P	P			P	
										P	Direct Mail Advertising Service Offices						P	P	P			P	
											Disinfecting & Exterminating Service Offices				P	C	P	P				P	
										P	Employment Agency Offices				P	C	P	P	P			P	
											Express Mailing Services		P		P	C	P	P					
											Research & Survey Firms				P	C	P	P	P			P	
										P	Stenographic & Other Temporary Office Employment Service Offices				P	C	P	P	P			P	
										P	Window Cleaning Service Offices				P	C	P	P					P

Amended by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

**OFFICE AND PROFESSIONAL USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA
										P	Business & Management Consulting Service Offices			P	P	C	P	P	P			P
										P	Business Association Offices					C	P	P	P			
										P	General Business Offices			P	P	C	P	P	P			P
										P	Interior Decorating Service Offices			P	P	C	P	P	P			P
										P	Newspaper Offices					C	P	P	P			P
										P	Professional Offices including Architect, Attorney, Engineer, Landscape Architect, Urban Planner			P	P	C	P	P	P			P
										P	Publishing Offices			P	P	C	P	P	P			P
										P	Real Estate Broker, Salesperson, & Service Offices			P	P	C	P	P	P			P
										P	Telephone Business Offices						P	P	P			P
										P	Title Abstracting Company Offices			P	P	C	P	P	P			P
											Direct Selling Organizations						P	P	P			P
										P	Labor Union & Similar Labor Organization Offices						P	P	P			
										P	Office of Institution of Religious, Charitable, or Philanthropic Nature						P	P	P			
										P	Professional Membership Organization Offices					C	P	P	P			
											Taxicab Office, Dispatching						P	P	P			P
										P	News Syndication Services						P	P	P			P
											Mail Order House						P	P	P			P
											Motion Picture Film Distribution Offices						P	P	P			P

**MEDICAL AND RELATED USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA
										P	Acupuncture Services		P		P	C	P	P	P			P
									C	P	Chiropractor's Offices		P	P	P	C	P	P	P			P
										P	Dental Laboratories				P	C	P	P	P			P
									C	P	Dental Offices		P	P	P	C	P	P	P			P
											Health Care Campus	P										
											Home Health Care Provider's Offices		P		P	C	P	P	P			P
										P	Massage Therapy Clinic		P	P	P	P	P	P	P			P
										P	Medical Clinics/Surgical Centers						P	P	P			P
										P	Medical Laboratories				P	C	P	P	P			P
									C	P	Medical Offices		P	P	P	C	P	P	P			P
									C	P	Offices for the Fitting & Repair of Hearing Aids, Prosthetic Appliances & the like		P	P	P	C	P	P	P			P
									C	P	Optometrist's & Ophthalmologist's Offices		P	P	P	C	P	P	P			P
									C	P	Psychiatrist's & Psychologist's Offices		P	P	P	C	P	P	P			P

**TRANSPORTATION AND RELATED USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA
											Bus Terminals						P	P	P			P
											Freight & Parcel Terminals						P					P
									C		Garage, public					C	C	C	C			
											Garage, Municipally Owned or Operated *											C
											Gasoline &/or Diesel Fuel Stations		C		C	C	C	C				C
											Heliports	C					C	C				C
											Marine Craft & Accessories Sales & Service Facilities						P					P
											Motorcycle & Accessories Sales & Service Store						P	P				P
											Motor Vehicle Detailing Shops						P					P
											Motor Vehicle Engine Repair Shops						P	P				P
											Motor Vehicle Glass Shops						P	P				P
											Motor Vehicle Muffler Shops						P	P				P
											Motor Vehicle Painting or Body Rebuilding Shops						P	P				P
											Motor Vehicle Parts & Accessories Sales						P	P				P
											Motor Vehicle Rental Agencies						P	P				P
											Motor Vehicle Repair, Major						P	P				P

## TRANSPORTATION AND RELATED USES (CONTINUED)

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
											Motor Vehicle Repair, Minor						P	P				P	
											Motor Vehicle Salesrooms						P	P				P	
											Motor Vehicle Tire Sales & Installation Stores						P	P				P	
											Motor Vehicle Upholstery Shops						P	P				P	
											Motor Vehicle Washing Facility						C	C				C	
											Motor Vehicle Wrecking & Salvage Yards											C	
											New or Used Motor Vehicle Sales &/or Storage Lots, freestanding						C	C				C	
C	C	C	C	C	C	C	C	C	C	P	Off-Street Parking Lot, Freestanding		P	C	P	C	P	P	P			P	
											Off-Street Parking Lot, Freestanding, Municipally Owned or Operated *												C!
											Parking Decks,	C+											
											Parking Decks, Municipally Owned or Operated												C!
											Railroad Stations												C!
											Recreational & Sports Vehicle Sales & Service Facilities						P	P				P	
											Taxicab Storage						C					C	
											Truck Terminals						C					C	

+ A parking deck may be allowed as a permitted use in the HC Zoning District, provided that the parking deck detail is consistent with an approved Master Site Plan (Amended by Ord. 29-02, J. 28, p. 111-114., passed 5/13/02)

\* Added by Ord 42-02, J. 28, p. 313-337, passed 7/8/02

^ Added by Ord. 57-02, J. 28, p. 410-473, passed 9/9/02

! Amended by Ord. 01-03, J. 29, p. 01-16, passed 1/13/03

˘ Deleted by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

## MATERIALS SUPPLY AND CONSTRUCTION USES

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
											Construction Hauling Companies											C	
											Excavation Companies											C	
											General Construction Companies						P					P	
											Glass Sales & Installation Facilities				P		P					P	
											Glass Sales & Installation Facilities with Retail Sales Component				P	P							
											Heating & Air Conditioning Equipment						P	P				P	

**MATERIALS SUPPLY AND CONSTRUCTION USES (CONTINUED)**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA				
											Landscape Contractors and Yard Maintenance Services						P					P				
											Lighting & Electrical Equipment Store				P		P	P	P <sup>1</sup>				P			
											Lumber & Building Material Yard & Storage Facilities						P						P			
											Masonry, Stonework & Tilesetting Shops						P						P			
											Millwork & Cabinet Fabricating Shops												P			
											Plumbing Shop, Sales & Service							P	P				P			
											Ready-mix Concrete Yards												P			
											Road Paving Companies												P			
											Rock & Stone Supply Yards							P						P		
											Roofing Companies													P		
											Sand, Gravel, & Earth Sales & Storage Facilities													C		
											Sewer Companies														C	
											Sheetmetal & Gutter Service Shop							P						P		
											Swimming Pool Companies							P						P		
											Water Well Drilling Companies													P		
											Welding Equipment & Supply Shop													P		

<sup>1</sup> Deleted by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

**STORAGE, PROCESSING, AND WHOLESALING USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA			
											General Warehouses & Storage Facilities, Enclosed							P					P		
											Metal Salvage Yards & Operations													C	
											Mini-warehouses													P	
											Open Storage Yards							C						C	
											Refrigerated Warehouses													P	
											Wholesale Trade Offices & Storage Facilities								P					P	

## INDUSTRIAL AND MANUFACTURING USES

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA			
											Facilities for the Bottling & canning of Liquids											C			
											Facilities for Manufacturing, Processing, Assembly, & Packaging of: Articles of Merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, metal, paper, plastics, stone, tobacco, wood, yarns & paint, not employing a boiling process												P		
											Facilities for Manufacturing, Processing, Assembly, & Packaging of: Bakery goods, candy, cosmetics, dairy products (including milk), drugs, grains, perfumes, pharmaceuticals, toiletries & food products, except the following uses: fish, meat products, sauerkraut, vinegar, yeast, & the rendering or refining of fats or oils													P	
											Facilities for Manufacturing, Processing, Assembly, & Packaging of: Biological & botanical products, except manure													C	
											Facilities for Manufacturing, Processing, Assembly, & Packaging of: Electrical Devices, appliances, apparatus, & instruments													P	
											Facilities for Manufacturing, Processing, Assembly, & Packaging of: Mechanical Devices, machines & parts such as toys, novelties, & other light or small mechanical products													P	
											Facilities for Manufacturing, Processing, Assembly, & Packaging of: Plastics, chemicals, & drugs, except poisons & insecticides													P	

**INDUSTRIAL AND MANUFACTURING USES (CONTINUED)**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
											Facilities for Manufacturing, Processing, Assembly, & Packaging of: Pottery, figurines, & similar ceramic products using only previously pulverized clay											P	
											Metal Fabrication Shops, including cold rolled sheet, strip, & bars											P	
											Manufacturing Laboratories & Testing Facilities											P	
											Recycling Centers, Materials Reclamation												C*
											Wholesale Job Printing, with Bookbinding											P	
											Wholesale Laundry, Cleaning, & Dyeing Plants											C	

\* Added by Ord 42-02, J. 28, p. 313-337, passed 7/8/02)

**COMMUNICATIONS AND PUBLIC UTILITY USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
C	C	C	C	C	C	C	C	C ^	C	C	Cellular Telephone Facilities without Towers for Use with Radio and/or Other Transmitting and Receiving Equipment, Including Cellular Telephone and Personal Wireless Communications Facilities – Including Antennas to a Maximum Height of 12 Feet without Towers but Excluding Satellite Dishes	C±	C	C*	C*		C*	C*	C*			C*	C+
C	C	C	C	C	C	C	C		C	C	Electrical Receiving or Transforming Stations		C		C		C	C	C			C	C+
											Newspaper Distribution Services						P					P	
										P	News Syndication Services						P	P	P			P	
										P	Radio & Television Broadcasting Station						P	P	P <sup>^</sup>			P	
C	C	C	C	C	C	C	C	C ^	C	C	Radio and/or Television and/or Other Transmitting and Receiving Equipment, Including Cellular Telephone and Personal Wireless Communications Facilities with Towers or Poles		C		C		C	C	C			C	C+

^ Deleted by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

**COMMUNICATIONS AND PUBLIC UTILITY USES (CONTINUED)**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
											Recording Studios						P	P	P <sup>^</sup>			P	
C	C	C	C	C	C	C	C	C <sup>^</sup>	C	C	Telephone Relay Facilities		C		C		P	P	P			P	C+
											Utility Maintenance Garages				C			P					
C	C	C	C	C	C	C	C	C <sup>^</sup>	C	C	Utility Substations		C		C		C	C	C			C	C+
											Utility Yards						C					P	

\* Amended by Ord. 24-02, J. 28, p. 89-90, passed 5/13/02

+ Added by Ord 42-02, J. 28, p. 313-337, passed 7/8/02

<sup>^</sup> Added by Ord. 57-02, J. 28, p. 410-473, passed 9/9/02

<sup>`</sup> Deleted by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

**GOVERNMENTAL USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA		
											City Facilities & Services (not otherwise listed)												C*!	
											Civil Defense Stations													C*!
										P	Executive Offices, public; Judicial Quarters, public; Legislative Quarters, public; Offices of Federal, State, County or Local Governments						P	P	P			P	C*!	
											Governmental Marinas													C*
											Postal Service and Parcel, Pick-up Stations													C*
											Postal Service and Parcel, Distribution Service													C*
											Sewage Pumping Stations													C*
											Sewage Treatment Facilities													C*
											Waterworks Treatment & Distribution Facilities													C*!

\* Added by Ord 42-02, J. 28, p. 313-337, passed 7/8/02

! Amended by Ord. 01-03, J. 29, p. 01-16, passed 1/13/03

**MISCELLANEOUS USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
											Cemeteries, Mausoleums, & Memorial Parks												C*
							C		C	C	Civic, Social, & Fraternal Association Meeting Places		C	C	C	C	P	P	P				C*
											Funeral Homes, Mortuaries & Crematoria		C		C		C	C					
C	C	C	C	C	C	C	C	C^	C	C	Houses of Worship *		C	C	C	C	C	C	C				C*

\* Added by Ord 42-02, J. 28, p. 313-337, passed 7/8/02

^ Added by Ord. 57-02, J. 28, p. 410-473, passed 9/9/02

**CULTURAL, RECREATIONAL, AND ENTERTAINMENT USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA	
											Art Galleries, public												C*
											Auditoriums												C*
											Bowling Alleys						P	P	C			P	
C	C	C	C	C	C	C	C	C^	C	C	Club or Lodge, private		C		C	C	C	C	C			C	
											Community & Recreation Centers												C*
P	P	P	P	P	P		P		P		Country Clubs & Golf Courses												C!
											Cultural Arts Centers *												C*
											Dinner Theaters						C	C	C	C^	C		
											Gymnasiums						C	C				C	
											Health Clubs						P	P	P			P	
										C	Health Clubs (Minor)												
											Libraries												C*
											Miniature Golf Courses						P					P	
											Movie & Drama Theaters						P	P	P	P^	P		
											Museums												C*

^ POSO Zoning Added by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

| Health Clubs (Minor) Added by Ord. 49-04, J. 30, p. 200-202, passed 7/12/04

**CULTURAL, RECREATIONAL, AND ENTERTAINMENT USES (CONTINUED)**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA
C	C	C	C	C	C	C	C		C	C	Outdoor Theaters, festival-drama		C		C	C	C	C	C		C	
P	P	P	P	P	P	C	P	P^	P	P	Parks & Playgrounds		P	P	P	P	P	P	P	P^	P	
C	C										Riding Academies											
											Roller & Ice Skating Rinks						C	C	C		C	
C	C	C	C	C	C		C		C	C	Tennis, Racquetball, Handball, Swimming & Other Private Recreational Clubs		C				P	P	P^		P	

\* Added by Ord 42-02, J. 28, p. 313-337, passed 7/8/02

^ Added by Ord. 57-02, J. 28, p. 410-473, passed 9/9/02

^ Removed by Ord. 57-02, J. 28, p. 410-473, passed 9/9/02

! Amended by Ord. 01-03, J. 29, p. 01-16, passed 1/13/03

^ Amended by Ord. 28-04, J. 30, p. 97-116, passed 4/26/04

**EDUCATIONAL USES**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA
											Barber & Beauty Schools						P	P	P		P	
											Business & Technical Schools						P	P	P		P	C*
C	C	C	C	C	C	C	C		C	C	Colleges, Junior Colleges & Universities						C	C	C		C	C*
C	C	C	C	C	C		C	C^	C	C	Child Care Facility		C		C	C	C	C	C		C	C*
C	C						C	C^	C		Convents, Monasteries or Seminaries							C	C			C*
											Dancing or Music Academies				P	C	P	P	P		P	
P	P	P	P	P	P	P	P	P^	P	P	Day Care Homes											
C	C	C	C	C	C	C	C	C^	C	C	Nurseries, Day		C	C	C	C	C	C	C		C	C*
											Driving Schools				P		P	P	P		P	
P	P	P	P	P	P	P	P	P^	P	P	Elementary & High Schools, Public, Private & Parochial including Kindergartens		P		P		P	P	P		P	C*!

**EDUCATIONAL USES (CONTINUED)**

R1	R2	R3	R4	R5	R6	R7	RM 1	RM 1A	RM 2	RO	P = PERMITTED USES C = CONDITIONAL USES	HC	B1	B1 A	B2	B2R W	B3	B4	B5	POSO	I	PA
C	C	C	C	C	C	C	C	C	C	C	Outdoor Lights with Towers for Athletic Fields located on High School Campuses, at such maximum wattage and at such maximum height as may be specified by the City Council in the ordinance approving the special use permit #		C		C		C	C	C		C	C
P	P	P	P	P	P	P	P	P ^	P	P	Institutions for Special Education		P		P		P	P	P		P	C*!
											Personnel Training Centers						P	P	P		P	
											Sports Training Schools						P	P	C		P	
											Studios for Art, Ceramics, Drama, Speech, and similar skills				P	C	P	P	P		P	

\* Added by Ord 42-02, J. 28, p. 313-337, passed 7/8/02  
 ^ Added by Ord. 57-02, J. 28, p. 410-473, passed 9/9/02  
 ! Amended by Ord. 01-03, J. 29, p. 01-16, passed 1/13/03  
 # Amended by Ord. 55-04, J. 30, p. 216-219, passed 8/9/04