

**CHAPTER 3  
REGULATIONS APPLYING TO ALL DISTRICTS**

**DIVISION 13: OFF-STREET PARKING AND LOADING REGULATIONS**

**Sections:**

- Section 13-1: Statement of Intent
- Section 13-2: Off-Street Parking and Loading General Provisions
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- Section 13-4: CBD Off-Street Parking Requirements
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**Section 13-1: Statement of Intent**

It is the purpose and intent of this Ordinance that off-street parking and loading areas be provided and adequately maintained in every zoning district for the purposes of promoting safe and efficient parking of motor vehicles; to avoid unnecessary congestion and interference with public use of streets; and to protect and preserve the appearance, character, and value of the surrounding neighborhoods.

**Section 13-2: Off-Street Parking and Loading General Provisions**

- (a) In all zoning districts, off-street parking and loading requirements shall be provided in amounts not less than specified for the various districts.
- (b) The Planning Commission, after consultation with the City Engineer, shall make a determination, in the cases of uses not listed in Section 13-3 of the minimum required off-street parking spaces.

In reaching the determination, the Planning Commission and the City Engineer, shall be guided by the requirements for similar uses, the number and kind of vehicles likely to be attracted to the proposed use and studies of the parking requirements of such uses in other jurisdictions.

The Planning Commission may approve alternative parking standards in situations where an applicant can sufficiently demonstrate that a particular situation is unusual, unique, or poses practical difficulty, and upon submission of adequate technical justification such as independent parking analysis, Urban Land Institute (ULI) or Institute of Transportation Engineers (ITE) parking standards, or similar justification.

- (c) Additional parking shall be provided and maintained in proper ratio to any increase in floor area or building use capacity.
- (d) For the purposes of determining off-street parking and loading requirements, the following provisions shall apply:
  - 1. "Usable Floor Area" as applied to offices, merchandising or service types of uses, shall mean the floor area used or intended to be used for services to the public as customers, patrons, clients, patients, or tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise, but excluding floor areas which are used exclusively for storage, for housing of mechanical equipment integral to the building, for maintenance facilities, stairwells, restrooms, or for those areas so restricted that customers, patients, clients, salesmen, and the general public are denied access. Measurement of usable floor area shall be the sum of the horizontal area of each story of a structure measured from the interior faces of the exterior walls.
  - 2. Where benches, pews or other similar seating facilities are used as seats, each twenty-four (24) inches of such seating facilities shall be counted as one (1) seat.
- (e) In the case of mixed uses in the same building at the same time, the total requirements for off-street parking and loading shall be the sum of the requirements for the separate individual uses computed separately.
- (f) Joint or collective provision of off-street parking for buildings or uses on two or more properties shall not be less than the sum of the requirements for the participating individual uses computed separately.
- (g) It shall be unlawful to use any of the off-street parking or loading areas established to meet the requirements of this Ordinance for any purpose other than the parking of licensed vehicles or the loading and unloading of necessary service trucks.
- (h) Off-street parking shall be no closer to any principal building than five (5) feet. Bumper guards shall be installed to prevent yard encroachment.

- (i) In the residential zoning districts and in C and I districts within fifty (50) feet of a residential zoning district, no parking space may be located in a front yard.
- (j) Parking spaces may be provided in side and rear yards in the residential zoning districts and in any yard in C and I districts except that in the C and I districts no parking space may be provided in a front yard unless the building is set back at least thirty (30) feet from the street, and further provided that the parking use must conform to the permitted land use for the district.
- (k) Parking spaces for any use specifically permitted in an residential zoning district may be provided on a lot adjoining that use provided there is compliance with all the requirements of subsections (i) and (j) of Section 13-2.
- (l) Where parking is provided in a commercial district adjacent to a residential district or where five (5) or more parking spaces are provided for use in a residential district adjacent to a residential district, all parking spaces, loading spaces and drives, shall be set back from the residential district fifteen (15) feet. This setback shall be a landscaped area providing sight proof landscaping and/or fencing to screen the use from adjacent properties as approved on a site plan per requirements in Division 14.
- (m) Where parking is provided in a manufacturing district adjacent to a residential district, all parking spaces, loading spaces and internal drives except for fire lanes, ingress and egress, shall be set back from the residential district thirty (30) feet. This setback shall be a landscaped area providing sight proof landscaping and/or fencing to screen the use from adjacent properties as approved on a site plan per requirements in Division 14.
- (n) When determination of the number of off-street parking spaces or loading spaces required by this Ordinance results in a requirement of a fractional space, any fraction in excess of one-half (1/2) shall be counted as one parking space; any fraction of one half (1/2) or less may be disregarded.
- (o) No repairs or services to vehicles shall be carried on or permitted in off-street parking areas.
- (p) No vehicular display for purpose of sale shall be carried on or permitted upon such premises unless such display is by a licensed automobile dealer on a properly zoned parcel.

- (q) In the residential zoning districts, the only off-street parking permitted is that parking which is an accessory use to the primary residential dwelling. The use of an off-street parking lot in a residential district by a nearby or adjacent to a commercial use is prohibited.
- (r) Off-street parking required for enlargements or change of use. Existing buildings not complying with off-street parking requirements may be remodeled, repaired and structurally altered, but any enlargement or change of use of a structure or building which would require a greater number of parking spaces than was required for the prior use must provide the required parking spaces for such enlargement or use.

**Section 13-3: Off-Street Parking Requirements**

The minimum number of off-street parking spaces, including garage parking spaces, by type of use shall be determined in accordance with the following schedule.

<b>USE</b>	<b>MINIMUM NUMBER OF STANDARD OFF-STREET PARKING SPACES PER UNIT OF MEASURE</b>
<b>(a) Residential and Housing Uses</b>	
1. Bed and Breakfast	One (1) space per guest room, plus two spaces for residents
2. Boarding House	One (1) space per guest room, plus two spaces for residents.
3. Dormitory	One (1) space for each three (3) persons in residence.
4. Fraternity or Sorority	One (1) space for each three (3) persons in residence.
5. Group Homes, Halfway Houses, Community Living Facilities	One (1) space for each two (2) beds plus one (1) space for each employee.
6. Homes for the aged and convalescent homes	One (1) space for each four (4), plus one (1) space for each employee.

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| 7.  | Mobile Home Parks  | Two (2) spaces for each dwelling unit.  |
| 8.  | Residential, Multiple-family   | Two (2) spaces for each dwelling unit.  |
| 9.  | Residential, One-Family and Two-Family   | Two (2) spaces for each dwelling unit   |
| <br>  |  |   |
| <b>(b). <u>Institutional and Cultural</u></b> |  |   |
| 1,  | Churches, temples or buildings<br>Of similar use with fixed seats                  | One (1) space for each three (3) seats.   |
| 2.  | Elementary and junior high   | One (1) space for each one (1) teacher and administrator, in addition to the requirements of the auditorium and/or similar place(s) of assembly.  |
| 3.  | Libraries, museums and post office buildings                                       | One (1) space for each eight hundred (800) square feet of usable floor area.  |
| 4.  | Lodge halls, meeting halls, and community centers or buildings similar use without | One (1) space for each five (5) persons of legal capacity as established by local, county, or state fire building or health codes.  |
| 5.  | Pre-school child care (day nurseries)  | One (1) space for each employee. Sufficient area shall be set aside for dropping-off and picking up children in a safe manner that will not cause the children to cross the parking area or lines of traffic. |
| 6.  | Public Office building not elsewhere specified                                     | One (1) space for each three hundred (300) square feet of usable floor area, plus one (1) space for each employee employed therein.   |

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| 7. | Senior high schools, vocational schools, and community colleges | One (1) space for each one (1) teacher and administrator and one (1) space for each ten (10) students, in addition to the requirements of the auditorium and/or similar place of assembly. |
| 8. | Theaters and auditoriums  | One (1) space for each four (4) seats.   |

(c)     **Business and Commercial**

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| 1. | Assembly halls, without fixed seats, for commercial recreation including dance halls, pool or billiard parlors, skating rinks and exhibition halls or buildings for similar assembly uses. | One (1) space for each fifty (50) square feet of usable floor area.                                      |
| 2. | Auction House  | One (1) space per two (2) seats or two (2) per 100 sq. ft. of gross leasable area, whichever is greater. |
| 3. | Auto Body Shop   | One (1) space per service bay and one (1) space per employee.  |
| 4. | Automobile service stations  | Two (2) spaces for each lubrication stall, rack or pit, and one (1) space fore ach employee.             |
| 5. | Auto Parts Store   | One (1) space per 200 sq. ft. of useable floor area, plus one 91) space for each employee.               |
| 6. | Auto Rental  | One (1) space per 400 sq. ft. of gross floor area.   |

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| 7.  | Auto Wash (Automatic)   | One (1) space for each one (1) employee. In addition, adequate waiting space for autos, shall be provided on the premises to accommodate fifty (50%) percent of the hourly rate of capacity.  |
| 8.  | Auto Wash (Self Serve)  | One (1) space for each one (1) employee. In addition, adequate waiting space for autos, shall be provided on the premises to accommodate fifty (50%) percent of the hourly rate of capacity.  |
| 9.  | Bait Shop   | One (1) space per 200 sq. ft. of useable floor area.  |
| 10. | Beauty parlor or barber shop  | Two (2) spaces per beauty or barber chair.  |
| 11. | Convenience Store   | One (1) space for each two hundred (200) square feet of usable floor area, plus one (1) space per employee.   |
| 12. | Drive-in restaurants or similar drive-in uses for sale of beverages, food or refreshments | One (1) space for each fifteen (15) square feet of usable floor area, plus one (1) space for each one (1) employee on the largest work shift.   |
| 13. | Drive-Through Facility<br>(See also Restaurant and Bank Drive-Through)                    | For uses not mentioned with drive-through windows, provide a minimum of three (3) stacking spaces for each drive-through window. Each line of stacking space must be at least nine (9) feet wide and must be delineated with pavement markings. Such spaces shall be designed so as not to impeded pedestrian or vehicular circulation on the site or on any abutting street. |

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| 14. | Dry Cleaning  | Three (3) spaces, plus one (1) space for each five hundred (500) sq. ft. of gross floor area in excess of one thousand (1,000) sq. ft.  |
| 15. | Furniture and appliance stores; household equipment repair shops; showroom of a plumber, decorator, electrician or similar trade; show repair and other similar uses. | One (1) space for each four hundred (400) square feet of usable floor area. (For that floor area used in processing, one (1) additional space shall be provided for each two (2) persons employed therein).   |
| 16. | Laundromats and coin operated dry cleaners  | One (1) space for each two (2) washing machines.  |
| 17. | Mortuary establishments   | One (1) space for each fifty (50) square feet of usable floor space.  |
| 18. | Motel, hotel, or other commercial lodging establishments.   | One (1) space for each one (1) occupancy unit, plus one (1) space for each one (1) employee, plus extra spaces for dining rooms or meeting rooms as required by subsections (b) 4 & (c) 20 above where the capacity of such areas exceeds the number of beds in the building. |
| 19. | Motor vehicle, boat, camper, recreational vehicle sales and service establishments  | One (1) space for each two hundred (200) square feet of usable floor space of sales room and one (1) space for each room (1) auto service stall in the service room.  |
| 20. | Restaurant or establishments for sale and consumption of beverages, food or refreshments on the premises.   | One (1) space per 2.3 persons maximum occupancy.  |

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| 21. | Restaurant with drive-through window  | One (1) space per 2.3 persons maximum occupancy. In addition, a minimum of eleven (11) staking spaces are to be provided for the drive-through window, with a minimum of five (5) spaces between ordering and pick-up. Each line of staking space must be at least nine (9) feet wide and must be delineated with pavement markings. Such spaces shall be designed so as not to impede pedestrian or vehicular circulation on the site or on any abutting street. |
| 22. | Retail stores except as otherwise specified herein. (Includes antique stores & antique malls) | One (1) space for each two Hundred (200) square feet of usable floor space.   |

(d) **Offices**

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| 1. | Banks or other financial institutions without drive-through facilities                    | One (1) space for each one hundred and fifty (150) square feet of usable floor space.   |
| 2. | Banks or other financial institutions with drive-through facilities.                      | One (1) space for each one hundred and fifty (150) square feet of usable floor space, plus five (5) stacking spaces for each drive-through teller station, including automatic teller machines. Each lane of stacking space must be at least nine (9) feet wide and must be delineated with pavement markings. Such spaces shall be designed so as not to impede pedestrian or vehicular circulation on the site or on any abutting street. |
| 3. | Business offices or professional offices except as indicated in the following items (4-6) | One (1) space for each two hundred (200) square feet of usable space.   |

4. Equipment Rental and Leasing One (1) space for each three hundred (300) square feet of useable floor area.
5. Exterminators One (1) space for each eight hundred (800) square feet of gross floor area.
6. Professional offices of doctors, dentists, veterinarians, or similar professions One (1) space for each twenty-five (25) square feet of usable floor area in waiting rooms, and one (1) space for each examining room, dental chair, or similar use area.

(e). **Recreational**

1. Boat dock, harbor, marinas 0.7 spaces for every berth or mooring, two (2) spaces for every three (3) employees on the largest work shift, plus one (1) space for every vehicle customarily used in operation of the use or stored on the premises.
2. Bowling alleys Four (4) spaces for each one (1) bowling lane plus one (1) space per employee, in addition to requirements for a place serving food or beverages on the site.
3. Dance School, Gymnastics & Fitness Complex, Community Center One (1) space for each three hundred (300) square feet of useable floor space.
4. Golf Course Six (6) spaces for each golf hole and one (1) space for each employee on the largest work shift.
5. Golf driving range One (1) space per tee, plus one (1) space per employee on the largest work shift.

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| 6. | Miniature or "Par-3" golf courses  | Three (3) spaces for each one (1) hole plus one (1) space for each one (1) employee.   |
| 7. | Private golf clubs, swimming pool clubs, tennis clubs, or other similar uses | One (1) space for each two (2) member families or individuals, plus spaces required for each accessory area such as a restaurant, bar, pro shop, or equipment sales. |
| 8. | Public swimming pool   | Two (2) spaces for every one hundred (100) sq. ft. of water area, plus one (1) space for each employee on the largest work shift.                                    |
| 9. | Stadium, sports arena, or similar place of assembly                          | One (1) space for each three (3) seats or six (6) feet of benches, and one (1) space for each one (1) employee.  |

(f) **Industrial**

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| 1. | Manufacturing, fabrication, sheet metal & welding shops, junkyards, salvage yards, meat packing plants, wholesale distribution, warehouses, reclamation plants, mail order sales | One (1) space for every employee on the largest work shift, plus one (1) space for every vehicle customarily used in operation of the use or stored on the premises. |
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**Section 13-4: CDB Off-Street Parking Requirements**

- (a) **Purpose.** It is the purpose and intent of this ordinance to apply flexible off-street parking and loading requirements for the Central Business District (CBD). The goal is to accommodate the special needs of the area, encourage and promote redevelopment, optimize existing parking facilities, promote shared parking and public transportation, and prevent existing historic structures from being demolished for new parking areas. The parking regulations are waived in the CBD to aid in the renewal and rebuilding of the downtown.

(b) General Provisions:

1. For purposes of this Section, the Central Business District (CBD) shall be defined as areas with CBD Zoning.
2. All buildings in the CBD are exempt from parking requirements. The private market will ensure an adequate parking supply.
3. No off-street parking spaces shall be permitted in front of a structure.
4. The reciprocal (shared) use of parking facilities provided to serve any property or use is encouraged in the CBD. The applicant shall show that there is no substantial conflict in the principal operating hours of the buildings or uses for which the reciprocal use of parking is proposed. A reciprocal parking agreement shall be approved by the Planning Commission and recorded with the Hancock County Recorder's Office.
5. All shared parking facilities shall be located within six hundred (600) feet (horizontal distance) of the use served.
6. Shared parking proposals involving existing municipal parking lots shall be reviewed during the Site Plan Review process.
7. The use of parking lot landscaping at the perimeter, adjacent to streets and on landscape islands is strongly encouraged but not required. If landscaping is to be provided, a landscaping plan shall be submitted with the site plan for review by the Planning Commission.
8. Property owners seeking to demolish historic structures in the CBD shall comply with Section 6-2-1, Destruction to Historical Buildings Restricted, of the Nauvoo City Code.
9. Where parking is provided in the CBD adjacent to a residential zoning district, all parking spaces, loading spaces and drives shall be setback from the residential zoning district ten (10) feet. This setback shall provide sight proof landscaping and/or fencing to screen the use from adjacent properties as approved on a site plan per requirements in Division 14.

**Section 13-5: Exclusions, Reductions and Exceptions from the Parking Requirements**

- (a) Off-street parking and loading regulations shall not apply to uses approved or existing prior to the enactment of this Ordinance. All off-street parking regulations do not apply to the Central Business District.
  
- (b) The Planning Commission or their authorized designee may grant a parking reduction for commercial developments, industrial developments and mixed-use developments not to exceed twenty (20) percent of the required parking. For parking reductions greater than twenty (20) percent of the required parking, the applicant must petition the Zoning Board of Appeals. To qualify, the applicant must submit documentation which meets the following criteria, as applicable, during the site plan review process:
  - 1. The parking needs will be adequately served.
  - 2. A mix of residential uses with either office or retail uses is proposed, and the parking needs of all uses will be accommodated through shared parking.
  - 3. If shared use of common parking is proposed, varying time periods of use will accommodate proposed parking needs. The applicant shall show there is no substantial conflict in the principal operating hours of the buildings or uses (activities) for which the shared use of parking is proposed.
  - 4. The applicant provides an acceptable proposal for an alternate mode of transportation program, including a description of existing and proposed facilities and assurances that the use of alternate modes of transportation will continue to reduce the need for on-site parking on an ongoing basis.
  - 5. The joint use of abutting traversable driveways on adjoining properties may be permitted to satisfy the driveway requirements of this Ordinance subject to the following conditions:
    - i. A recordable instrument conveying the right of shared use, duly executed by the effected property owners, is furnished to Corporate Counsel and recorded by the Hancock County Recorder of Deeds.
    - ii. Said instrument is approved by the Corporate Counsel; and
    - iii. Said instrument shall clearly state that it is terminable only with the consent of the City of Nauvoo.

- (c) If any reduction sought under this section is directly related to the nature of the use and occupancy of the property, any material change in such use of occupancy shall nullify such reduction.

**Section 13-6: Site Development and Construction Requirements.**

- (a) Off-street parking and loading for all uses except single family dwelling units shall be paved and shall be provided with adequate drainage to dispose of all surface water.
- (b) Where any parking area adjoins an existing or proposed sidewalk, the owner shall erect safety curbs on the private property to prevent vehicles from crossing the sidewalk, excepting in the case of a single family lot.
- (c) Pavement surface. Loading areas, parking lots, driveways, accessways and any other areas on which motor vehicles are parked or stored, or which are used for motor vehicle circulation, shall be constructed with a dust free surface. Acceptable pavement surfaces include concrete, asphalt, or oil and chip. Concrete wheel stops shall be used on oil and chip surfaces to designate the parking stalls in lieu of painted striping. Property owners are allowed to have a temporary gravel surface for a maximum period of one (1) year. This stipulation is intended to allow time for settlement, compaction or allow for off-season construction.
- (d) Curbs and Gutters. Combination concrete curbs and gutters or concrete barrier curbs are required around all landscape islands. The materials and design shall conform to the specifications contained in the most recent edition of the Standard Specifications for Road and Bridge Construction, adopted by the Illinois Department of Transportation.
- (e) Striping. Single striping shall be provided for all parking stalls as a minimum. Each stripe shall be a minimum of four (4) inches in width and eighteen (18) feet in length for each parking space. Striping of each parking space shall be painted in yellow or white. Thermoplastic pavement markings are an acceptable alternative. All areas designated as fire lanes shall be marked by posting of signs and/or yellow markings, provided that signs shall be used wherever feasible.
- (f) Re-striping. Parking lots existing prior to the date of this Ordinance may be re-striped in the course of normal maintenance in accordance with their original plans and requirements.
- (g) Parking Lot Design. The following are requirements for parking lot design:
  - 1. Circulation aisles shall align with one another.

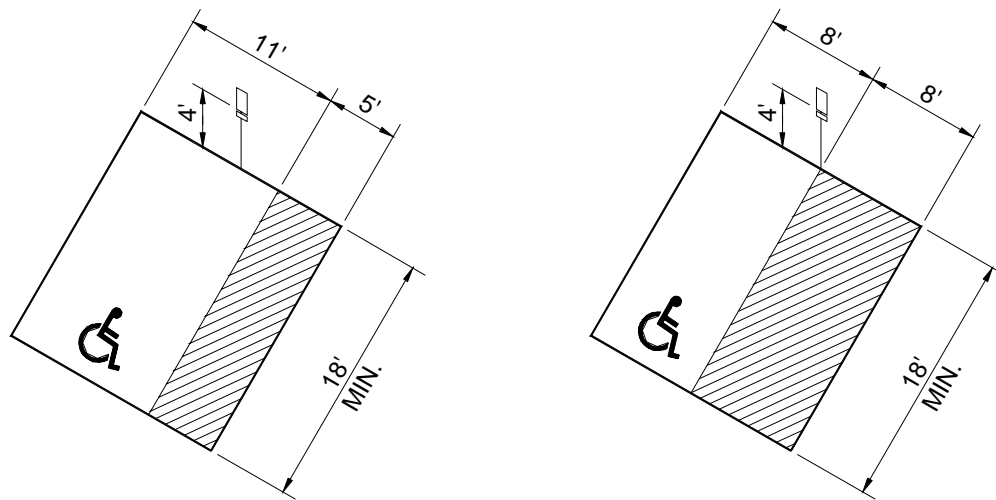
2. Smooth and efficient on-site circulation must be provided.
  3. Shared interconnects and shared driveways with adjoining properties shall be provided wherever feasible as determined by the Planning Commission or their authorized designee.
  4. All parking stalls shall have a minimum dimension of nine (9) feet wide by eighteen (18) feet long. This rectangular area must be included in all shapes of parking stalls for any angle of parking. An automobile overhang may be included in stall depth calculations where such overhang does not extend beyond a required parking setback line or encroach upon a sidewalk. When an automobile overhang beyond an installed curb is included in the stall depth calculation, such overhang shall be considered as part of the parking stall for landscaping or setback purposes.
- (h) Access. Except on lots accommodating single-family dwellings, each off-street parking space shall open directly upon an aisle or driveway at least twelve (12) feet wide for one (1) way travel or twenty-four (24) feet wide for two (2) way travel. However, a ten (10) foot wide aisle for one (1) way travel is permitted provided that there are no points of vehicular or pedestrian access to any building from the driving aisle. The minimum width of an access drive intersecting a street or alley is twenty-four (24) feet for two (2) way travel or twelve (12) feet for one (1) way travel. The minimum return radius from an access drive to a street or alley shall be twenty (20) feet as measured from the back of the curb wherever possible.
- (i) Maintenance. Upon completion, all parking areas shall be properly maintained at all times, without pot holes, broken curbing, or other irregularities.

**Section 13-7: Off-Street Parking Provisions for the Physically Handicapped.**

- (a) Required Number of Spaces. If any parking is provided for employees, visitors, or both, the minimum number of accessible parking spaces to be provided for handicapped persons shall be according to the current edition of the Illinois Accessibility Code. Accessible parking spaces to be provided for handicapped persons are as follows:

Space Requirements Total Off Street Parking Spaces <u>Provided</u>	Number of Accessible Parking Spaces <u>Required</u>
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total number
over 1,000	20 plus 1 for each 100 over 1,000
Medical facilities specializing in treatment of persons with mobility impairments	20% of total no.
Outpatient med. Facilities	10% of total no.

- (b) Location. Accessible parking spaces shall be placed on the shortest accessible route to an accessible entrance of the building. The accessible parking space shall be placed nearest an existing ramp, even if it means placing the space further from the accessible door. The ramp, however, must not be placed in an access aisle. If a curb ramp is new, both the curb ramp and the accessible parking space must be closest to the accessible entrance.
- (c) Size. Each handicapped parking space, except on street spaces, shall be at least sixteen (16) feet in width by eighteen (18) feet in length for ninety (90) degree parking and shall be proportionately larger at other angles. The sixteen (16) foot width shall be designed so as to include an eight (8) foot wide access aisle. Adjacent spaces shall not share a common access aisle. All access aisles must blend to a common level with an accessible route and bear diagonal painted stripes. (See Figure 1.)



**FIGURE 1  
HANDICAPPED PARKING SPACES**

- (d). Signage. Each handicapped parking space shall have a painted international symbol of accessibility on the pavement. In addition, all facilities shall mount on a permanent post, or wall, in the center of accessible parking spaces the following signs: a U.S. Department of Transportation R7-8 (Reserved Parking) sign and R7-1101 (\$100 Fine) sign. These signs shall be posted no lower than four (4) feet above ground and no more than five (5) feet from the front of the space.

**Section 13-8: Landscaping**

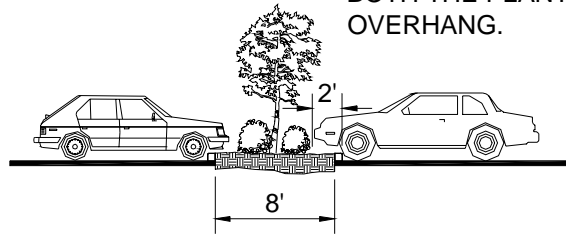
- (a) Purpose. It is the purpose and intent of these regulations to provide adequate protection for contiguous property against undesirable effects caused by the creation and operation of parking and loading areas, and to protect and preserve the appearance and character of the surrounding neighborhoods through the screening effects and aesthetic qualities of landscaping. The addition of landscaping in parking lots adjacent to streets, along the perimeter and in landscape islands is recommended when feasible. Landscaping not only improves the parking area aesthetically, but it provides a safety barrier between vehicles and pedestrians, it absorbs noise, traps dust, controls erosion, allows groundwater recharge, reduces the intrusion of headlights and other glare, and it provides a natural habitat for birds and other animal life.
- (b) Landscaping. Landscaping in parking lots adjacent to streets and around parking lots is recommended to improve the aesthetics of parking lots and to increase the amount of pervious surfaces which reduces the water runoff. Creative and attractive landscape designs are encouraged where landscaping is incorporated into the design of berms, fences, walls, etc.

If the property owner decides to install landscaping, the following items should be considered in order for the landscaping to survive and be successful:

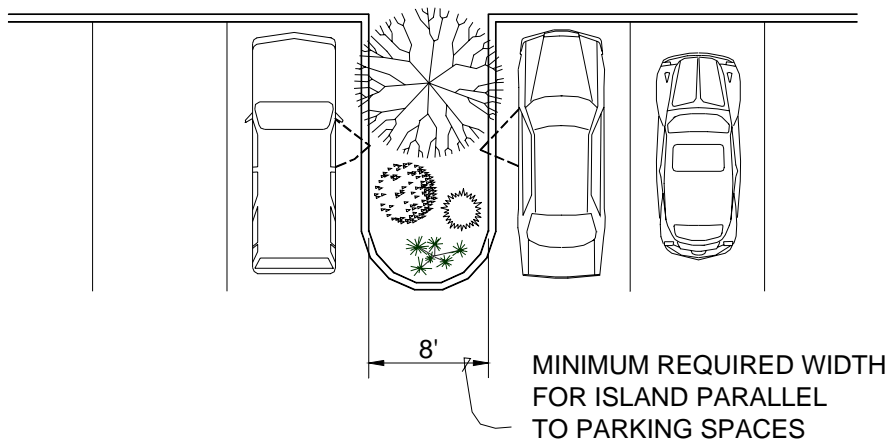
1. Landscaping materials that are hardy and native to the area should be selected wherever feasible and the plantings should be free of insects and diseases.
2. Existing trees should be preserved to the greatest extent possible and incorporated into the design of the parking lot.
3. When selecting the landscaping species and location, consideration should be given to the location of underground and overhead utilities to avoid any interference.

4. Landscaping islands should be adequately sized to protect the landscaping to ensure its survival. Examples of minimal landscape island dimensions to consider are shown in Figure Nos. 2, 3, and 4.
  5. The best professional practices of the American Society of Landscape Architects regarding planting, installation, trimming, fertilizing and other maintenance should be followed.
- (c) Quality. Plant material and grasses shall be of generally acceptable varieties and species, free of insects and diseases, and hardy to the Nauvoo area.
- (d) Maintenance of Landscaping and Screening. All landscaping and screenings should be installed and permanently maintained as follows:
1. All new landscaped areas should be installed within six (6) months after the occupancy or use of the building or premises. Dead plant materials should be replaced within twelve (12) months with living plant material, taking into consideration the season of the year, and shall have at least the same quantity and quality of landscaping as initially approved. This includes, but is not limited to, the replacement of plants damaged by insects, diseases, vehicular traffic, acts of God, and vandalism.
  2. All landscaping and screening should be maintained in a healthy, neat, trimmed, clean and weed-free condition. Landscaped areas should be covered with either grass and/or other types of pervious ground cover located beneath and surrounding the trees and shrubs.
  3. Landscaped areas within and immediately adjacent to an off-street parking or loading area should be protected from the encroachment of motor vehicles by placing, along the entire perimeter of the landscaped area, a six (6)-inch concrete curb or other curbing material per the requirements in Section 13-6.
- (e) Visibility: Parking lots and loading areas shall not allow foliage or other landscape screening structures to obstruct visibility or to create hazards for ingress or egress to these areas. Opaque landscaping, berms, fences or walls shall be no higher than thirty (30) inches in such locations where vehicular or pedestrian safety is a factor.

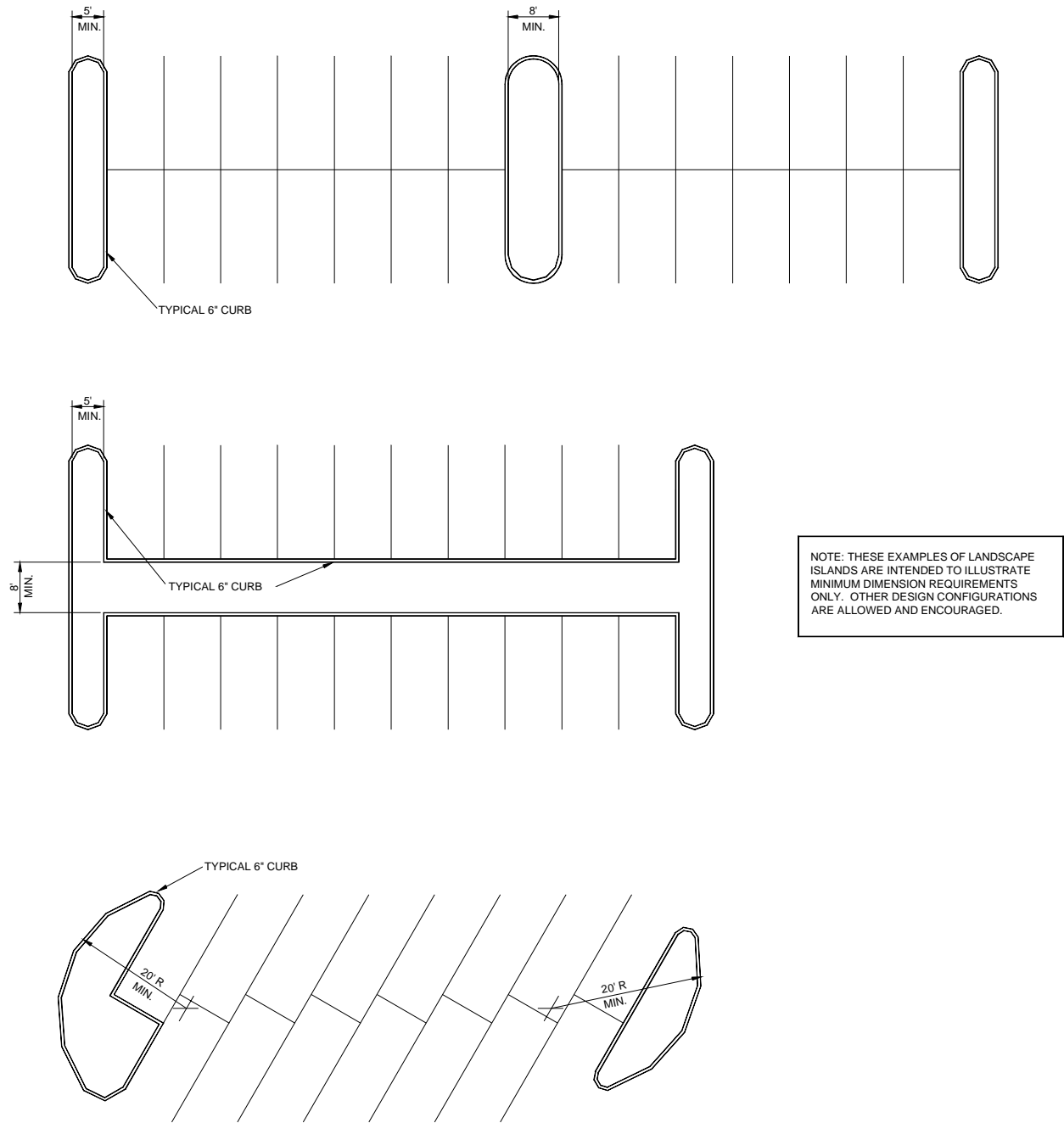
IT IS NECESSARY TO ACCOMMODATE THE VEHICLE OVERHANG WHEN DESIGNING LANDSCAPED AREAS IN PARKING LOTS. PLANTS ARE OFTEN DAMAGED IF A LANDSCAPE STRIP IS NOT WIDE ENOUGH TO PROVIDE FOR BOTH THE PLANTS AND THE VEHICLE OVERHANG.



**FIGURE 2**  
**CENTER PARKING LOT ISLAND DESIGN**



**FIGURE 3**  
**PLANTING ISLAND PARALLEL TO PARKING SPACES**



**FIGURE 4**  
**MINIMUM LANDSCAPE ISLAND DIMENSIONS**

- (f) Outdoor Refuse Collection. Refuse areas shall not be located within front yards or within required parking setbacks. Outdoor refuse collection containers and similar facilities shall be screened from public view on all four (4) sides. The area shall be visually screened with an opaque material, which may include shrubs, walls, fences or berms that are a minimum of six (6) feet in height. Single family homes shall be exempt from this provision.

**Section 13-9: Off-Street Loading/Unloading Area Requirements**

- (a) Purpose. The following regulations, applicable to new construction in all Zoning Districts except for single family lots, are established to increase safety and decrease congestion in the public streets, to set standards for the requirement of off-street loading facilities in proportion to the amount of traffic generated by each use, and to eliminate the on-street parking of vehicles along major traffic routes.
- (b) Location. All required loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons shall be closer than fifty (50) feet to any property in a Residential District. No permitted or required loading berth shall be located within twenty-five (25) feet of the nearest point of intersection of any two (2) streets. No loading berths shall be located in required side yards.
- (c) Design and Maintenance.
  - 1. Size. The number and size of loading spaces must be equal to the maximum number and size of vehicles which would be simultaneously loaded or unloaded in connection with the business conducted on the property.

Each required loading berth shall have a minimum width of twelve (12) feet and a minimum vertical clearance of fourteen (14) feet above finished grade of the space. The length shall be a minimum of thirty (30) feet for local delivery and sixty (60) feet for semitrailers.
  - 2. Access. Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.
  - 3. Projection. No portion of a vehicle shall project into a street, drive, alley, or other public right-of-way while being loaded or unloaded.

4. Exclusive Use. Spaces allocated to any off-street loading shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
  5. Surfacing. All open off-street loading finish surfaces shall comply with the provisions in Section 13-6.
- (d) Repair and Service. No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any Residence or Commercial District.

## **DIVISION 14: LANDSCAPE BUFFERS**

### **Sections:**

- Section 14-1: Statement of Intent
- Section 14-2: General Provisions
- Section 14-3: Minimum Planting Requirements
- Section 14-4: Landscape Buffers

### **Section 14-1: Statement of Intent**

The intent of these requirements shall be to enhance the visual and aesthetic appearance of the City; provide space definition and landscape continuity between the built environment and the natural environment; provide appropriate barrier and relief from traffic, noise, heat, glare and the spread of dust and debris; reduce the impact of development on the community's storm drainage system and reduce flooding; aid in the conservation of energy; replenish the atmosphere with oxygen; provide for a more pleasant and relaxing urban environment; and increase property values. Furthermore, the intent shall be to create a screen between residential zoning districts and other zoning districts or to screen certain uses in order to minimize potential nuisances such as noise, dust, odor and light glare; to reduce the visual impact of unsightly aspects of adjacent development to provide for the separation spaces; and to establish a sense of privacy. Existing vegetation should be preserved to the greatest extent possible and innovative designs that combine landscaping with walls, fences and berms are strongly encouraged.

### **Section 14-2: General Provisions**

- (a) The regulations herein do not apply to one and two family residential dwellings on a single lot.
- (b) Landscaped buffer areas shall be located generally parallel and within the perimeter of a lot or parcel and extending to the lot or parcel boundary line. Landscaped buffer areas shall be a minimum of five (5) feet in width and located in the required side and rear yard setbacks. Buffers shall not be located on any portion of an existing, dedicated or reserved public or private street right-of-way. In addition, nothing shall be planted or installed within an underground or overhead utility easement or a drainage easement without the consent of the City.

- (c) The provisions of required buffers, as specified in these regulations, are minimum standards. None of the provisions of these regulations shall be construed as prohibiting additional plant material, screening and/or land above that required by these regulations or to prohibit the modification of existing buffers to perform to an equivalent degree as the buffer required by these regulations.
- (d) All opaque fences and walls shall be not less than six (6) feet in height nor more than eight (8) feet in height and constructed of durable materials. No walls of exposed cinder block are permitted. No opaque fence or wall shall be higher than thirty (30) inches in such locations where vehicular or pedestrian safety is a factor (e.g., street intersections and driveways).
- (e) Landscape buffers are not required between two identical zoning districts (e.g. commercial and commercial or residential multi-family development and residential multi-family development) but they are encouraged for increased aesthetic value.
- (f) Landscaping species should be hardy and native to the area and free of insects and diseases.
- (g) When selecting the landscaping species and location, consideration should be given to the location of underground and overhead utilities to avoid any interference.
- (h) Location of plants and design of landscaping, including maintenance, shall be according to sound landscape and horticulture principles.
- (i) The landscaping used to provide screening must reach the required height within three (3) years from the date of planting.
- (j) Existing plant material located within the proposed buffer area which meets the requirements of these regulations may be counted as contributing to the total buffer required between adjacent land uses.
- (k) Maintenance of Landscaping and Screening: All landscaping and screenings should be installed and permanently maintained as follows:

1. All new landscaped areas should be installed within six (6) months after the occupancy or use of the building or premises. Dead plant materials should be replaced within twelve (12) months with living plant material, taking into consideration the season of the year, and shall have at least the same quantity and quality of landscaping as initially approved. This includes, but is not limited to, the replacement of plants damaged by insects, diseases, vehicular traffic, acts of God, and vandalism.
2. All landscaping and screening should be maintained in a healthy, neat, trimmed, clean and weed-free condition. Landscaped areas should be covered with either grass and/or other types of pervious ground cover located beneath and surrounding the trees and shrubs.

**Section 14-3: Minimum Planting Requirements**

Minimum planting requirements shall be as follows:

- (a) Medium and large deciduous shade trees – 2” caliper as measured 6 inches above the ground.
- (b) Small deciduous and ornamental trees – 6 feet in height, with the exception of true dwarf species
- (c) Conifers – 4 – 5 feet in height
- (d) Upright evergreen trees – 4 feet in height except for true dwarf species
- (e) Shrubs – 12 inches in height
- (f) Earthen berms shall not be less than 1.5 feet in height and shall be covered with grass or other living vegetative ground cover with a minimum side slope of 2:1.
- (g) All buffer yard areas shall be seeded with lawn grass or suitable ground cover.

**Section 14-4: Buffer Requirements**

- (a) Landscape buffer requirements are waived in the Central Business District due to lot size constraints.
- (b) Landscape buffers for Planned Unit Developments shall be reviewed on a case by case basis by the Planning Commission.

- (c) A maximum of fifty (50) percent of the required number of trees may consist of a mix of ornamental and evergreen trees.
- (d) Where a residential use adjoins a non-residential use and both are located in a non-residential zoning district, minimal screening shall be required. The minimum buffer shall be determined by the Planning Commission on a case by case basis during the site plan review process. This provision is to buffer the residential use until the time that such property is developed for non-residential purposes.
- (e) Generally, landscaping required by this Ordinance should be in an irregular line and spaced at random. For example, when the regulations require at least one (1) tree for each forty (40) feet to be planted in the buffer area; this should not be construed as requiring the planting of trees on forty (40) foot centers.

**CHART 1  
LANDSCAPE BUFFERS**

Buffer Types In Proposed Zoning

Existing Adjoining Zoning	RR	R	RMF	RMH	TTP	OM	C	CBD	I
RR	*	*	D	C	C	**	B	*	A
R	*	*	D	C	C	**	B	*	A
RMF	D	D	*	C	C	**	B	*	A
RMH	C	C	C	*	*	C	C	*	A
TTP	C	C	C	*	*	C	C	*	A
OM	**	**	**	C	C	*	**	n/a	**
C	B	B	B	C	C	**	*	*	D
CBD	*	*	*	*	*	n/a	*	*	n/a
I	A	A	A	A	A	**	D	n/a	*

\* = No buffer necessary

\*\* = District allows various uses; refer to typical buffer for that zoning district

n/a = Not Applicable

**BUFFER TYPES**

**BUFFER A**

8 ft. opaque fence or wall, three (3) canopy trees and two (2) understory trees for each one hundred (100) feet.

**BUFFER B**

Option 1:

An ornamental masonry wall or opaque fence at least six feet in height above grade with three (3) canopy trees for each one hundred (100) feet.

Option 2:

A mix of trees and shrubs that may be expected to form a six (6) foot screen within three (3) years of planting.

**BUFFER C**

Three (3) canopy trees, one (1) understory tree and ten (10) shrubs for each one hundred (100) feet.

**BUFFER D**

Two (2) canopy trees, and ten (10) shrubs for each one hundred (100) feet.

## **DIVISION 15: SIGNS**

### **Sections:**

- Section 15-1: Purpose and Intent
- Section 15-2: Compliance
- Section 15-3: Signs Permitted in Districts Without a Permit
- Section 15-4: Signs Permitted in All Residential Districts With a Permit
- Section 15-5: Signs Permitted in All Non-Residential Districts With a Permit
- Section 15-6: Portable Signs
- Section 15-7: Lighting and Color
- Section 15-8: Construction and Maintenance Standards
- Section 15-9: Existing Signs
- Section 15-10: Sign Permit
- Section 15-11: Measuring Signs

### **Section 15-1: Purpose and Intent**

The intent of this Ordinance is to provide for and regulate the location and safe construction of signs in a manner to ensure that signs are compatible with surrounding land uses, are well maintained, and express the identity of individual proprietors and the City as a whole.

### **Section 15-2: Compliance**

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without conforming with the provisions of this Ordinance. For sign types that are not included herein, (e.g., provisions for multi-tenant buildings, wall murals, etc.) the sign design shall be reviewed and approved by the Planning Commission.

### **Section 15-3: Signs Permitted in Districts Without a Permit**

The following signs are permitted in all zoning districts, without a permit, subject to the following regulations.

- (a) Real Estate Signs not to exceed eight (8) square feet in area which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located.
- (b) Name, and Warning Signs not to exceed two (2) square feet located on the premises.
- (c) Home Occupation and Professional Home Office Signs not to exceed four (4) square feet in area.

- (d) Rummage Sale and Garage Sale Signs provided that no such signs shall be erected or placed within a public right-of-way and further provided that such signs are removed within twenty four (24) hours following the sale.
- (e) Bulletin Boards for public, charitable or religious institutions not to exceed eight (8) square feet in area located on the premises.
- (f) Building Identification Signs: Memorial signs, tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure.
- (g) Flags: Flags of any nation, state, county, city or other governmental unit and any not-for-profit organization.
- (h) Temporary Holiday Displays: Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, religious or local holidays or events.
- (i) Traffic Signs the erection, construction and maintenance of official traffic, fire and police signs, signals and devices and markings of the state, county or city.
- (j) Directional Sign non-illuminated directional or informational signs of a public nature.
- (k) Political Signs or signs announcing political candidates or issues, provided they are erected not more than three (3) months before an election and are removed within seven (7) days after the election. The foregoing limitation shall not apply to a successful candidate in any primary election, provided such signs are removed within fourteen (14) days following the general election.
- (l) Hospital Directional Signs informational or directional signs designating hospital emergency room entrances or drives.
- (m) Construction Signs not more than one sign per street frontage not exceeding thirty-two (32) square feet in size per face. Signs identifying contractor, electricians, plumbers, architects, engineers and similar artisans and workmen which are on the site or attached to or on trailers on the site of construction shall be permitted provided that upon completion of the project the sign or the trailer to which it is attached must be removed within one (1) month.

**Section 15-4: Signs Permitted in All Residential Districts With a Permit**

The following signs are permitted in any residential district and are subject to the following regulations:

- (a) Permanent Real Estate Development Signs placed at the entrance to a subdivision or development shall contain only the name of the subdivision or development and shall meet all the yard requirements of the district in which it is located. The Planning Commission shall determine the appropriate size of the sign based on the design of the sign and its compatibility with adjacent land uses.
- (b) Temporary Development Signs for the purpose of designating a new building or development, or for promotion of a subdivision may be permitted for a limited permit of time provided that the sign shall not exceed forty eight (48) square feet in area and shall meet all the yard requirements of the district in which it is located. The Planning Commission shall specify the period of time the sign may remain based on the size of the development allowing a reasonable time to market the development.

**Section 15-5: Signs Permitted in All Non-Residential Districts With a Permit**

Signs are permitted in all non-residential districts subject to the following restrictions:

- (a) Wall Signs placed against the exterior walls of buildings shall not extend more than six (6) inches outside of a building's wall surface shall not exceed fifty (50) square feet in area for any one premises, and shall not extend above the roof line of the building. In multi-tenant buildings, sign structures and faces shall have a unified design.
- (b) Projecting Signs fastened to, suspended from, or supported by structures shall not exceed twenty (20) square feet in area for any one premises; shall not extend more than six (6) feet into any required yard; shall not extend more than three (3) feet into any public right-of-way; shall not be less than ten (10) feet from all side lot lines; shall not exceed a height of twenty (20) feet above the mean centerline street grade and shall not be less than ten (10) feet above the sidewalk nor fifteen (15) feet above a driveway or an alley.

- (c) Pole Signs shall not exceed twenty (20) feet in height above the mean centerline street grade, shall meet all yard requirements for the district in which they are located, and shall not exceed thirty two (32) square feet on one side nor sixty four (64) square feet on all sides per sign for any one premises. Every pole sign shall include a street address number or range of address numbers it identifies. All numbers shall be at least four (4) inches high.
- (d) Ground Signs:
1. Shall not exceed fifteen (15) feet in height above the mean centerline street grade and shall meet all yard requirements for the district in which they are located.
  2. Shall not exceed thirty two (32) square feet on one side nor sixty four (64) square feet on all sides per sign for any one premise.
  3. All signs shall be externally illuminated, except for backlit or internally illuminated individual letters.
  4. All external light sources shall be totally screened from view so as not to impede pedestrian or vehicular traffic.
  5. Every ground sign shall include a street address number or range of address numbers it identifies. All numbers shall be at least four (4) inches high.
  6. The area surrounding the base of the sign shall be kept cleared of unsightly debris. Landscaping is encouraged in the area immediately surrounding the base of the sign.
- (e) Marquee, Awning, or Canopy Signs affixed flat to the surface of the marquee, awning, or canopy are permitted providing that the sign does not extend vertically or horizontally beyond the limits of said marquee, awning, or canopy. A marquee, awning, or canopy may extend to within one foot of the vertical plane formed by the curb. A name sign not exceeding two (2) square feet in area located immediately in front of the entrance to an establishment may be suspended from a canopy provided that the name sign shall be at least ten (10) feet above the sidewalk.
- (f) Roof Signs are prohibited in the City of Nauvoo.
- (g) Window Signs, except for painted signs and decals, shall be placed only on the inside of commercial buildings and shall not exceed twenty five (25) percent of the glass area.

- (h) Billboards are prohibited in the City of Nauvoo Corporate Limits.
- (i) Combinations of any of the above signs shall not exceed the requirements for an individual sign. The total surface area of all signs on any premises shall not exceed fifty (50) square feet, exclusive of window signs. The total number of signs on any premises shall be limited as follows:

Floor Area	Maximum Number of Signs Permitted
0 – 5,000 sq. ft.	2
5,001 – 20,000 sq. ft.	3
20,001 – 50,000 sq. ft.	4
More than 50,000 sq. ft.	5

Window signs shall be limited to the equal number of the maximum number of signs permitted above.

**Section 15-6: Portable Signs**

The City Council may permit the temporary use of a portable sign for advertising purposes in any district provided that the portable sign will not be located in any public right-of-way, will not be located closer than ten (10) feet to an adjacent property, and will not cause a hazard to traffic or adjoining properties. Portable sign permits shall not be granted for a period of more than sixty (60) days in any 365-day period. The permit required in Section 15-10 shall be required for portable signs. Banners are portable signs.

**Section 15-7: Lighting and Color**

Signs shall not resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices. Signs shall not be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape; and no signs shall be attached to a standpipe or fire escape. Signs shall not be placed so as to obstruct or interfere with traffic visibility, nor be lighted in such a way as to cause glare or impair driver visibility upon public ways. Signs may be illuminated but non-flashing and shall further comply with the City's Outdoor Lighting Ordinance. Illuminated signs are permitted only for businesses located within the city and shall be illuminated only during the hours the business they advertise is open for business. Signs shall not be revolving or animated, however, copy on time and temperature devices may be cyclical. Signs in residential districts may be illuminated only with Planning Commission approval.

**Section 15-8: Construction and Maintenance Standards**

- (a) Wind Pressure and Dead Load Requirements. All signs and other advertising structures shall be designed and constructed to withstand wind pressure of not less than forty (40) pounds per square foot of area; and shall be constructed to receive dead loads as required in the current building codes adopted by the City.
- (b) Protection of the Public. The temporary occupancy of a sidewalk or street or other public property during construction, removal, repair, alteration or maintenance of a sign is permitted, provided the space occupied is roped off, fenced off, or otherwise isolated.
- (c) Maintenance. The owner of any sign shall keep it in good maintenance and repair which includes restoring, repainting, or replacement of a worn or damaged legally existing sign to its original condition; and shall maintain the premises on which the sign is erected in a clean, sanitary, and inoffensive conditions, free and clear of all obnoxious substances, rubbish, weeds, and grass.
- (d) Supporting Members or Braces of all signs shall be constructed of galvanized iron, properly treated wood, steel, copper, brass, or other noncorrosive incombustible material. Every means or device used for attaching any sign shall extend through the walls of the building should the Building Inspector determine that the safe and permanent support of such sign so requires and shall be securely anchored by wall plates and nuts to the inside of the walls in accordance with instructions given by the Building Inspector. Small flat signs containing less than ten (10) feet of area may be attached to a building by the use of lag bolts or other means to the satisfaction of the Building Inspector.
- (e) No Signs or any part thereof or sign anchors, braces, or guide rods shall be attached, fastened, or anchored to any fire escape, fire ladder, or standpipe and no such sign or any part of any such sign or any anchor, brace, or guide rod shall be erected, put up, or maintained so as to hinder or prevent ingress or egress through such door, doorway, or window or so as to hinder or prevent the raising or placing of ladders against such building by the Fire Department, as necessity therefore may require.

## **Section 15-9: Existing Signs**

- (a) Signs lawfully existing at the time of the adoption or amendment of this Ordinance may be continued although the size or location does not conform to this Ordinance. However, all nonconforming signs shall be deemed to have exhausted their economic life after ten (10) years from the time they became a nonconforming use upon the adoption of this Ordinance. This provision shall not, however, apply to portable signs. Nonconforming portable signs shall be removed within sixty (60) days of the date they become nonconforming. Nonconforming signs, except portable signs, after this ten year period, shall either be made to conform to the terms of this Ordinance, or shall be removed by the owner, agent or person having beneficial use of the property. Nonconforming signs, during the ten year grace period, shall be kept in good repair, but the cost of maintenance shall not be considered grounds for their continued use beyond the ten year period. The Building Inspector shall, after the ten (10) year grace period, notify the owner, agent or person having beneficial use of the property, of the expiration of the grace period. After thirty (30) days, if the sign has not been made to conform to this Ordinance or removed, the Building Inspector shall initiate appropriate punitive action. Signs which are not repaired, painted or maintained pursuant to written notification and orders by the Building Inspector shall also be subject to punitive action.
- (b) Enlargement: No non-conforming sign shall be enlarged, expanded or extended to occupy a greater square footage or height than was occupied on the date of adoption or amendment of this Ordinance.
- (c) Relocation: No non-conforming sign shall be moved in whole or in part to any other portion of the lot, parcel or building not so occupied on the date of adoption of this Ordinance, except that any such sign which is hereafter required to be moved by a governmental body for the purpose of construction, relocation, widening or improvement of a street, highway or other public purpose, may be relocated once and allowed to be maintained and used as before.
- (d) Destruction: Should any non-conforming sign be damaged or destroyed by any means to an extent of up to fifty percent (50%) of its surface area or structure, it shall not be reconstructed, except in conformance with the requirements of this Ordinance.

## **Section 15-10: Sign Permit**

Application for a sign permit shall be made on forms provided by the Building Inspector or City Clerk and shall contain or have attached thereto the following information: (A sample form is attached for informational purposes only)

- (a) Name, Address, and telephone number of the applicant. Location of building, structure, or lot to which or upon which the sign is to be attached or erected.
- (b) Name of Person, firm, corporation, or association erecting the sign.
- (c) A Scale Drawing of such sign indicating the display surface, the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment.
- (d) A Scale Drawing indicating the location and position of such sign in relation to nearby buildings or structures, height above grade and distance from lot lines.
- (e) Additional Information as may be required by the Building Inspector or Planning Commission.
- (f) Sign Permit Applications shall be filed with the Building Inspector, who shall review the application for its completeness and accuracy and approve or deny, in writing, the application within thirty (30) days of receipt from the applicant unless the time is extended by written agreement with the applicant. For sign types that are not included herein, or for more complex sign designs, the design shall also be reviewed and approved by the Planning Commission. A sign permit shall become null and void, if work authorized under the permit has not been completed within six (6) months of the date of issuance.
- (g) Insurance. Any person, firm or corporation engaged in the business of erecting, repairing, maintaining or relocating any sign shall maintain in effect at all times a policy of liability insurance for sufficient bodily injury and property damage protection. Proof of insurance shall be presented to the Building Inspector before the sign permit is granted.
- (h) Inspection. The applicant shall, upon completion of the installation, relocation or alteration of the sign, notify the Building Inspector who will assure the sign complies with the regulations of this Ordinance and applicable provisions of the current Building Codes adopted by the City. Every sign shall be inspected and approved by the Building Inspector within thirty (30) days after it is erected or altered.

(i) Appeals. The Building Inspector may, at any time for a violation of this Ordinance, revoke a permit or require changes so the sign conforms with this Ordinance. The holder of a revoked permit shall be entitled to an appeal before the Zoning Board of Appeals. Any person, firm or corporation aggrieved by any permit denial or decision by the Building Inspector relative to the provisions of these sign regulations may appeal and seek review of such decision of the Zoning Board of Appeals.

(j) FEE

The applicant for a sign permit shall pay a fee to the Building Inspector as follows:

Temporary Signs: Ten dollars (\$10.00)

Permanent Signs: Thirty dollars (\$30.00)

**Section 15-11: Measuring Signs**

In calculating the area of a sign to determine whether it meets the requirement of this Ordinance, the Building Inspector shall include the entire background area of a sign face upon which the sign copy could be placed. See Division 2: Definitions for sign definitions and Attachment C for graphics on sign types and sign areas.

**\*\*SAMPLE FORM\*\***

**CITY OF NAUVOO  
SIGN PERMIT APPLICATION**

Applicant to complete the following:

Date: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

\_\_\_\_\_  
Name of Sign Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Temporary or Permanent Sign (Circle One)

Required Drawings For Permanent Signs:

A Scale Drawing of such sign indicating the display surface, the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment. The Scale Drawing should also indicate the location and position of such sign in relation to nearby buildings or structures, height above grade and distance from lot lines.

## DIVISION 16: OUTDOOR LIGHTING

### Sections:

- Section 16-1: Purpose
- Section 16-2: Definitions
- Section 16-3: Shielding of Outdoors Light Fixtures
- Section 16-4: Illumination Levels
- Section 16-5: Filtering
- Section 16-6: Nonconforming Light Fixtures
- Section 16-7: Display Lot Lighting
- Section 16-8: Architectural Lighting
- Section 16-9: Use of Mercury Vapor Lighting Fixtures
- Section 16-10: Height
- Section 16-11: Exemptions
- Section 16-12: Applications
- Section 16-13: Violations and Penalty

### Section 16-1: Purpose

The purpose of the Outdoor Lighting on Public and Private Property regulations are to regulate outdoor lighting in order to reduce or prevent light pollution. This means, to the extent reasonably possible, the reduction or prevention of glare and light trespass, the conservation of energy, and promotion of safety and security. These regulations will ensure the aesthetically appropriate outdoor lighting in keeping with the historic character of the City of Nauvoo.

### Section 16-2: Definitions (As used in this section)

- (a) **Accent lighting** means any directional lighting which emphasizes a particular object or draws attention to a particular area.
- (b) **Disabling glare** means lighting that impairs visibility and creates a potentially hazardous situation for either pedestrians or motorists.
- (c) **Glare** means the brightness of a light source that causes eye discomfort.
- (d) **IESNA – Illuminating Engineering Society of North America (IES or IESNA)** – The professional society of lighting engineers, including those from manufacturing companies, and others professionally involved in lighting.
- (e) **Lamp or Bulb** means the light-producing source installed in the socket portion of a luminaire.
- (f) **Light pollution** means general sky glow caused by the scattering of artificial light in the atmosphere and resulting in decreased ability to see the natural night sky.

- (g) **Light trespass** means light emitted by a luminaire that shines beyond the property on which the luminaire is installed.
- (h) **Luminaire of Fixture** means a complete lighting unit including the lamps or bulbs, together with the parts required to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.
- (i) **Nuisance glare** means light that creates an annoyance or aggravation but does not create a potentially hazardous situation.
- (j) **Outdoor lighting fixtures** means an outdoor artificial illuminating device, whether permanent or portable used for illumination or advertisement, including searchlights, spotlights and floodlights, whether for architectural lighting, parking lot lighting, landscape lighting, billboards or street lighting.
- (k) **Shielding** means that no light rays are emitted by a fixture above the horizontal plane running through the lowest point of the fixture where light is emitted.
- (l) **Spotlight or Floodlight** means any lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular directions.

### **Section 16-3: Shielding of Outdoors Light Fixtures**

All outdoor lighting fixtures shall be shielded, except incandescent fixtures 150 Watts or less and other sources of 70 Watts or less.

### **Section 16-4: Illumination Levels**

All outdoor lighting shall not exceed the illumination levels recommended by the Illuminating Engineering Society of North America (IESNA) given in Chart 2.

### **Section 16-5: Filtering**

Metal Halide fixtures shall be filtered. Filtering means any outdoor light fixture which has a glass, acrylic, or translucent enclosure. Quartz glass does not meet this requirement.

### **Section 16-6: Nonconforming Light Fixtures**

- (a) Existing light fixtures which do not conform with Sections 16-3, 16-4, and 16-5 of this ordinance are allowed, but extinguishing of such lights by 11:00 p.m. is encouraged.

- (b) No outdoor recreational facility, whether public or private, shall be illuminated after 11:00 p.m. except to conclude any recreational or sporting event or other activity conducted, which is in progress prior to 11:00 p.m. at a ballpark, school ballfield, outdoor amphitheater, arena or similar facility.

**Section 16-7: Display Lot Lighting**

Display lot lighting shall be turned off within thirty minutes after closing the business. Under no circumstances shall the full illumination of the lot be permitted after 11:00 p.m. Any lighting used after 11:00 p.m. shall be used as security lighting.

**Section 16-8: Architectural Lighting**

All architectural lighting shall be of 150 Watts or less (incandescent) or 70 Watts or less (other types), and be extinguished no later than 11:00 p.m. Lights shall have at least 90% of their light falling on the illuminated structure.

**Section 16-9: Use of Mercury Vapor Lighting Fixtures**

No new mercury vapor outdoor lighting fixtures shall be sold or installed after the adoption of this zoning ordinance.

**Section 16-10: Height**

Lighting standards, whether attached to buildings or mounted on poles, shall be in scale with the height and use of the structure but shall not exceed thirty (30) feet in height.

**Section 16-11: Exemptions**

The following are exempt from the provisions of this ordinance:

- (a) Outdoor lighting fixtures existing and legally installed prior to the effective date of this ordinance, however, any replacement of said lighting fixtures must comply with this ordinance as set forth above.
- (b) Traffic control signals and devices.
- (c) Street lights installed prior to the effective date of this ordinance.
- (d) Temporary emergency lighting (i.e. fire, police, repair workers).
- (e) Moving vehicle lights.
- (f) Navigation lights (i.e. airports, heliports, radio/television towers).
- (g) Lighted signs that conform with the City's sign ordinance.
- (h) Seasonal decorations with individual lights in place no longer than 60 days.

- (i) Other special situations approved by the City for temporary or periodic events (i.e. rodeos, revivals, fairs, fiestas, carnivals, night-time construction).
- (j) Covered porch lighting on single-family or multi-family homes provided that each outdoor light fixture does not exceed 150 watts (2220 lumens output).
- (k) Security lights of any wattage that are controlled by a motion-sensor switch and which do not remain on longer than 10 to 12 minutes after activation.
- (l) Historical areas as designated by proper authority are exempt from the requirements of this ordinance. Use of the minimum illumination necessary to maintain public safety is encouraged.
- (m) Outdoor light fixtures operated by the City of Nauvoo and Nauvoo Park District are exempt from the requirements of this ordinance. Voluntary compliance with the intent and provisions of this ordinance is encouraged.

**Section 16-12: Applications**

- (a) Any person applying for a building, electrical or sign permit to install outdoor lighting fixtures shall as a part of said application submit evidence that the proposed work will comply with this ordinance.
- (b) The application shall contain but shall not be limited to the following:
  - 1. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, other devices.
  - 2. Descriptions of the illuminating devices, fixtures, lamps, supports and other devices. This description may include but is not limited to manufacturer's catalog cuts, and drawings including sections where required.
- (c) The above required plans and descriptions shall be sufficiently complete to enable the Zoning Administrator to readily determine whether compliance with the requirements of this ordinance will be secured. If such plans and descriptions cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized testing lab.

**Section 16-13: Violations and Penalty**

Any person, firm, entity or corporation violating the provisions of this ordinance shall be required to pay a forfeiture of not more than \$100.00 for each day the violation continues after being issued a citation.

**INSERT FIGURE 5 HERE**

**INSERT FIGURE 6 HERE**

**INSERT CHART 2 HERE**

**INSERT CHART 3 HERE**

## **DIVISION 17: NONCONFORMING USES, STRUCTURES AND LOTS**

### **Sections:**

- Section 17-1: Statement of Intent
- Section 17-2: Existing Nonconforming Uses
- Section 17-3: Abolishment or Replacement
- Section 17-4: Existing Nonconforming Structures
- Section 17-5: Changes and Substitutions
- Section 17-6: Required Repairs on Nonconforming Structures

### **Section 17-1: Statement of Intent**

Within the various districts established by this Ordinance or amendments that may later be adopted, there exist structures and uses of land and structures which were lawful prior to the adoption of this Ordinance but which would be prohibited, regulated or restricted under the provisions of this Ordinance. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed but not to encourage their survival. Such uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved.

### **Section 17-2: Existing Nonconforming Uses**

The lawful nonconforming use of a structure or land existing at the time of the adoption or amendment of this Ordinance may be continued although the use does not conform with the provisions of this Ordinance; however:

- (a) Only That Portion of the land in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order or so as to comply with the provisions of this Ordinance.
- (b) Changes of Use may be permitted by the Zoning Board of Appeals if such changes will reduce the incompatibility of the nonconforming use with the neighboring uses.

### **Section 17-3: Abolishment or Replacement**

If such nonconforming use is discontinued or terminated for a period of twelve (12) months, any future use of the structure or land, shall conform to the provisions of this Ordinance. When a nonconforming use or structure is damaged by fire, explosion, flood, the public enemy or other calamity to the extent of more than fifty (50) percent of its replacement value, it shall not be restored except so as to comply with the use provisions of this Ordinance. Where a nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

### **Section 17-4: Existing Nonconforming Structures**

The lawful nonconforming structure existing at the time of the adoption or amendment of this Ordinance may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this Ordinance; however, it shall not be extended, enlarged, reconstructed, moved, or structurally altered except when required to do so by law or order or so as to comply with the provisions of this Ordinance.

### **Section 17-5: Changes and Substitutions**

Once a nonconforming use or structure has been changed to conform, it shall not revert back to a nonconforming use or structure. Once the Zoning Board of Appeals has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the Zoning Board of Appeals.

### **Section 17-6: Required Repairs on Nonconforming Structures**

Nothing in this Ordinance shall be deemed to prevent the restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon the order of such official.