

## Chapter 10 INDUSTRIAL DISTRICTS

5A-10-1	I-1 Industrial (Light) Zoning District
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### 5A-10-1 **I-1 Industrial (Light) Zoning District**

#### 5A-10-1.1 **Permitted and Special Uses**, *Amended 23-24-1019*

The only permitted and special uses for a parcel or tract of land in the I-1 Industrial (Light) Zoning District are found in Appendix A of this Title. Each permitted or special use for a parcel or tract of land in the I-1 Industrial (Light) Zoning District listed in Appendix A of this Title shall be conducted with a principal building on such parcel or tract of land.

In addition, no parcel or tract of land in the I-1 Industrial (Light) Zoning District may be utilized for a permitted or special use listed in Appendix A of this Title if a principal building on such parcel or tract of land is not connected to, and served by, the Village's sanitary sewer and potable water systems.

However, notwithstanding anything herein to the contrary, no provision herein shall be so construed so as to prohibit the display of a sign, flag or emblem on a parcel or tract of land expressly permitted by Chapter 10, Sign Regulations, Title 4 of the Hebron Municipal Code, or other form of expression that is protected by the First Amendment of the United States Constitution or the State of Illinois Constitution.

The purposes of the requirements of this Section are to:

- i) insure that an owner of such parcel or tract of land without a principal building, the use of which generates a demand for public water or wastewater treatment services provided through transmission mains, pays his, her or its fair share of the costs of such services, rather than patrons or other persons generated from activities on such parcel or tract of land utilizing sanitary facilities, such as bathrooms and sinks, of businesses with principal buildings who do not patronize the business associated with such principal building, and to help the financial viability of the Village's water and wastewater treatment system by receiving revenue for water or wastewater treatment services from vacant parcels or tracts of land generating demand for such services as Village officials have been made aware;
- ii) provide for the safety of patrons and/or pedestrians utilizing an adjacent sidewalk to a parcel or tract of land without a principal building as well as motorists utilizing a nearby road adjacent to a parcel or tract of land without a principal building by requiring that a parcel or tract of land being utilized for a permitted or special use be accompanied by a permanent principal building rather than portable tents, pop-ups or canopies which are at a much higher risk of collapsing or being uprooted and blown over, as Village officials

have been made aware, and harming patrons of a business on a parcel or tract of land without a principal building, pedestrians utilizing an adjacent sidewalk or motorists utilizing an adjacent roadway relative to such parcel or tract of land without a principal building;

iii) better provide for the collection of sales taxes from taxable transactions occurring on parcels or tracts of land without a principal building and to avoid the problem of tracking the activities of transient or temporary vendors utilizing a tract or parcel of land without a principal building for sales of merchandise who can be there one day and gone the next day and not reporting or paying the required sales taxes which adversely affects the Village's finances and its ability to pay for Village services to its residents;

iv) help eliminate the problem of temporary vendors on a tract or parcel of land without a principal building encroaching upon and at times blocking an adjacent sidewalk with displays of merchandise or otherwise seeking to sell merchandise where pedestrians were seeking to use the same portion of the sidewalk for ingress and egress, leading to altercations and disturbances of the peace as Village officials have been made aware;

v) help eliminate the circumstance where the use of a tract or parcel of land without a principal building by a temporary vendor selling items typically involves the sales of goods of lesser value than those goods being sold from principal buildings, leading to less sales tax for the Village – if such sales taxes are even being reported and paid.

#### 5A-10-1.2 **Height, Area and Bulk Regulations**

- A. **Building Height:** The principal building cannot exceed 50 feet, above grade. Accessory buildings cannot exceed 30 feet above grade to the highest point of the roof.
- B. **Front Yard:** Each lot shall have a minimum front yard depth of 30 feet from the front lot line.
- C. **Side Yards:**
  - 1. There shall be a side yard on each side of the lot of not less than 15 feet.
  - 2. Lots adjacent to a street shall have a minimum side yard of 30 feet on the side adjacent to the intersecting street.
  - 3. Lots adjoining any residential zoning district shall have a minimum side yard of 20 feet on the side adjacent to the residential zoning district and a 20-foot easement buffer to be used exclusively for screening purposes.
- D. **Rear Yard:** The minimum rear yard depth shall be 30 feet measured from the rear lot line. Lots adjoining any residential zoning district shall provide a 20-foot easement buffer to be used exclusively for screening purposes.

- E. Lot Area, Width: Each lot shall have a minimum lot area of 1 acre and a front yard width of not less than 150 feet.

**5A-10-2 I-2 Industrial (Light) Zoning District**

**5A-10-2.1 Permitted and Special Uses** *Amended 23-24-1019*

The only permitted and special uses for a parcel or tract of land in the I-2 Industrial (Light) Zoning District are found in Appendix A of this Title. Each permitted or special use for a parcel or tract of land in the I-2 Industrial (Light) Zoning District listed in Appendix A of this Title shall be conducted with a principal building on such parcel or tract of land.

In addition, no parcel or tract of land in the I-2 Industrial (Light) Zoning District may be utilized for a permitted or special use listed in Appendix A of this Title if a principal building on such parcel or tract of land is not connected to, and served by, the Village's sanitary sewer and potable water systems.

However, notwithstanding anything herein to the contrary, no provision herein shall be so construed so as to prohibit the display of a sign, flag or emblem on a parcel or tract of land expressly permitted by Chapter 10, Sign Regulations, Title 4 of the Hebron Municipal Code, or other form of expression that is protected by the First Amendment of the United States Constitution or the State of Illinois Constitution.

The purposes of the requirements of this Section are to:

- i) insure that an owner of such parcel or tract of land without a principal building, the use of which generates a demand for public water or wastewater treatment services provided through transmission mains, pays his, her or its fair share of the costs of such services, rather than patrons or other persons generated from activities on such parcel or tract of land utilizing sanitary facilities, such as bathrooms and sinks, of businesses with principal buildings who do not patronize the business associated with such principal building, and to help the financial viability of the Village's water and wastewater treatment system by receiving revenue for water or wastewater treatment services from vacant parcels or tracts of land, generating demand for such services as Village officials have been made aware;
- ii) provide for the safety of patrons and/or pedestrians utilizing an adjacent sidewalk to a parcel or tract of land without a principal building as well as motorists utilizing a nearby road adjacent to a parcel or tract of land without a principal building by requiring that a parcel or tract of land being utilized for a permitted or special use be accompanied by a permanent principal building rather than portable tents, pop-ups or canopies which are at a much higher risk of collapsing or being uprooted and blown over, as Village officials have been made aware, and harming patrons of a business on a parcel or tract of land without a principal building, pedestrians utilizing an adjacent sidewalk or motorists utilizing an adjacent roadway relative to such parcel or tract of land without a principal building;

iii) better provide for the collection of sales taxes from taxable transactions occurring on parcels or tracts of land without a principal building and to avoid the problem of tracking the activities of transient or temporary vendors utilizing a tract or parcel of land without a principal building for sales of merchandise who can be there one day and gone the next day and not reporting or paying the required sales taxes which adversely affects the Village's finances and its ability to pay for Village services to its residents;

iv) help eliminate the problem of temporary vendors on a tract or parcel of land without a principal building encroaching upon and at times blocking an adjacent sidewalk with displays of merchandise or otherwise seeking to sell merchandise where pedestrians were seeking to use the same portion of the sidewalk for ingress and egress, leading to altercations and disturbances of the peace as Village officials have been made aware;

v) help eliminate the circumstance where the use of a tract or parcel of land without a principal building by a temporary vendor selling items typically involves the sales of goods of lesser value than those goods being sold from principal buildings, leading to less sales tax for the Village – if such sales taxes are even being reported and paid.

#### 5A-10-2.2 **Height, Area and Bulk Regulations**

- A. Lots improved with buildings used exclusively for residential purposes shall comply with all the requirements of the R-7 Residential Zoning District.
- B. Building Height: The principal building cannot exceed 50 feet, above grade. Accessory buildings cannot exceed 30 feet above grade to the highest point of the roof.
- C. Front Yard: No front yard shall be required except where lots comprising 75 percent or more of the frontage on the same street in any block are improved with buildings used primarily for business purposes, and such buildings are at a uniform setback line, the such uniform setback line shall be followed.
- D. Side Yards:
  - 1. When a lot is adjacent to a lot zoned R-4 or R-7 there shall be a minimum side yard with of 10 feet for each story of the main structure on the adjoining lot.
  - 2. Lots adjacent to a street which borders a R-4 or R-7 zoning district shall be provided with a side yard having a minimum width of 10 feet.
  - 3. If a side yard is provided where not required, the side yard shall be a minimum of three feet.
- E. Rear Yard:
  - 1. Lots adjoining R-4 and R-7 zoning districts shall have a minimum rear yard depth of 10 feet.

2. Alley setback: If an alley abuts the lot there shall be a 10-foot yard from the center line of the alley to any building on the zoning lot.

F. Lot Coverage: All buildings, including accessory uses, shall not cover more than 80 percent of the area of the lot.

### 5A-10-3 **I-3 Industrial (Heavy) Zoning District**

#### 5A-10-3.1 **Permitted and Special Uses** *Amended 23-24-1019*

The only permitted and special uses on a parcel or tract of land in the I-3 Industrial (Heavy) Zoning District are found in Appendix A of this Title. Each permitted or special use for a parcel or tract of land in the I-3 Industrial (Heavy) Zoning District listed in Appendix A of this Title shall be conducted with a principal building on such parcel or tract of land.

In addition, no parcel or tract of land in the I-3 Industrial (Heavy) Zoning District may be utilized for a permitted or special use listed in Appendix A of this Title if a principal building on such parcel or tract of land is not connected to, and served by, the Village's sanitary sewer and potable water systems.

However, notwithstanding anything herein to the contrary, no provision herein shall be so construed so as to prohibit the display of a sign, flag or emblem on a parcel or tract of land expressly permitted by Chapter 10, Sign Regulations, Title 4 of the Hebron Municipal Code, or other form of expression that is protected by the First Amendment of the United States Constitution or the State of Illinois Constitution.

The purposes of the requirements of this Section are to:

i) insure that an owner of such parcel or tract of land without a principal building, the use of which generates a demand for public water or wastewater treatment services provided through transmission mains, pays his, her or its fair share of the costs of such services, rather than patrons or other persons generated from activities on such parcel or tract of land utilizing sanitary facilities, such as bathrooms and sinks, of businesses with principal buildings who do not patronize the business associated with such principal building, and to help the financial viability of the Village's water and wastewater treatment system by receiving revenue for water or wastewater treatment services from vacant parcels or tracts of land generating demand for such services as Village officials have been made aware;

ii) provide for the safety of patrons and/or pedestrians utilizing an adjacent sidewalk to a parcel or tract of land without a principal building as well as motorists utilizing a nearby road adjacent to a parcel or tract of land without a principal building by requiring that a parcel or tract of land being utilized for a permitted or special use be accompanied by a permanent principal building rather than portable tents, pop-ups or canopies which are at a much higher risk of collapsing or being uprooted and blown over, as Village officials have been made aware, and harming patrons of a business on a parcel or tract of land

without a principal building, pedestrians utilizing an adjacent sidewalk or motorists utilizing an adjacent roadway relative to such parcel or tract of land without a principal building;

iii) better provide for the collection of sales taxes from taxable transactions occurring on parcels or tracts of land without a principal building and to avoid the problem of tracking the activities of transient or temporary vendors utilizing a tract or parcel of land without a principal building for sales of merchandise who can be there one day and gone the next day and not reporting or paying the required sales taxes which adversely affects the Village's finances and its ability to pay for Village services to its residents;

iv) help eliminate the problem of temporary vendors on a tract or parcel of land without a principal building encroaching upon and at times blocking an adjacent sidewalk with displays of merchandise or otherwise seeking to sell merchandise where pedestrians were seeking to use the same portion of the sidewalk for ingress and egress, leading to altercations and disturbances of the peace as Village officials have been made aware;

v) help eliminate the circumstance where the use of a tract or parcel of land without a principal building by a temporary vendor selling items typically involves the sales of goods of lesser value than those goods being sold from principal buildings, leading to less sales tax for the Village – if such sales taxes are even being reported and paid.

#### 5A-10-3.2 **Height, Area and Bulk Regulations**

- A. **Building Height:** The principal building cannot exceed 50 feet, above grade. Accessory buildings cannot exceed 30 feet above grade to the highest point of the roof.
- B. **Front Yard:** Each lot shall have a minimum front yard depth of 30 feet from the front lot line.
- C. **Side Yards:**
  - 1. There shall be a side yard on each side of the lot of not less than 15 feet.
  - 2. Lots adjacent to a street shall have a minimum side yard of 30 feet on the side adjacent to the intersecting street.
  - 3. Lots adjoining any residential zoning district shall have a minimum side yard of 40 feet on the side adjacent to the residential zoning district and a 20-foot easement buffer to be used exclusively for screening purposes.
- D. **Rear Yard:** The minimum rear yard depth shall be 30 feet measured from the rear lot line. Lots adjoining any residential zoning district shall provide a 20-foot easement buffer to be used exclusively for screening purposes.

- E. Lot Area, Width: The minimum lot area shall be 160,000 square feet and a width of not less than 500 feet.

#### 5A-10-4 **Exceptions to Height and Area Regulations**

The height and area regulations contained in this Chapter 10 shall be subject to the following exceptions and regulations:

1. Height:
  - a. When computing height requirements the following shall not be included: chimneys, ornamental towers, penthouses, scenery lofts, monuments, cupolas, domes, spires, false mansards, parapet walls, similar structures and necessary appurtenances may be erected to their customary height in accordance with Village ordinances.
  - b. On through lots 150 feet or less in depth, the height of the building may be measured from the curb level on either street. On through lots more than 150 feet in depth, the height regulations and basis of height measurements for the street permitting the greater height shall apply to a depth of not more than 150 feet from the street.
2. Area: Every part of a required yard shall be open from its lowest point to the sky unobstructed except for:
  - a. Open fire escapes;
  - b. The ordinary projections of sills, belt courses, cornices, buttresses, chimneys, ornamental features and eaves which do not exceed 19 inches.
  - c. Accessory buildings in rear yards.