

Chapter 17.12 ZONING USE TABLE

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17.12.010 Zoning classifications.

1. Agricultural;
2. Industrial;
3. Institutional;
4. Recreational;
5. Residential;
6. Retail/Service;
7. Special/Temporary.

**TABLE 1
USE TABLE ¹**

RESIDENTIAL												NONRESIDENTIAL													
R1	R1A	R2	R2A	R3	R3A	R3B	R4	R4A	R5	R6		CB	CBA	CT	CTL	SCB	GB	OR	LI	LIA	GI	AG	OS		
											Animal Farm, Hatchery, or Breeding Station												C		
											Apiary													C	
											Conservation Club													C	
											Dairy Farm and Processing													C	
X	X	X	X	X	X	X	X	X	X	X	Field Crop or Sod Farm	X	X	X	X	X	X	X	X	X	X	X	X	X	X
											Grain Elevator												C	C	
											Greenhouse or Nursery						X	X	X					X	
											Orchard													X	
R1	R1A	R2	R2A	R3	R3A	R3B	R4	R4A	R5	R6		CB	CBA	CT	CTL	SCB	GB	OR	LI	LIA	GI	AG	OS		
											Bulk Material Storage														
											Non Flammable or Non Toxic									X			X		
											Flammable and Toxic												C		
											Chemical, Pharmaceutical, or Scientific Product Research								C	X	C	X			

- D. **REAR YARD:** Each lot shall have a rear yard not less than as shown in Column 6, Table 2; except as otherwise provided under Nonconforming Recorded Lot.
- E. **SIDE YARD:** Each lot shall have two yards, the total of which is not less than that shown in Column 7, Table 2. No side yard shall be less than the minimum side yard shown in Column 8, Table 2; except as otherwise provided in the footnotes to Table 2 and under Nonconforming Recorded Lot.
- F. **YARDS ABUTTING STREETS:** Any side or rear yard which abuts a street shall be not less than as shown in Column 9, Table 2; except as otherwise provided under Nonconforming Recorded Lot.
- G. **YARDS ABUTTING RESIDENTIAL ZONES:** Any side or rear yard abutting a residential zone shall be not less than as shown in Column 10, Table 2.
- H. **STRUCTURAL COVERAGE:** The total ground area occupied by any principal building together with all accessory buildings shall not exceed the percent of the total area of the lot shown in Column 11, Table 2.
- I. **FLOOR AREA RATIO:** The combined floor area ratio for any principal building together with all accessory buildings shall not exceed the ratio shown in Column 12, Table 2.
- J. **HEIGHT OF PRINCIPAL BUILDING:** No principal building or structure shall exceed the height restrictions in feet as shown in Column 13, Table 2; except as specifically provided otherwise in the footnotes to Table 2.
- K. **HEIGHT OF ACCESSORY STRUCTURES:** No accessory building or structure shall exceed the height in feet as shown in Column 15, Table 2, or the height in stories in Column 16, Table 2.

**TABLE 2
LOT AREA, YARD, AND BULK REGULATION**

ZONE	USE	LOT SIZE				YARDS					BULK				
		Area	Width	Front	Rear	Total Side	Minimum Side	Abutting a Street	Abutting a Residential Zone	Structural Coverage	F.A.R. (Floor Area) Ratio	Height of Principal Building	Height of Principal Building ⁶		
1	2	3	4	5	6	7	8	<u>9</u>	10	11	12	13	<u>14</u>	15	16
		Sq. Ft.	Feet	Feet	Feet	Feet	Feet	Feet	Feet	%		Feet	Stories	Feet	Stories
R1	Any permitted school or health-medical use	200,000	300	75	100	200	100	75	100 ⁵	10		35	2.5	20	1
	Single-family dwelling	40,000	190	50	25	45 ⁶	156	50		20	.40	35	2.5	20	1
	Other Permitted Use	40,000	190	50	25	45	15	50	75 ⁵	20	.30	30	2.0	16	1
R1A	Single-family dwelling, Other permitted uses	20,000	120	40	50	40	20	40	20	20	—	35	2.5	20	1
R2A	Any permitted school or health-medical use	200,000	300	75	120	200	100	75	100 ⁵	10	—	50	3.0	20	1
	Single-family dwelling	15,000	100	30	15	25 ⁶	10 ⁶	30	—	25	.40	35	2.5	16	1
	Other permitted use	80,000	190	30	20	60	20	30	75 ⁵	25	—	50	3.0	15	1
R2	Any permitted school	200,000	300	50	20	60	20	50	100 ⁵	30	—	50	3.0	20	1

nonresidential use is constructed in a residential zone. No planting, screening, or landscaping shall be so placed or of such design as to in any manner screen or obscure vision of pedestrians or vehicular traffic or adversely affect drainage in such a manner as to endanger the public or present a hazard to safety.

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For single-family dwellings with attached garages in subdivisions platted and recorded on or before the effective date of this title, required total side yards may be reduced to twenty (20) percent of the lot width, with a minimum side yard dimension of ten (10) percent of the lot width, but in no case shall any side yard be less than six (6) feet.

7

If the existing front yards of structures on lots lying wholly or partially within three hundred (300) feet on the same side of the street on the same block of any lot proposed for the construction of a structure exceed the required front yard as stated herein, then the greater distance shall be required, except that if the

existing front yards are not uniform, then the average such distance shall apply.

8

An accessory building will not exceed forty (40) percent of the floor area of the principal building

REQUIRED PLANT UNITS/100'

4 Canopy Trees

6 Understory Trees

24 Shrubs

12 Evergreen Trees/ Conifers

Flat Unit Multiplier		100'	Structure Required
.6	40'		
.8	30'		
1.0	25'		
.75	20'		F ₃
.7	15'	Lower Intensity Use ↑	F ₄
		↓ Higher Intensity Use	

17.20.010 SUPPLEMENTARY ZONE REGULATIONS.

These supplementary regulations are listed or described here rather than repeated several times throughout the document, since they apply to several zones. These regulations pertain to certain specific uses, authorized certain exemptions, or related to unusual conditions.

A. RESIDENTIAL PERFORMANCE STANDARDS

It is the purpose of this section to establish regulations and minimum standards for residential uses.

1.

Single-Family Dwellings: All single-family dwellings in R zones shall be constructed to contain a minimum ground area to provide a minimum livable area in accordance with the following standards:

Zone	Minimum Ground Area of Building in Square Feet	Minimum Livable Area of Building in Square Feet
R1, R1A	850	1,550
R2	850	1,150
R3B	850	1,150
R3A, R4, R4A, R5, R6	850	850

2. Multiple-Family Dwelling Units:

- a. Each dwelling unit within a multiple-family unit building shall be constructed to contain a minimum livable area, in accordance with the following standards:

Dwelling Unit Type	Minimum Livable Area of Dwelling Unit in Square Feet
Minimum Apartment Size	500
One-Bedroom Apartment	620
Two-Bedroom Apartment	740
Three-Bedroom Apartment	840

- b. Each individual dwelling unit in a building containing more than one dwelling unit shall have its own lavatory contained in the individual dwelling unit.

3. Alteration and/or Conversion of Residential Buildings: A single-family dwelling located in a residential (R) zone shall not be altered and/or converted to increase the number of dwelling units unless it is in compliance with the following regulations:

- a. No building shall be altered and/or converted unless, after conversion, the zoning lot on which it is located would provide the minimum square feet of lot area per dwelling unit as required in [Section 17.16.010](#)
- b. No building shall be altered and/or converted unless after conversion, it would comply with all height, yard, lot width, floor area ratio and lot coverage requirements on the residential zone in which it is located.
- c. No building shall be altered and/or converted unless, after conversion, every dwelling unit would contain at least the square feet of usable floor area within each dwelling unit as required in Subsection A.2. of this section.
- d. No structural alteration of the building exterior shall be made except as may be necessary for the purposes of sanitation or safety. After alteration and/or conversion each floor containing dwelling units (or unit) shall have two (2) separate means of exit leading directly to the outside at ground level, placed as remotely from each other as possible. At least one (1) stairway leading to the second or higher floor shall be completely enclosed within the converted building.

4. Group Family Households:

- a. Shall not be located less than one thousand (1,000) feet from any other group family household facility or one thousand five hundred (1,500) [feet] from any congregate housing facility; and
- b. Shall provide evidence of any licenses or certifications required by any licensing or regulatory authorities other than the village to the village manager.

5. Any nonresidential structure permitted in a residential zone shall have exterior elevations constructed of masonry, decorative block, brick, or wood, or the equivalent.

6. All trash enclosures must be constructed of the same material as the principal building.

7. No storage of construction debris or rubbish is allowed on any property within the village.

B. INDUSTRIAL PERFORMANCE STANDARDS

It is the purpose of this section to establish regulations and standards for the installation and operation of industrial uses, based upon consideration of the objectionable characteristics of such uses and the zones in which they are permitted. Further, this section is intended to prescribe procedures and methods of measurement of industrial characteristics subject to such standards.

Any use permitted in the OR, LI, LIA and GI zones, whether such use is permitted as a principal use or an accessory use, shall be subject to these requirements:

1. **Permit Procedure:** Before a building permit is issued for a use in an OR, LI, or GI zone, the applicant shall furnish the building department sufficient information to enable the building department to assure the village that all performance standards set forth in the Zoning Ordinance can and will be complied with at all times. All information and evidence submitted in applications to indicate conformity to performance standards shall constitute a certification and an agreement on the part of the applicant that the proposed use can and will conform to such standards at all times.

The building department, in order to determine whether or not the applicant will meet such standards, shall require the applicant to submit the following information:

- a. A plot plan showing the location of all present and proposed structures, drives, parking lots, waste disposal areas, bulk storage areas, streets, streams, or other significant features on or within two hundred (200) feet of the proposed site.
- b. A description of the activity to be conducted regarding waste products, external effects or other conditions which are regulated herein; provided, however, that the applicant shall not be required to reveal any trade secrets or sufficient detail with regard to a process which would cause any secret process or manufacturing procedure for a closely guarded proprietary compound or product to become public knowledge and be available to competitors.
- c. The type and location of abatement devices to control, or recording instruments to measure, conformance with required standards, not including devices and instruments which are inherent in the manufacturing process.
- d. Such other data and certification as may reasonably be required by the building department to reach a determination.

When a new or altered use in an OR, LI, LIA or GI zone is proposed that may, in the opinion of the building department, involve a possible violation of the regulations in Subsection B.2., the building department shall, as a condition precedent to issuing a building permit, require the deposit in escrow of one thousand dollars (\$1,000.00) for a period of one (1) year from the date of the new or altered use or occupancy. The building department shall notify the plan commission/zoning board of appeals of such required deposit in escrow. Escrow deposits or remainders of escrow deposits shall be returned to the depositors at the expiration of the escrow period.

2. **Performance Standards:**
 - a. The OR, LI, LIA and GI zones all of the rules and regulations of the Illinois Pollution Control Board shall apply.
 - b. All air emissions shall be in accordance with the air emission standards of the village.
 - c. All trash containment must be enclosed and of the same exterior materials as the principal building.
 - d. Any utility facility on the roof of a building must be screened by a parapet wall or other screening as approved by the village.
 - e. A landscape plan must be approved prior to occupancy.
3. **Enforcement:** The building department shall enforce the provisions of this section.
 - a. If, during the one-year period that the escrow deposit is held, the building department believes there is a reasonable probability that the regulations of this section are being violated, the department may employ a qualified technician or technicians to perform investigations, measurements, and analyses to determine whether or not the regulations are being violated and may pay their reasonable fee out of the aforementioned escrow deposit, regardless of the outcome of the investigations. If the reasonable fees of such technician or technicians exceed the amount of any available escrow deposit, and if a violation of this section is discovered, the fees may be recovered as a penalty in the same manner specified herein.

- b. In cases not covered by escrow deposit but in which, in the opinion of the building department, there is reasonable probability that any use or occupancy violates the regulations of this section, the department is hereby empowered to employ a qualified technician, or technicians to perform investigations, measurements and analyses to determine whether or not the regulations of this section are being violated. In the event that a violation is found to exist, the violators shall be liable for the reasonable fees of the technicians employed to perform such investigations, measurements, and analyses. Such fees may be recovered as a penalty in the same manner specified herein.
- c. In addition, the village may require the installation, maintenance, and operation by the offending industry of continuous measuring recording instruments to demonstrate the operation and to ensure continuous compliance with the prescribed standards.

C. **COMMERCIAL PERFORMANCE STANDARDS**

It is the purpose of this section to establish regulations and minimum standards for commercial uses in addition to the provisions of Sections [Chapters] [17.12](#) and 17.16.

1. No vehicular access shall be allowed for any property in the GB and SCB zones which abuts a major street, as shown on the comprehensive plan or the official map of the village, except via central access curb cuts, provided:
 - a. Such central access curb cuts shall be allowed only as specifically approved by the village board of trustees.
 - b. Any central access curb cut shall be no closer than four hundred (400) feet to any street or any other central access curb cut on the same side of the major street.
 - c. Any central access curb cut shall align with any street or central access curb cut on the opposite side of the major street or be offset therefrom by a minimum of two hundred (200) feet.
 - d. All accesses shall be in conformance with the village's roadway access ordinance.
2. All property which shall have vehicular access provided via a central access curb cut shall provide and record easements for access purposes. Such easements shall be at least twenty (20) feet wide and shall be located contiguous to the front property line. No discontinuous changes in grade elevation shall be permitted along such easements from one parcel of property to another.
3. For nonresidential uses in the Commercial Transition (CT) and the Commercial Transition Limited (CTL) zones, the following additional performance standards shall apply:
 - a. Outdoor storage or display of products or equipment shall be prohibited.
 - b. All commercial activities shall be conducted wholly within the principal building on the lot.
 - c. No principal building shall be altered in such a manner as to change its residential character as a dwelling unit.
 - d. No perceptible noise, odor, smoke, electrical interference, or vibrations shall emanate from any building or structure on the lot.
 - e. No more than two (2) commercial vehicles shall be parked on any lot. No such permitted commercial vehicle shall exceed nine (9) feet in height nor eighteen (18) feet in length. No such permitted commercial vehicle shall be stored on a lot for a period exceeding twenty-four (24) hours unless such commercial vehicle is owned by the owner of the lot on which it is stored. Notwithstanding the provisions of this paragraph 3.e., no commercial vehicle shall be parked to the rear of any building and lot where the rear lot line of such lot abuts property used for residential purposes nor shall any commercial vehicle be parked in a side yard when the side lot line abuts property used for residential purposes.
4. Any use that utilizes outdoor speakers or an outdoor paging system and abuts a residential use must receive a special use permit.
5. All trash containment must be enclosed and of the same exterior materials as the principal building. All uses in the Central Business (CB) and Central Business-A (CBA) zones shall be exempt.
6. Any utility facility located on the roof of a building shall be screened by a parapet wall or other screening approved by the village.
7. A landscape plan must be approved prior to occupancy.

D. RESIDENTIAL UNITS IN THE CB DISTRICT AND CBA DISTRICT

Any residential units constructed in the Central Business zoning district shall be built in conformance with the following requirements:

1. No dwelling unit shall be built or located on the ground floor of any building containing commercial uses.
2. No residential unit shall be built or located on any story higher than the second story in a nonelevator building.
3. There shall be one parking space for every efficiency dwelling unit and every one-bedroom dwelling unit, and there shall be two parking spaces for every two-or-more bedroom dwelling units.
4. For property that is zoned Limited Industry (LI) or General Business (GB) and contiguous to property zoned Central Business (CB) or Central Business A (CBA) may be redeveloped as mixed uses, including residential and nonresidential upon issuance of a special use permit in accordance with this title. For purposes of this section redevelopment shall be defined as any structure that is damaged, altered or enlarged in excess of one hundred (100) percent of its building value.
5. Property that is zoned Central Business (CB) or Central Business A (CBA) may be redeveloped upon issuance of a special use permit. For purposes of this section redevelopment shall be defined as any structure that is damaged, altered or enlarged in excess of eighty (80) percent of its building area.
6. An applicant redeveloping properties described in subparagraphs 4. and 5. of this section shall be entitled to develop a minimum of seventy-five (75) percent of the requirements included in the lot area yard and bulk regulations section of the Grayslake Zoning Ordinance for the particular zoning district in which the property is classified.
7.
 - (a) For properties described in the above subparagraphs 4. and 5., the height of a building may exceed that required by [Section 17.16.010](#)
 - (b) For properties described in the above subparagraphs, the lot area setback requirements in [Section 17.16.010](#) may be waived or modified.
 - (c) For properties described in the above subparagraphs 4 and 5, the structural coverage and floor area ratio (F.A.R.) requirements in [Section 17.16.010](#) may be waived or modified.

E. ADULT USES

1. Adult uses, as this term is defined in this title, shall be authorized as conditional permit uses in the village, subject to the following restrictions:
 - a. No adult use shall be established within one thousand (1,000) feet of any other adult use.
 - b. No adult use shall be established within seven hundred fifty (750) feet of any church, preschool, elementary school, middle school, secondary school, park (including aquatics center, ball fields, and the like) or playground.

For purposes of this subsection, distance shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point or lot line of the zoning lot on which the adult use is located to the nearest point on a lot line of the zoning lot on which a use described in Subsection 17.20.01E.1.a. or 17.20.010E.1.b. is located.

2. An adult use that applies for a conditional use permit shall be granted that permit if it complies with all applicable requirements of Section 17.24.010. Adult uses are deemed compatible with the existing or planned future development of the areas described in paragraph 1. of this subsection. Any conditions placed on the issuance of a conditional use permit to an adult use by the village shall relate solely to the adult use's land use characteristics and not to the content of any protected speech engaged in at the adult use.
3. Every adult use shall comply with all of the applicable regulations of [Title 8](#) (Nuisances) of this Code.

17.20.020 FLOODPLAIN CONTROL AND STORMWATER DETENTION REGULATIONS.

- A. All floodplain control and stormwater control shall be in conformance with the Lake County Watershed Development Ordinance.
- B. Except as approved as part of a special use permit and with respect to village owned rights-of-way, no development in the village may establish or maintain any required detention or retention facility or other

required stormwater management systems other than on the same zoning lot served by such detention or retention facility or other required stormwater management system. Further, no zoning lot in the village may have a detention or retention facility or other required stormwater management systems established or maintained upon it for purposes of serving any development on a lot, parcel, tract, or property not located within the corporate limits or the village.

This requirement is more restrictive than any other provision of the Lake County Watershed Development Ordinance that would otherwise provide for the location of a detention or retention facility or other required stormwater management system.

(Ord. No. 2012-0-01, § 2, 1-17-2012)

17.20.030 MISCELLANEOUS REQUIREMENTS.

A. CENTRAL SEWER AND WATER SERVICES

All permanent buildings and structures intended for human occupancy shall be connected to central sewage treatment and water supply utility systems, except that single-family dwellings may have private water wells and septic fields, provided the following requirements are met:

1. A community sanitary sewer main or water main is not available within two hundred fifty (250) feet of any boundary line of the lot.
2. No lot shall have an area less than forty thousand (40,000) square feet and a width of less than one hundred ninety (190) feet. If a lot of such size cannot comply with the regulations of the Lake County Health Department as they pertain to septic fields, the lot shall be enlarged in increments of at least the minimum lot size established for the zoning district in which the lot is located.
3. Connection to a community sewer main or water main shall be made within one year from the time that they become available and upon notice by the village.
4. House connections to the utility systems shall be installed at the time that the dwelling is constructed.

B. ACCESSORY USES

An accessory use shall be permitted on the same zoning lot as a principal use, provided that the following conditions are met:

1. The accessory use customarily is incidental to the principal use.
2. The accessory use shall be subordinate in size, floor area, intensity, extent, and purpose to the principal use.
3. The accessory use shall contribute to the comfort, convenience or necessity of the principal use.

C. YARD AND BUILDING SETBACK EXCEPTIONS

1. The following shall be allowed to project into or to be constructed in any required yard or beyond the building setback line.
 - a. Air conditioner compressor pads or air conditioner units shall be placed no closer than five feet from the side property line and shall have landscape screening to screen the unit from the street and the nearest adjoining property.
 - b. Awnings and canopies in accordance with the Building Officials Code of America (BOCA) Building Code as adopted by the Village of Grayslake.
 - c. Bay window, not to exceed two feet;
 - d. Chimneys, not to exceed two feet;
 - e. Clothesline posts, in the rear yard only;
 - f. Driveways;
 - g. Fences, in accordance with the Grayslake Fence Ordinance;
 - h. Guardhouse or gatehouse;
 - i. Flagpoles;
 - j. Garbage disposal equipment, nonpermanent, in the rear yard only, except during a construction project.
 - k. Island and pumps for gasoline service station, minimum setback of twenty (20) feet;
 - l. Landscape features;

- m. Mailboxes;
- n. Marquees in accordance with the Building Officials Code of America (BOCA) Building Code as adopted by the Village of Grayslake;
- o. Overhanging roof, eaves, gutter, cornice, or other architectural feature, not to exceed three feet;
- p. Planting boxes;
- q. Playground equipment, including tennis courts, in the rear yard only;
- r. Sidewalks and steps;
- s. Signs in conformance with Grayslake Sign Ordinance;
- t. Steps or stairs to a dwelling, nonenclosed, not to exceed four feet;
- u. Swimming pools and tool sheds in the rear yard only;
- v. Terraces (open) and porches (nonenclosed) not to exceed four feet.
- w. Trees, shrubs, flowers and other plants;
- x. Yard and service lighting fixtures, poles;
- y. Window air conditioners;
- z. Dog runs; rear yard only, minimum three feet from any property line.

2. **Utility Exemption**

Except as expressly provided in this chapter, nothing in this chapter shall impose restrictions on the type or location of any poles, wires, cables, conduits, vaults, laterals, or any other similar distributing equipment of a public utility. All such uses shall, however, comply with the subdivision and other applicable codes, ordinances, and regulations of the village. Notwithstanding, the following regulations shall apply:

- All utility facilities shall have a maximum height of six feet.
- All utility facilities shall be screened by landscaping from adjoining properties.
- No utility facility shall be placed in drainage easement.

D. **ANNEXED LAND**

All land which may hereafter be annexed to the Village of Grayslake shall be automatically classified in the R1 Residential district. Within ninety (90) days if no application for reclassification of the property has been filed, the plan commission/zoning board of appeals shall on its own motion schedule a public hearing on the advisability of the zoning classification of the property. If following the hearing, the board of appeals believes the R1 residential classification is improper, the board shall transmit to the board of trustees a written report giving its findings and recommendations for proposed reclassification of the property. This provision shall not apply, however, to land affected by a valid annexation agreement adopted pursuant to [Division 1](#) of Article 7 of Chapter 65 of the Illinois Compiled Statutes 1994.

E. **CUSTOMARY HOME OCCUPATIONS**

Home occupations are permitted in Residential districts, provided that the home occupation shall be conducted in such a manner that it does not change in any way the residential neighborhood atmosphere or infringe on the rights of abutting and adjoining homeowners or residences and further providing that:

1. The occupation shall normally be conducted wholly within the principal building.
2. No person other than members of the immediate family residing in the dwelling may be employed.
3. A separate entrance shall not be provided in conjunction with the conduct of the occupation.
4. No alteration of any kind shall be made to the principal building which changes its residential character as a dwelling unit.
5. No outdoor storage shall be allowed.
6. The occupation shall not involve more than a total of three hundred (300) square feet of the area of a dwelling unit.
7. There shall be no commodity sold or services rendered that require delivery or shipment of merchandise; goods or equipment by other than passenger-size motor vehicles, three-quarter-ton step-up van or similar-sized trucks.
- 8.

- There shall be no perceptible noise, odor, smoke, electrical interference or vibrations emanating from the structure in which the home occupation functions.
9. The home occupation shall be conducted in such a manner that it does not create parking or traffic congestion for the abutting or adjoining neighbors or for the immediate neighborhood, or in any way presents a nuisance by excessive traffic, customer activity or so forth.
 10. The following uses are hereby prohibited as home occupations:
 - a. Automobile, snowmobile, motorcycle, or recreational vehicle repair and service.
 - b. Landscaping material sales or service.
 - c. Any industrial uses as defined in the use table.
 - d. Industrial machinery repair and service.
 - e. Any use requiring a conditional use in the use table.
 - f. Children's day care facility with five or more children.
 - g. Construction material sales.
 - h. Outdoor storage of materials, equipment, or other items associated with the above referenced items.

F. TEMPORARY USES

The following regulations govern the operation of certain transitory or seasonal uses:

1. Permits. No temporary use shall be established or maintained unless a temporary use permit shall have first been issued in accordance with this Subsection F.
2. Application for a temporary permit shall be made to the building department and shall contain the following information:
 - a. A survey or legal description of the property to be used, rented, or leased for the temporary use;
 - b. A description of the proposed use including sufficient information to determine the yard requirements, sanitary facilities, and availability of parking space to service the proposed use.
3. Standards for Issuance of Temporary Use Permit. In reviewing an application for a temporary use permit, the building department will review the proposed location of the temporary use, the ground coverage and floor area proposed for the temporary use, the proposed height of the temporary use, the impact of the temporary use on parking and traffic in the area, and any other issue related to the proposed temporary use. A temporary use permit shall be denied if the building department determines that the public health, safety, or welfare would be, or may reasonably be expected to be, impaired by the issuance thereof. A temporary use permit may be denied if the building department determines that the applicant has failed to comply with the terms or conditions of any previously issued temporary use permit or that the permanent use of the property fails to comply in all respects with the provisions of this Code and all other village ordinances regulating the development, use, and maintenance of such property.
4. Conditions. A temporary use permit may be conditioned upon such special requirements as the building department may determine are necessary to achieve the purposes of this code and to protect the health, safety and welfare.
5. Revocation. A temporary use permit shall be revoked if any of the standards and conditions imposed pursuant to this Subsection F., or such permit, are violated.
6. Uses. The following temporary uses shall be located only in those districts as specified in table [17.12](#) of this title, and are subject to the following specific regulations and time limits, in addition to the regulations of any zone in which the use is located:
 - a. Carnival or Circus. A temporary use permit may be issued for a carnival or circus for a period not longer than fifteen (15) days;
 - b. Christmas Tree Sales. A temporary use permit may be issued for the display and open-lot sale of Christmas trees for a period not longer than thirty (30) days;
 - c. Contractor's Project Office and Equipment Sheds. A temporary use permit may be issued for a contractor's temporary office and equipment sheds incidental to a construction project. The

- permit shall be valid for not more than one year but is renewable. The office or shed shall be removed upon completion of the construction project;
- d. Real Estate Project Sales Office. A temporary use permit may be issued for a temporary real estates sales office in any new subdivision. The permit shall be valid for not more than one year but is renewable. The permit shall be valid for not more than six months per year. No sales shall be made within thirty (30) feet of any street right-of-way;
 - e. Seasonal Sale of Farm Produce. A temporary use permit may be issued for the operation of a roadside stand for the sale of farm produce grown exclusively on the premises. The permit shall be valid for not more than six months per year. No sales shall be made within thirty (30) feet of any street right-of-way;
 - f. Tent Theater or Tent Meeting. A temporary use permit may be issued for a tent or other temporary structure to house religious and cultural functions and for commercial and industrial promotions for a period of not more than fifteen (15) days;
 - g. Sidewalk and Parking Lot Sales, Tent Sales, and Other Outdoor Retails Events. A temporary use permit may be issued for the display and sale of retail goods. The temporary use permit shall be valid for not more than five days and no more than three such permits shall be issued for the same property in any calendar year;
 - h. Outdoor Storage or Display of Construction of Bulk Materials. A temporary use permit may be issued for the storage and display of materials sold at retail in prepackaged containers or the storage and display of flowers, shrubs, trees, and other plant materials outside a fully enclosed building storage pursuant to paragraphs 17.20.030H.1., 2., and 3. of this Code. Such temporary use permits shall be limited in the temporary use permit, but in no event shall a temporary use permit be allowed for more than one hundred twenty (120) days in any calendar year. The duration of such temporary use permit shall be determined based on the type of materials proposed for storage or display, the location of the lot on which such storage or display is to occur, and the manner in which the applicant proposes to so store or display the permitted materials.
7. Use Limitations.
- a. General Limitations. Every temporary use shall comply with the limitations made applicable to specified temporary uses by paragraph 6. of this section. No temporary use shall be permitted in any district if it would have a significant negative impact, including aesthetic impact, on any adjacent property or on the area, as a whole, in which it is located.
 - b. Hours and Days of Operation. The building department may designate the specific hours and days of the week during which a temporary use may operate on the basis of the nature of the temporary use and the character of the surrounding area.
 - c. Public Safety. No temporary use shall be permitted that can be expected to create any undue on-site or off-site threat to public safety. No temporary use shall be operated except in accordance with any restrictions and conditions that may be imposed to eliminate any such threat. If required by the building department, the operator of the temporary use shall employ a fire watch team and/or appropriate security personnel.
 - d. Traffic. No temporary use shall be permitted if additional vehicular traffic reasonably expected to be generated by such temporary use would have undue detrimental effects on surrounding streets and uses.
 - e. Conflicts with Other Temporary Uses. No temporary use shall be permitted if such use would conflict with another previously authorized temporary use.
 - f. Parking. Before approving any temporary use, the building department shall make an assessment of the total number of off-street parking spaces that will be reasonably required in connection with the proposed temporary use, on the basis of the particular use, its intensity, and the availability of other parking facilities in the area, and shall approve such temporary use only if such off-street parking is provided. No temporary use shall be authorized that would, in the opinion of the building department, unreasonably reduce the amount of off-street parking space available for use in connection with permanent uses located on the zoning lot in questions.

- g. Additional Conditions. Every temporary use shall, in addition, comply with and the building department may impose such other conditions as may be reasonably necessary to achieve the purposes of this Code or to protect the public health, safety and welfare.
- h. Notwithstanding anything to the contrary in this Subsection 17.20.030.F., a temporary use permit otherwise authorized under Subsection F.6. may be approved by an ordinance approved by the village board of trustees, even if such temporary use does not satisfy certain of the standards, conditions, or restrictions set forth in this Subsection F., provided that the board of trustees find in its legislative determination that the temporary use in question will otherwise promote the public welfare. Any such approval ordinance may establish special terms, conditions, and restrictions that the village board of trustees determines are necessary or desirable to protect the public health and safety.

G. HEIGHT EXCEPTIONS

The following structures or parts thereof are exempt from the height limitations set forth in the several zones, except as limited by any height restrictions imposed by any airport authority, port district, or other municipal corporation operating an airport, and as limited by regulations for airports and heliports, contained in Section 17.24.010 of this title. These structures must be constructed in conformance with all state and federal rules and regulations.

1. Public utility poles, towers, and wires;
2. Radio and television antennae and towers;
3. Water tanks and standpipes.

H. OTHER USES AND REGULATIONS

1. **Fallout Shelters:** Fallout shelters are permitted as principal or accessory uses and structures in any zone, subject to the yard and lot coverage regulations of the zone. These shelters may contain or be contained in any other structures or may be constructed separately. In addition to shelter use, they may be used for any principal or accessory use permitted in the zone, subject to the applicable zone regulations, but shall not be used for principal or accessory uses prohibited expressly or by implication in the zone.
2. **Tents:** No tent shall be used, erected, or maintained as living quarters. Tents used in commercial or industrial zones or tents used for camping purposes wherever permitted shall be of a temporary nature.
3. **Number of Buildings Per Lot:** In the R-1, R-1A, R-2A, R-2, R-3A, R-3B and R-3 districts, only one single-family dwelling shall be permitted on any one zoning lot. In any other district, more than one principal building on a zoning lot may be allowed, provided that the site plans for the buildings are approved by the village board, after a review by the plan commission/zoning board of appeals, and provided further that the buildings are laid out in conformance with the standards contained in this title and in the Grayslake Subdivision Control Ordinance.
4. **Division of a Lot:** No recorded lot shall be divided into two or more lots unless such division results in the creation of lots each of which conforms to all of the applicable regulations of the zone in which the property is located. No further reduction in the size of a recorded lot which would render the lot unable to meet the requirements of the Zoning Ordinance shall be permitted.
5. **Principal Uses Without Buildings:** Where a permitted use of land involves no structures, the use shall comply with all yard and minimum lot area requirements applicable to the zone in which located.
6. **Adequate Access:** Each lot shall have direct access to an improved, approved street.
7. **Horses:** Horses may be kept in any residential district provided that there shall be two acres of land for the first horse and one acre of land for each additional horse.
8. **Sight Clear Distance:** On any corner lot, within the triangular area formed by the two street center lines and a third line connecting two points, one of which is located on each of the two street center lines, one hundred (100) feet from their junction, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and one-half feet and ten feet above the plane surface formed by the center line grades of the aforementioned streets.
9. **Accessory Structures:** No accessory structure shall be placed closer than five feet to any property line in a residential zone.

10. **Antenna With Surface Areas of Ten (10) Square Feet or Less:** Antenna and antenna support structures having a combined surface area not greater than ten (10) square feet, and no single dimension exceeding twelve (12) feet, shall be permitted as an accessory use.
11. **Antenna, Other than Amateur Radio Facilities, With Surface Areas Exceeding Ten (10) Square Feet:** Except for amateur radio facilities permitted pursuant to paragraph H.12. of this section, antenna and antenna support structures having a combined surface area greater than ten (10) square feet, or having any single dimension exceeding twelve (12) feet, shall be permitted as an accessory use only in compliance with the following regulations:
 - a. *Number Limited in Residential Districts.* No more than one such antenna and antenna support structure may be located on any zoning lot in any residential district.
 - b. *Height Limited.* Unless attached to a building pursuant to Subparagraph c. below, no such antenna or antenna support structure shall exceed sixty-five (65) feet in height in the Industrial districts or twelve (12) feet in height in any other district.
 - c. *Attachment to Buildings Limited.* No such antenna or antenna support structure shall be attached to a principal or accessory structure unless all of the following conditions are satisfied:
 - 1) *Size.* The antenna and antenna support structure shall not exceed fifteen (15) square feet in area or twelve (12) feet in any dimension.
 - 2) *Height.* The antenna and antenna support structure shall not extend more than three feet above the highest point of the building on which it is mounted or the maximum permissible building height, whichever is less.
 - 3) *Mounting.* The antenna and antenna support structure shall not be attached or mounted upon any building appurtenance, such as a chimney. The antenna and antenna support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building roof facing any street. The antenna and antenna support structure shall be designed to withstand a wind force of eighty (80) miles per hour without the use of supporting guy wires.
 - 4) *Color.* The antenna and antenna support structure shall be of a color that blends with the roof or building side on which it is mounted.
 - 5) *Grounding.* The antenna and antenna support structure shall be bonded to a grounding rod.
 - 6) *Other Standards.* The antenna and antenna support structure shall satisfy such other design and construction standards as the village manager reasonably determines are necessary to ensure safe construction and maintenance of the antenna and antenna support structure.
 - d. *Setback from Street.* No such antenna or its support structure shall be erected or maintained closer to any street than the wall of the principal building to which it is an accessory that is nearest to such street.
 - e. *Guy Wires Restricted.* No guy or other support wires shall be used in connection with such antenna or support structure except when used to anchor the antenna or support structure to an existing building to which such antenna or support structure is attached.
12. **Amateur Radio Facilities with Surface Area Exceeding Ten (10) Square Feet.** Any antenna and antenna support structure having a combined surface area greater than ten (10) square feet or having any single dimension exceeding twelve (12) feet that is capable of transmitting as well as receiving signals and is licensed by the Federal Communications Commission as an amateur radio facility must satisfy each of the following conditions:
 - a. *Number Limited.* No more than one such antenna support structure with a surface area greater than ten (10) square feet or any single dimension exceeding twelve (12) feet may be located on any zoning lot.
 - b. *Height Limited.* No such antenna or antenna support structure shall, if ground-mounted, exceed 70 feet in height, or if attached to a building pursuant to Subparagraph c. below, the height therein specified.
 - c.

Attachment to Buildings Limited. No such antenna or antenna support structure shall be attached to a principal or accessory structure unless all of the following conditions are satisfied:

- 1) Height. The antenna and antenna support structure shall not extend more than twenty-five (25) feet above the highest point of the building on which it is mounted.
 - 2) Mounting. The antenna and antenna support structure shall not be attached or mounted upon any building appurtenance, such as a chimney. The antenna and antenna support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building roof facing any street. The antenna and antenna support structure shall be designed to withstand a wind force of eighty (80) miles per hour without the use of supporting guy wires.
 - 3) Grounding. The antenna and antenna support structure shall be bonded to a grounding rod.
 - 4) Other Standards. The antenna support structure shall satisfy such other design and construction standards as the village manager reasonably imposes.
- d. *Setback from Street.* No such antenna or its support structure shall be erected or maintained closer to any street than the wall of the principal building to which it is accessory that is nearest to such street.
- e. *Setbacks from Adjacent Buildings.* No such antenna or its support structure shall be located in any required side yard or nearer than one-half the height of the antenna and support structure to any habitable building or any adjacent property.
13. **Outdoor Storage or Display of Construction Materials and Bulk Materials.** The outdoor storage or display of bulk or construction materials is prohibited in all districts, unless such materials are stored in a fully enclosed building; this restriction shall not apply to flowers, shrubs, trees, and other plant materials authorized pursuant to a temporary use permit. Materials sold at retail in prepackaged containers may be stored outside a fully enclosed building pursuant to a temporary use permit in accordance with Subsection 17.20.030F. of this Code. Materials in prepackaged containers may be stored or displayed in a partially enclosed structure provided that the stored materials (i) do not exceed twenty (20) feet in height and (ii) do not occupy more than ten (10) percent of the total lot area of the lot upon which the materials are stored and provided further that a special use permit has been issued in accordance with the standards for special use permits contained in Section [Chapter] [17.24](#) of this Code. Notwithstanding the nonconforming regulations contained in [Chapter 17.36](#) of this Code, any activity that becomes nonconforming as a result of this regulation shall be discontinued and shall cease not later than February 28, 2007.
14. **Hours of Operation for Industrial Uses.** When a lot zoned within the LI or GI districts abuts property zoned in the R1, R2, R3, R3A, or R3B zoning districts (and such area is not separated therefrom by a street, railway, or body of water), no business occupying such lot in the LI or GI district (in whole or in part) shall be permitted to conduct operations between the hours of 11:00 p.m. and 5:00 a.m. on the following day, unless pursuant to a special use permit granted in accordance with Subsection 17.24.010.C.11.A. of this Chapter. For purposes of this section, "operations" shall include any business activity or other activities in which personnel or guests are present on the business' premises, including without limitation delivery, shipping, and stocking activities; provided, however, that operations shall not include security or caretaking activities not involving a total of more than three individuals. The limitations of this subsection shall not apply in any case where a LI or GI zoned lot is held in common ownership with the abutting property zoned in the R1, R2, R3, R3A, or R3B zoning districts as of July 1, 2006.
15. **Outdoor Clothing Drop Off Stations.** Prior to the delivery of outdoor clothing drop off stations, the applicant shall make application for the placement of outdoor clothing dropoff stations with the building department per [Section 17.20.030](#). In addition to those requirements, the following supplemental information shall be provided prior to the approval of the temporary use permit:
- a. The application shall contain the name of the applicant to whom the outdoor clothing drop off station is supplied and whether the person owns, rents, occupies, or controls the property.
 - b.

- The application shall contain the delivery and removal dates of the container and the entity supplying the station.
- c. The application shall include the approval of the property owners.
 - d. The application shall include the width, length, and height of the container along with a sketch showing the location of the placement of the station.
 - e. No more than one container per parcel.
 - f. The station shall be placed within the yard setback line. Stations shall not be located in the public right-of-way or in a location that obstructs the view of pedestrians or vehicular traffic entering or exiting the right-of-way.
 - g. The station shall not be permitted on the same property for more than thirty (30) consecutive days. A one-time extension of ninety (90) days may be granted by the building department. A letter must be sent to the building department requesting the extension and the reason for it.
 - h. The temporary use permit can be canceled immediately in the event the station overflows or otherwise becomes unsightly.
 - i. The station shall only be placed on an improved parking lot constructed of a hard, dustless surface, generally asphalt or concrete provided the placement does not impede the flow of traffic or occupy required off-street parking spaces.
 - j. Any other material deemed necessary by the building department.
16. **Outdoor Storage Containers.** Prior to the delivery of the outdoor storage container(s), the applicant shall make application for the placement of the outdoor storage container(s) with the building department per [Section 17.20.030](#). In addition to those requirements, the following supplemental information shall be provided prior to the approval of the temporary use permit:
- a. The application shall contain the name of the applicant to whom the outdoor storage container is supplied and whether the person owns, rents, occupies, or controls the property.
 - b. The application shall include the approval of the owner of the property.
 - c. The application shall contain the delivery and removal dates of the container and the entity supplying the station.
 - d. The application shall include the length, width, and height of the container, along with a sketch showing the location of the placement of the container.
 - e. The size of the container shall not exceed eight feet in width, sixteen (16) feet in length, and nine feet in height.
 - f. No more than one container per parcel.
 - g. The container shall be placed within the yard setback line. Containers shall not be located in the public right-of-way or in a location that obstructs the view of pedestrian or vehicular traffic entering or exiting the right-of-way.
 - h. The temporary storage container shall not be permitted on the same property for more than thirty (30) days. A one-time extension of fourteen (14) days may be granted by the building department. A letter must be sent to the building department requesting the extension and the reason(s) for it. Exceptions may be granted if construction is occurring on the property.
 - i. If the container is located on a single parcel, it shall only be placed on an improved driveway constructed of a hard, dustless surface, generally asphalt, brick pavers, or concrete.
 - j. If the container is located on an attached single-family or multifamily parcel, it shall only be placed on an improved parking lot constructed of a hard, dustless surface, generally asphalt or concrete provided the placement does not impede the flow of traffic or occupy required off-street parking spaces.
 - k. Any material deemed necessary by the building department.