

CITY OF DELAVAN ZONING ORDINANCE

TABLE OF CONTENTS -- Detailed Listing

CHAPTER 21: GENERAL PROVISIONS

SUBCHAPTER 21-0: INTRODUCTION

21.001: Title	1
21.002: Authority	1
21.003: Legislative Intent	1
21.004: Rationale and the Appearance of Ordinance Text	1
21.005: Purpose	2
21.006: Separability and Non-Liability	2
21.007: Abrogation	3
21.008: Application	3
21.009: Jurisdiction	4
21.010: Re-enactment and Repeal	4
21.011: Effective Date	4

SUBCHAPTER 21-0: DEFINITIONS AND CROSS REFERENCES

21.031: Introduction to Word Usage, Abbreviations and Definitions	5
21.032: Word Usage	5
21.033: Abbreviations	6
21.034: Definitions	7

CHAPTER 22: ZONING DISTRICTS

SUBCHAPTER 22-1: ESTABLISHMENT OF ZONING DISTRICTS

22.101: Purpose	1
22.102: Standard Zoning Districts and Standard Zoning District Categories	1
22.103: Map of Standard Zoning Districts	2
22.104: Interpretation of Zoning District Boundaries	2
22.105: Purpose and Intent of Standard Zoning Districts	3
(1) Agricultural District	
(a) Rural Holding (RH-35ac) District.....	3
(2) Residential Districts	
(a) Residential Estate (RE-5ac) District.....	6
(b) Residential Single-family-2 (RS-2) District	9
(c) Residential Single-family-3 (RS-3) District	12
(d) Residential Single-family-5 (RS-5) District	15
(e) Residential Mixed (RM-8) District	18
(f) Residential Multi-family (RM-12) District.....	21
(3) Nonresidential Districts	
(a) Office Neighborhood (ON) District	24
(b) Office Park (OP) District	27
(c) Business Neighborhood (BN) District.....	30
(d) Business Regional (BR) District.....	33
(e) Business Local (BL) District.....	36
(f) Business Central (BC) District	39

(g)	Manufacturing Light (ML) District	42
(h)	Manufacturing General (MG) District	45
(i)	Manufacturing Heavy (MH) District	48
(j)	Institutional (I) District (RC-80, 11/9/99)	51
(k)	Institutional Residential (IR) District (RC-80, 11/9/99)	53
(l)	Park and Recreation (PR) District (RC-80, 11/9/99)	55
22.106:	Natural Resources Protection Overlay Zoning Districts	57
22.107:	Map of Natural Resource Protection Overlay Zoning Districts (RC-287, 3/9/10)	57
22.108:	Downtown Design Overlay Zoning District	58
22.109:	Historic Neighborhood Design Overlay Zoning District	58
22.110:	Entry Corridor Design Overlay Zoning District	58
22.111:	Community Gateway Design Overlay Zoning District	58
22.112:	Planned Infill Development Overlay Zoning District	58
22.113:	Wellhead Protection Overlay District (RC-192, 11/9/04)	58

CHAPTER 23: ZONING STANDARDS

SUBCHAPTER 23-2: LAND USE REGULATIONS

23.201:	Purpose	1
23.202:	Interpretation of Land Use Tables	1
23.203:	Tables of Land Uses	2
	Table 23.203(1): Dwelling Unit Types	3
	Table 23.203(2): Agricultural Land Uses	4
	Table 23.203(3): Institutional Land Uses	4
	Table 23.203(4): Commercial Land Uses	5
	Table 23.203(5): Storage or Disposal Land Uses	6
	Table 23.203(6): Transportation Land Uses	6
	Table 23.203(7): Industrial Land Uses	6
	Table 23.203(8): Accessory Land Uses	7
	Table 23.203(9): Temporary Land Uses	8
23.204:	Table of Land Uses Permitted in Permanently Protected Green Space Areas	8
	Table 23.204: Table of Permanently Protected Green Space	9
23.205:	Regulations Applicable to All Uses	10
23.206:	Detailed Land Use Descriptions and Regulations	12
	(1) Residential Land Uses (Development Options)	12
	(a) Conventional Residential Development	12
	(b) Equestrian Residential Development	12
	(c) Loose Cluster Development	13
	(d) Moderate Cluster Development	13
	(e) Compact Cluster Development	14
	(f) Institutional Residential Development	15
	(g) Mobile Home Residential Development	15
	(h) Mobile Home Park Residential Development	15
	(i) Note Regarding Green Space and Maximum Density Yield	16
	(2) Agricultural Land Uses	16
	(a) Cultivation	16
	(b) Husbandry	16
	(c) Intensive Agriculture	17
	(d) Agricultural Service	17
	(e) On-Site Agricultural Retail	18
	(f) Selective Cutting	18
	(g) Clear Cutting	19
	(3) Institutional Land Uses	20
	(a) Passive Outdoor Public Recreational	20

(b)	Active Outdoor Public Recreational	20
(c)	Indoor Institutional	20
(d)	Outdoor Institutional	21
(e)	Public Service and Utilities	22
(f)	Institutional Residential.....	22
(g)	Community Living Arrangement (1-8 residents).....	23
(h)	Community Living Arrangement (9-15 residents).....	23
(i)	Community Living Arrangement (16+ residents).....	24
(4)	Commercial Land Uses	24
(a)	Office.....	24
(b)	Personal or Professional Service.....	24
(c)	Indoor Sales or Service	25
(d)	Outdoor Display	25
(e)	Indoor Maintenance Service	26
(f)	Outdoor Maintenance Service	26
(g)	In-Vehicle Sales or Service.....	27
(h)	Indoor Commercial Entertainment	27
(i)	Minor Outdoor Commercial Entertainment (RC-319, 6/12/12)	28
(ii)	Major Outdoor Commercial Entertainment (RC-319, 6/12/12)	28
(j)	Commercial Animal Boarding	29
(k)	Commercial Indoor Lodging.....	29
(l)	Bed and Breakfast Establishment.....	30
(m)	Group Day Care Center (9 or more children).....	31
(n)	Campground.....	32
(o)	Boarding House.....	32
(p)	Sexually-Oriented Land Uses	32
(5)	Storage or Disposal Land Uses	33
(a)	Indoor Storage or Wholesaling	33
(b)	Outdoor Storage or Wholesaling.....	33
(c)	Personal Storage Facility.....	34
(d)	Junkyard or Salvage Yard	34
(e)	Waste Disposal Facility	35
(f)	Composting Operation.....	35
(g)	Recycling and Related Activities (RC-331, 5/14/13).....	36
(6)	Transportation Land Uses	37
(a)	Off-Site Parking Lot	37
(b)	Airport/Heliport (RC-355, 6/9/15)	37
(c)	Freight Terminal	37
(d)	Distribution Center.....	38
(7)	Industrial Land Uses.....	38
(a)	Light Industrial Land Use	38
(b)	Manufacturing Heavy Industrial Land Use	39
(c)	Communication Tower.....	39
(d)	Extraction Use	40
(8)	Accessory Land Uses.....	40
(a)	Commercial Apartment.....	40
(b)	On-Site Parking Lot	41
(c)	Farm Residence	41
(d)	Detached Private Residential Garage, Carport, or Utility Shed (RC-98, 6/13/00)	41
(e)	Private Residential Recreational Facility (RC-353, 6/9/15).....	41
(f)	Private Residential Kennel.....	43
(g)	Private Residential Stable.....	43
(h)	Company Cafeteria.....	44
(i)	Company Provided On-Site Recreation	44
(j)	Outdoor Display Incidental to Indoor Sales and Service	44

(k)	In-Vehicle Sales and Services Incidental to On-Site Principal.....	44
(l)	Indoor Sales Incidental to Storage to Light Industrial Land Use.....	45
(m)	Light Industrial Activities Incidental to Indoor Sales and Service.....	45
(n)	Drainage Structure	45
(o)	Filling.....	46
(p)	Lawn Care.....	46
(q)	Individual Septic Disposal System	46
(r)	Exterior Communication Devices.....	46
(s)	Home Occupation.....	47
(t)	On-Site Composting and Wood Piles	47
(u)	Family Day Care Home (4-8 children)	48
(v)	Migrant Labor Camp.....	48
(9)	Temporary Land Uses	48
(a)	Contractor's Project Office.....	48
(b)	Contractor's On-Site Equipment Storage Facility	48
(c)	Relocatable Building.....	49
(d)	On-Site Real Estate Sales Office.....	49
(e)	General Temporary Outdoor Sales.....	49
(f)	Seasonal Outdoor Sales of Farm Products.....	49
(g)	Outdoor Assembly	50
(h)	Limited Duration Special Activities and Events (RC-319, 6/12/12)	50
(10)	Natural Resource Disruption and Required Mitigation Standards	50
(a)	Cultivation	51
(b)	Passive Outdoor Public Recreational Area	51
(c)	Active Outdoor Public Recreational Area.....	51
(d)	Outdoor Institutional	51
(e)	Lawn Care.....	51
(f)	Golf Course	51
(g)	Any Permitted Temporary Use	52
(h)	Drainage Structure	52
(i)	Filling.....	52
(j)	Road and/or Bridge	52
(k)	Utility Lines and Related Facilities	52
23.207:	Nonconforming Use Regulations	53
23.208:	Group Developments	54

SUBCHAPTER 23-3: DENSITY AND INTENSITY REGULATIONS

23.301:	Purpose.....	1
23.302:	How to Use this Subchapter	1
23.303:	Required Natural Resources Site Evaluation.....	2
	Natural Resources Site Evaluation Worksheet	3
23.304:	Residential Density Standards	4
	Table 23.304: Residential Density Standards	5
23.305:	Nonresidential Intensity Standards	6
	Table 23.305: Nonresidential Intensity Standards.....	7
23.306:	Detailed Instructions for Intensity and Density Regulations	8
23.307:	Nonconforming Development Regulations	11

SUBCHAPTER 23-4: BULK REGULATIONS

23.401: Purpose.....	1
23.402: How to Use this Subchapter	1
23.403: Residential Bulk Standards	2
Table 23.403: Residential Bulk Standards	3
(1) Single-Family Detached House -- 35 acres	4
(2) Single-Family Detached House -- 175,000 sf	5
(3) Single-Family Detached House -- 130,000 sf	6
(4) Single-Family Detached House -- 80,000 sf	7
(5) Single-Family Detached House -- 40,000 sf	8
(6) Single-Family Detached House -- 30,000 sf	9
(7) Single-Family Detached House -- 20,000 sf	10
(8) Single-Family Detached House -- 10,500 sf	11
(9) Single-Family Detached House -- 8,000 sf	12
Illustration: Single Family Detached House (All Lot Sizes)	13
(10) Duplex House -- 5,000/10,000 sf	14
Illustration: Twin House/Duplex House	15
(11) Two-Flat House -- 4,000/8,000 sf	16
Illustration: Two-Flat House	17
(12) Townhouse -- 2,400 sf.....	18
Illustration: Townhouse	19
(13) Multiplex -- 2,000 sf	20
Illustration: Multiplex	21
(14) Apartment -- 1,400 sf.....	22
Illustration: Apartment	23
(15) Institutional Residential -- 800 sf.....	24
(16) Mobile Home -- 5,000 sf	25
Illustration: Mobile Home	26
23.404: Nonresidential Bulk Standards	27
Table 23.404: Nonresidential Bulk Standards	28
23.405: Yard Setback Adjustments	29
23.406: Intrusions Into Required Yards	30
23.407: Exceptions to Maximum Height Regulations.....	32
23.408: Substandard Lot Regulations	32
23.409: Nonconforming Structure and Building Regulations.....	32
23.410: Minimum Living Area Requirements (RC-79, 11/9/99).....	34

SUBCHAPTER 23-5 NATURAL RESOURCE PROTECTION REGULATIONS

23.501: Purpose.....	1
23.502: How to Use This Subchapter.....	1
23.503: Floodway, Floodfringe, and Floodplain Overlay Zoning Districts (RC-287, 3/9/10)	2
23.504: Shoreland-Wetland Overlay Zoning District.....	28
23.505: Lakeshore Overlay Zoning District.....	35
23.506: Drainageway Overlay Zoning District	36
23.507: Woodland Overlay Zoning District	37
23.508: Steep Slope Overlay Zoning District.....	38
23.510: Detailed Site Analysis.....	39

SUBCHAPTER 23-6: LANDSCAPING AND BUFFERYARD REGULATIONS

23.601: Purpose.....	1
23.602: How to Use this Subchapter.....	1
23.603: Landscaping Points, Sample Landscaping Schemes, and Measurements.....	2
Table 23.603: Landscaping Points and Minimum Installation Sizes	2
Illustration: Landscaping for Building Foundations	3
Illustration: Landscaping for Developed Lots	3
Illustration: Landscaping for Street Frontages	4
Illustration: Landscaping for Paved Areas	4
Illustration: Landscaping for Reforestation	5
Illustration: Landscaping for Bufferyards	5
Illustration: Measurement Techniques for Landscaping Requirements	6
23.604: Landscaping Requirements for Building Foundations.....	7
Table 23.604: Building Foundation Landscaping Requirements	7
23.605: Landscaping Requirements for Developed Lots.....	8
Table 23.605: Developed Lot Landscaping Requirements	8
23.606: Landscaping Requirements for Street Frontages.....	9
Table 23.606: Street Frontage Landscaping Requirements	9
23.607: Landscaping Requirements for Paved Areas.....	10
Table 23.607: Paved Area Landscaping Requirements	10
23.608: Landscaping Requirements for Other Permanently Protected Green Spaces.....	11
23.609: Landscaping Requirements for Required Reforestation.....	11
23.610: Landscaping Requirements for Bufferyards.....	11
Table 23.610(4)(a): Required Bufferyard Opacity Values	13
Table 23.610(4)(b): Detailed Bufferyard Requirements	14
23.611: Classification of Plant Species.....	18
23.612: Requirements for the Installation, Maintenance, and Use of Landscaped and Bufferyard Areas.....	19
23.613: Calculating Landscaping and Bufferyard Requirements.....	21
23.614: Depiction of Landscaping on Required Site Plan.....	21

SUBCHAPTER 23-7: PERFORMANCE STANDARDS

23.701: Purpose.....	1
23.702: Access Standards.....	1
23.703: Visibility Standards.....	2
Table 23.703: Vision Clearance Triangle Standards	3
23.704: Off-Street Parking and Traffic Circulation Standards.....	3
Table 23.704(6)(j): Parking Layout Dimensions	6
Illustration: Typical Parking Layout Dimensions	6
Table 23.704(7)(f): Minimum Permitted Throat Length	8
23.705: Off-Street Loading Standards.....	8
Table 23.705(4): Loading Standards	9
Illustration: Loading Area Standards	9
23.706: Exterior Storage Standards.....	10
23.707: Exterior Lighting Standards.....	11
23.708: Vibration Standards.....	12

23.709: Noise Standards.....	14
Table 23.709(3)(a): Maximum Permitted Noise Level at Lot Line	14
Table 23.709(3)(b): Adjustment Factors for Maximum Noise Levels	15
23.710: Air Pollution Standards.....	15
23.711: Odor Standards.....	15
23.712: Electromagnetic Radiation Standards.....	16
23.713: Glare and Heat Standards.....	16
23.714: Fire and Explosion Standards	17
23.715: Toxic or Noxious Material Standards.....	17
23.716: Waste Material Standards	17
23.717: Drainage Standards	18
23.718: Exterior Construction Material Standards	18
23.719: Hazardous Materials Standards	19
23.720: Fencing Standards	19
23.721: Administration and Enforcement of Performance Standards	21
23.722: Public Art Standards (RC-345, 9/9/14)	21

SUBCHAPTER 23-8: SIGNAGE REGULATIONS

23.801: Purpose.....	1
23.802: Sign Permits.....	1
23.803: Definitions and Regulations Specific to Certain Signs	2
Illustration: Sign Measurement	6
23.804: General Signage Regulations.....	6
23.805: Sign Regulations Applicable to Residential Districts.....	7
23.806: Sign Regulations Applicable to Nonresidential Districts.....	8
Table 23.806(6): Maximum Sign Sizes	9
23.807: Temporary Signs.....	9
23.808: Construction and Maintenance of Signage	10
23.809: Nonconforming Signs	10

CHAPTER 24: ZONING PROCEDURES AND ADMINISTRATION

SUBCHAPTER 24-9 PROCEDURAL REGULATIONS

24.901: Purpose of Procedural Regulations	1
24.902: Amendment of Zoning Regulations	1
24.903: Amendment of Official Zoning Map	4
24.904: Special Use Review and Approval.....	9
24.905: Conditional Use Review and Approval.....	11
24.906: Temporary Use Review and Approval	15
24.908: Site Plan Review and Approval	16
24.909: Certificate of Occupancy	20
24.910: Variances	22
24.911: Interpretations	26
24.912: Appeals of Zoning Interpretations.....	30
24.913: Downtown Design Overlay Zoning Districts Procedures.....	32
24.914: Planned Infill Development District Procedures	47
24.915: Wellhead Protection Overlay Zoning District Procedures (RC-192, 11/9/04)	54

SUBCHAPTER 24-9 ADMINISTRATION AND ENFORCEMENT

24.931: Purpose of Administrative Regulations 1
24.932: Zoning Administrator 1
24.933: Plan Commission 2
24.934: Zoning Board Appeals 2
24.935: Fees 7
24.936: Violations and Penalties 8

APPENDICES

List of Amendments to the Official Zoning Map A-1
List of Amendments to the Zoning Ordinance A-2
Detailed Classification of Plant Species A-3
Checklists for Landscape Requirements A-29
Checklist for Zoning Ordinance Amendment Procedures A-33
Checklist for Zoning Map Amendment Procedures A-35
Checklist for Special Use Review and Approval Procedures A-37
Checklist for Conditional Use Review and Approval Procedures A-38
Checklist for Temporary Use Review and Approval Procedures A-41
Checklist for Site Plan Review and Approval Procedures A-42
Checklist for Variance Review and Approval Procedures A-45
Checklist for Planned Infill Development Review and Approval Procedures A-48
City of Delavan Arterial and Collector Streets A-55

OFFICIAL ZONING MAP

- Sheet One: Zoning District Boundaries and Approved Conditional Uses
- Sheet Two: Protected Natural Resource Areas