

21-200 **PERFORMANCE STANDARDS**

The Performance Standards set forth in this ordinance are to provide guidelines for the administration of this ordinance, and for developers considering specified types of development permitted by this ordinance. The Performance Standards herein described are in addition to the requirements set forth in the Schedule of District Regulations.

21-201 **LOW AND MEDIUM DENSITY PLANNED UNIT DEVELOPMENTS (R1) AND (R2)**

Planned unit developments for districts R1 and R2 shall be defined as building or group of buildings situated on land which is under single ownership or unified control and which is wholly residential in nature. Planned unit developments for this district shall further meet the following criteria:

21-201.1 Wholly residential development may be permitted a waiver of lot area, yard requirements and height restrictions, providing: The general intent of the district is not circumvented; consideration is given to adjoining property; adequate vehicle circulation and off-street parking meeting the requirements of the regulations for this district are provided; the density of development does not exceed the density as indicated in the statement of intent for the district; covenants to provide maintenance of commonly owned land and any improvements or facilities thereon are found to be acceptable to the City Council.

21-201.2 Accessory uses including, but not limited to swimming pools, tennis courts, golf courses, community centers and other recreational uses will be permitted, but shall be limited to the residents of the planned unit development and subject to their control. Any such accessory uses shall not be of a commercial nature which are open to the general public.

21-201.3 Planned unit developments shall also meet the requirements or the intent of the requirements of the Subdivision Regulations. Development may be staged, permits issued for each stage.

21-201.4 The granting of a conditional use permit for a planned unit development shall be valid for a period of 12 months from date of approval. If substantial progress has not been made toward exercising the permit it shall become null and void.

21-202 **HIGH DENSITY PLANNED UNIT DEVELOPMENTS (R3)**

Planned unit developments for R-3 district shall be defined as a building or groups of buildings situated on land which is under single ownership or unified control and which is either entirely residential in nature, or predominantly residential in nature, but wherein various compatible uses hereinafter indicated may be conducted. Planned unit developments for this district shall further meet the following criteria:

- 21-202.1** A waiver of lot area, yards, height and stories requirements may be granted providing the total land area for wholly or predominantly residential uses shall be equal to or more than the sum of the total of minimum lot areas required per d.u. and minimum lot area per non-residential uses permitted in this district. To insure that adequate open space is provided, the total land for residential purposes required may not be infringed upon for parking for non-residential purposes although common parking areas will be permitted.
- 21-202.2** Adequate vehicular circulation and off-street parking meeting the requirements of the regulations for this district are provided.
- 21-202.3** The dwelling unit density for this district is not exceeded, and that such density shall be based upon computations in Section 21-202.1 as distinct from non-residential uses.
- 21-202.4** Covenants to provide maintenance of commonly owned land and any improvements thereon are found to be acceptable to the City Council.
- 21-202.5** At least 250 square foot of recreational area per dwelling unit shall be provided for recreational and playground purposes including but not limited to swimming pools, tennis courts, golf putting green, tot lot, badminton, community centers, and other recreational uses will be permitted, but shall be limited to the residents of the planned unit development and subject to their control. Any such accessory uses shall not be of a commercial nature which are open to the general public. This required recreational area may be part of the open space computed in 21-202.1 above.
- 21-202.6** Planned unit developments shall also meet the requirements of the Subdivision Regulations. Development may be staged, permits issued for each stage.
- 21-202.7** Permitted non-residential uses shall be limited to the following, and shall be situated so as not to conflict with the residential portion(s) of the development: parking areas for uses in less restricted districts; kindergarten or day nursery; offices of Physicians, Dentists, Architects, Attorneys, Accountants, Engineers, Real Estate, Insurance, Urban Planning, Welfare and Charitable Services, and other offices deemed to be compatible by the Planning Commission; Music, Art, or Dancing Schools; Barber and Beauty Shops; Museum and Art Galleries; Laundromat; Coffee Shop or Restaurant; Drug Stores.
- 21-202.8** The granting of a conditional use permit for a planned unit development shall be valid for a period of 12 months from the date of approval. If substantial progress has not been made toward exercising the permit it shall become null and void.

21-203 **PLANNED MANUFACTURED HOME DEVELOPMENT (R-MH)**

- 21-203.1** Planned Manufactured Home Developments are permitted as a matter of right in districts zoned as Planned Manufactured Home Districts (R-MH). However, to implement the Statement of Intent for this district in the Schedule of District Regulations the following standards shall be met by any applicant for rezoning.

- 21-203.1.1** The proposed development shall be located so that it shall not be necessary for excessive traffic movement from the development to pass through an existing single-family residential area or an area designated in the Comprehensive Plan solely for single-family residential development. The proposed development shall have direct access onto a public road that will accommodate the projected traffic arising from the development.
- 21-203.1.2** The property shall be convenient to schools, developments, and shopping facilities.
- 21-203.1.3** The property is not within an area used nor planned for industrial development, nor will the occupants of the proposed development be in any way adversely affected by nearby existing or planned industrial uses.
- 21-203.2** Site Requirements:
- 21-203.2.1** Recreation or open sites shall be provided for each manufactured home development. Open site may be provided in more than one location, but no location shall contain less than two-thousand (2,000) square feet. Each recreational site shall be accessible to all of the manufactured home sites in the development, and shall not be used for any other purpose. Each development should provide a minimum of 8 percent of the gross acreage for such open site for recreational purposes.
- 21-203.2.2** Each site for manufactured homes shall have a minimum of 5,000 square feet, except as provided with Article 19A.9.
- 21-203.2.3** The minimum distance required for the separation of a manufactured home from any other manufactured home shall be 15 feet. Front set back requirement within a manufactured home development shall be a minimum of 10 feet from private road. For entire manufactured home development, set back requirements shall be a minimum of 15 feet from a public street, or within 5 feet of any side or rear yard line of the manufactured home development. No accessory building shall be placed within the setback areas described above. The setback requirement required herein shall not be subject to variance.
- 21-203.3** Access and Street Requirements:
- 21-203.3.1** All manufactured home sites must be served from internal private streets within the manufactured home development and there shall be no direct access from a manufactured home site to a public street or alley.
- 21-203.3.2** A minimum of two (2) off-street parking sites shall be provided for each manufactured home site. Guest parking in the ratio of one parking space per five (5) manufactured home sites shall be interspersed throughout the manufactured home development; guest off street parking requirements may be met by off street parking sites within the driveway of an individual manufactured home site (after minimum off street parking for that site has been met). Each parking space shall comply with the requirements of Article 21, Section 21-124, Definition of “Parking Space, Off Street”.

- 21-203.3.3** All internal private streets shall be a minimum of 24 feet in width, exclusive of the required parking areas, and shall contain concrete curbs and gutters or acceptable gutters on both sides of the street. All areas used by automobiles shall be paved and meet the requirements of the City of Mt. Vernon.
- 21-203.3.4** No internal private street access to public streets shall be located closer than 100 feet to any public street intersection.
- 21-203.3.5** All interior cul-de-sac streets shall have a minimum outside turning radius of 38 feet.
- 21-203.3.6** All corners shall have a minimum 15 feet radii.
- 21-203.3.7** All streets shall be lighted in accordance to the standards of the City of Mt. Vernon and the State of Illinois Department of Public Health Rules and Regulations for mobile home parks.
- 21-203.3.8** Stop signs shall be placed at all public street intersections. Yield signs placed appropriately on internal private streets.
- 21-203.3.9** Dedication of all necessary rights-of-way to conform to the requirements of the Thoroughfare Plan shall be offered free of charge to the proper jurisdiction.
- 21-203.4** Landscaping Required:
- 21-203.4.1** A landscaping plan of the proposed development including at least one tree per manufactured home site of at least 1 ½ " caliper measured 3' above the ground, shall be submitted for approval by the Plan Commission. All open sites shall be landscaped and include a permanent means of maintenance. No more than 30 percent of the landscaped area may be maintained in ornamental rock or gravel.
- 21-203.5** Sign Requirements
- 21-203.5.1** Signs proposed for any manufactured home development shall be subject to architectural review of the Plan Commission, and may be indirectly or internally lighted, but shall not be flashing, moving, or have the illusion of flashing or moving. Incidental signs shall not exceed 1 square foot in area per sign, with a height limit of 4 feet; and one (1) 16 square foot development directory for each manufactured home development.
- 21-203.6** Other Requirements:
- 21-203.6.1** Applicant shall comply with applicable requirements of the Subdivision Ordinance of the City of Mt. Vernon (Article 17 of the Revised Code of Ordinances).
- 21 203.6.2** All utilities (including without limitation sewer, water, gas, oil, telephone, T.V. and internet service lines) within the manufactured home development shall be placed underground and shall comply with all applicable laws, codes, and regulations.

21-203.6.3 All manufactured home developments shall comply with Article 19A of the Revised Code of Ordinances.

21-203.6.4 Additional development requirements may be prescribe as conditions when such requirements are determined by the Planning Department to be necessary to ensure the protection of the character of the neighboring properties, the compatibility of land uses, and the health and safety of manufactured home development occupants.

21-204.1 **LIGHT INDUSTRIAL (I-1) USES**

21-204.2 **SMOKE** - A light industrial use shall meet such requirements as are imposed by the Illinois Environmental Protection Agency or other applicable state or federal law.

21-204.2 **ODOR** - No light industrial use may release an odor that is detectable at the lot line.

21-204.3 **TOXIC MATERIALS** - For a light industrial use, the emission of toxic and noxious materials may not produce any concentration at a residence or business district boundary line exceeding 3% of the threshold limit values for toxic material in industry as set forth in "Threshold Limit Values" for the current year, as adopted at the annual meeting of the American Conference of Governmental Industrial Hygienists.

21-204.4 **GLARE AND HEAT** - No light industrial use may cause heat at the lot line so intense as to be a public nuisance or hazard. No such use may cause illumination at or beyond any residence district boundary in excess of 0.1 foot candle².

21-204.5 **PARTICULATE MATTER**³- A light industrial use shall meet such requirements as are imposed by the Illinois Environmental Protection Agency or other applicable state or federal law.

Footnote (2) The term "foot-candle" means a unit of illumination equal to the illumination at all points that are 1 foot from a uniform point source of one candle power.

Footnote (3) The term "particulate matter" means a divided liquid or solid material that is discharged and carried along in the air.

21-204.6 **VIBRATION** - No light industrial use may cause, at the lot in continuous earthborne vibrations higher than the limits set forth in column I of the following table. Nor may it cause, at any residence district boundary, continuous earthborne vibrations higher than the limits set forth in column II.

Frequency (cycles per second)		I Displacement ⁴ (inches)	II Displacement ⁴ (inches)
<u>More than</u>	<u>But not more than</u>		
0	10	0.0008	0.0004
10	20	0.0005	0.0002
20	30	0.0002	0.0001
30	40	0.0002	0.0001
40	50	0.0001	0.0001
50		0.0001	0.0001

Discrete pulses that do not exceed 100 impulses per minute may not produce higher than twice the displacement specified in the table.

Footnote (4) "Displacement" means the maximum amount of motion in any direction as determined by any three-component (simultaneous) measuring system approved by the Commission; and "three component measuring system" means instrumentation that can measure earthborne vibrations in a horizontal as well as a vertical plane.

21-204.7 Noise⁵- At no boundary of a residence or business district may the sound pressure level of any light industrial use (except for background noises produced by sources not under control of this ordinance, such as the operation of motor vehicles or other transportation facilities) exceed the following decibel limits:

Octave Band Frequency (cycles per second)		I Maximum Permitted Sound Level (decibels) Along Residence District Boundaries	II Maximum Permitted Sound Level (decibels) Along Business District Boundaries
<u>More Than</u>	<u>But Not More Than</u>		
20	75	72	79
75	150	67	74
150	300	59	66
300	600	52	59
600	1200	46	53
1200	2400	40	47
2400	4800	34	41
4800	-	32	39

The prescribed limits of column I apply between 8:00 a.m. and 6:00 p.m. At other times, the allowable levels in each octave band are each reduced by 6 decibels.

Sound levels shall be measured with a sound-level meter and associated octave band filter, manufactured and calibrated according to standards prescribed by the American Standards Association. Measurements shall be made using the Flat C network of the sound level meter and the fast meter movement of the octave band analyzer. Impulsive noises are subject to the performance standards prescribed by this section if they cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus 2 decibels. Noises incapable of being so measured, such as irregular and intermittent noises, shall be controlled so as not to be a nuisance to adjacent uses.

Footnote (5) "Octave band" means all the frequencies from one frequency to a second. In sound octave bands, the second frequency is usually twice the first one; and "octave band filter" means an electrical device that separates the sounds in each octave band and presents them to the sound level meter.

21-204.8 Fire Hazards⁶- Solid substances ranging from free or active burning may be stored, used, or manufactured only within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system.

The storage, utilization, or manufacture of flammable liquids or materials which produce flammable vapors or gases shall be permitted in accordance with the Rules and Regulations of the State Fire Marshall. A certificate of compliance, issued by the State Fire Marshall's Office, stating that the plan and specifications for a light or general industrial use comply with the Rules and Regulations of the State Fire Marshall shall accompany the application for a certificate of zoning compliance.

21-204.9 Detonation Materials- No activity involving the storage, use, or manufacturing of materials that decompose by detonation may be carried on except in accordance with the rules issued by the State Fire Marshall. These materials include primary explosives such as lead azide, lead styphnate, fulminates, and tetracene; high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and their components, such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds, such as acetylides, tetrazoles, and ozonides; strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than 35 percent; and nuclear fuels, fissionable materials and products, and reactor elements such as uranium 235 and plutonium 239.

Footnote (6) "Free burning" means a rate of combustion described by a substance that burns actively and easily supports combustion; and "Intense burning" means a rate of combustion described by a substance that burns with a high degree of activity and is consumed rapidly

21-204.10 Exceptions- These performance standards do not apply to: Site preparation or construction, maintenance, repair, alteration or improvement of buildings, structures, equipment, or other improvements on or within the lot line;

The operation of motor vehicles or other facilities for the transportation of personnel, materials, or products;

Conditions beyond the control of the user such as fire, explosion, accident, failure, or breakdown;

Safety or emergency warning signals or alarms necessary for the protection of life, limb, or property; or

Processes for which there are no known means of control.

Research shall be promptly conducted to discover methods of control leading to the installation of protective equipment.

21-204.11 Open Storage- Open storage of materials shall be kept in a neat and orderly manner. Open storage shall be limited to no more than 50% of the open storage area, and shall not exceed 5'-0" in height. All open areas shall be screened from public view by a fence of at least 6'-0" in height. All open storage areas shall be paved with a dust free surface.

21-205 **GENERAL INDUSTRIAL (1-2) USES**

21-205.1 Smoke- a general industrial use shall meet such requirements as are imposed by the Illinois Environmental Protection Agency or other applicable state or federal law.

21-205.2 Odor - No general industrial use may release an odor that is detectable at the lot line.

21-205.3 TOXIC MATERIALS - For general industrial use, the emission of toxic and noxious materials may not produce any concentration at a residence or business district boundary line exceeding 10 percent of the threshold limit values for toxic materials in industry as set forth in "Threshold Limit Values" for the current year, as adopted at the annual meeting of the American Conference of Governmental Industrial Hygienists.

21-205.4 GLARE AND HEAT - No general industrial use may cause heat at the lot line so intense as to be a public nuisance or hazard. No such use may cause illumination at or beyond any residence district boundary in excess of 0.1 footcandle⁸.

21-205.5 PARTICULATE MATTER⁹

A general industrial use shall meet such requirements as are imposed by the Illinois Environmental Protection Agency or other applicable state or federal law.

21-205.6 **VIBRATION** - No general industrial: use may cause at any business district boundary continuous earthborne vibrations higher than the limits set forth in Column I of the following table. Nor may it cause at any residence or Mobile Home district boundary continuous earthborne vibrations higher than the limits set forth in column II.

Frequency (cycles per second)		I Displacement ¹⁰ (inches)	II Displacement ¹⁰ (inches)
<u>More than</u>	<u>But not more than</u>		
0	10	0.002	0.0004
10	20	0.001	0.0002
20	30	0.0006	0.0001
30	40	0.0004	0.0001
40	50	0.0003	0.0001
50		0.0002	0.0001

Discrete pulses that do not exceed 100 impulses per minute may not produce higher than twice the displacement specified in the table

⁸See Footnote Number 2

⁹See Footnote Number 3

¹⁰See Footnote Number 4

21-205.7

NOISE¹¹ At no boundary of a residence or business district may the sound pressure level of any general industrial use (except for background noises produced by sources not under control of this ordinance, such as the operation of motor vehicles or other transportation facilities) exceed the following decibel limits:

Octave Band Frequency (cycles per second)		I Maximum Permitted Sound Level (decibels) Along Residence <u>District Boundaries</u>	II Maximum Permitted Sound Level (decibels) Along Business <u>District Boundaries</u>
More than	But not more than		
20	75	72	79
75	150	67	74
150	300	59	66
300	600	52	59
600	1200	46	53
1200	2400	40	47
2400	4800	34	41
4800	-	32	39

The prescribed limits of column I apply between 8:00 a.m. and 6:00 p.m. At other times, the allowable levels in each octave band are each reduced by 6 decibels.

Sound levels shall be measured with a sound level meter and associated octave band filter, manufactured and calibrated according to standards prescribed by the American Standards Association. Measurements shall be made using the Flat C network of the sound level meter and the fast meter movement of the octave band analyzer. Impulsive noises are subject to the performance standards prescribed by this section if they cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus 2 decibels. Noises incapable of being so measured, such as irregular and intermittent noises, shall be controlled so as not to be a nuisance to adjacent uses.

¹¹ See Footnote Number 5

21-205.8 **FIRE HAZARDS**¹² - Solid substances ranging from free or active burning to intense burning may be stored, used, or manufactured only within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system.

The storage utilization, or manufacturing of flammable liquids or materials which produce flammable vapors or gases shall be permitted in accordance with the Rules and Regulations of the State Fire Marshall. A certificate of compliance, issued by the State Fire Marshall's Office, stating that the plans and specifications for a light or general industrial use comply with the Rules and Regulations of the State Fire Marshall shall accompany the application for certificate of zoning compliance.

21-205.9 **DETONATION MATERIALS** - No activity involving the storage, use, or manufacturing of materials that decompose by detonation may be carried on except in accordance with the rules issued by the State Fire Marshall. These materials include primary explosives such as lead azide, lead styphnate, fulminates, and tetracene; high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and their components, such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fire works such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerine, unstable organic compounds such as acetylines, tetrazoles, and ozonides; strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorics, chlorates, and hydrogen peroxide in concentrations greater than 35 percent; and nuclear fuels, fissionable materials and products, and reactor elements such as Uranium 235 and Plutonium 239.

21-205.10 **EXCEPTIONS** - These performance standards do not apply to: Site preparation or construction, maintenance, repair, alteration, or improvement of buildings, structures, equipment or other improvements on or within the lot line;

The operation of motor vehicles or other facilities for the transportation of personnel, materials, or products; Conditions beyond the control of the user such as fire, explosion, accident, failure, or breakdown;

Safety or emergency warning signals or alarms necessary for the protection of life, limb or property;

or processes for which there is no known means of control.

Research shall be promptly conducted to discover methods of control leading to the installation of protective equipment.

¹²See Footnote Number 6