

**ARTICLE 3
GENERAL PROVISIONS**

SECTION 3.1 OTHER APPLICABLE REGULATIONS

Other ordinances and codes of the City of Jacksonville governing buildings, land development, property maintenance, and building occupancy include, but are not necessarily limited to, the following:

1. Building Code (Chapter 6, Jacksonville Municipal Code);
2. Fire Protection Code (Chapter 6, Jacksonville Municipal Code);
3. Development in Flood Plain Areas (Ordinance 94-0-24);
4. Property Maintenance Code (Chapter 6, Jacksonville Municipal Code);
5. Subdivisions (Appendix C, Jacksonville Municipal Code).

SECTION 3.2 ESTABLISHMENT OF ZONING DISTRICTS

The City of Jacksonville is hereby divided into the following zoning districts:

- A-1 Agricultural District (*5 acre min. lot size for dwellings*)
- R-1A One-Family Dwelling District (*1 acre min. lot size*)
- R-1 One-Family Dwelling District (*10,000 sq. ft. min. lot size*)
- R-2 One-Family Dwelling District (*8,500 sq. ft. min. lot size*)
- R-3 One-Family Dwelling District (*6,000 sq. ft. min. lot size*)
- R-4 Two-Family Dwelling District
- R-5 Multiple-Family Dwelling District
- R-6 Manufactured Dwelling District
- B-1 Neighborhood Business District
- B-2 Central Business District
- B-3 Limited Business District
- B-4 General Business District
- ORI Office, Research & Light Industrial District

- M-1 Light Industrial District
- M-2 Heavy Industrial District
- PA Public Activity District
- PD Planned Development Districts (as established by separate ordinances):
 - PD-R Planned Development-Residential
 - PD-C Planned Development-Commercial
 - PD-IC Planned Development-Industrial/Commercial
- FP Flood Plain Overlay District

SECTION 3.3 OFFICIAL ZONING MAP

1. The boundaries of the zoning and overlay districts are shown upon the map made a part of this Ordinance, and is designated as the "Official Zoning Map." The Zoning Map and all the notations, references, and other information shown thereon are a part of this ordinance, and have the same force and effect as if the Official Zoning Map and all the notations, references, and other information shown thereon were all fully set forth or described herein, which Zoning Map is attached hereto and made a part of this ordinance by reference.
2. The FP overlay district boundaries shall be based on the *Flood Boundary and Floodway Maps* of the City prepared by the Federal Emergency Management Agency and dated June 2, 1994, and any official amendments thereto. The FP overlay district within the extraterritorial jurisdiction of the City shall be based on the *Flood Boundary and Floodway Maps* of Morgan County prepared by the FEMA and dated January 17, 1986, and any official amendments thereto. Said maps shall constitute the Official Zoning Map with respect to FP overlay district and be filed as a record in the office of the City Clerk. Copies of said maps are also available at the Department of Inspections and Code Enforcement.
3. If during any calendar year there are amendments to the Zoning Map, said map shall be updated, published and made available for public inspection or purchase not later than March 31 of the year following. The updated Zoning Map shall reflect zoning classifications and district boundaries in effect on December 31 of the previous year and may reflect any changes made between December 31 and the date of publication.

SECTION 3.4 INTERPRETATION OF OFFICIAL ZONING MAP

3.4-1 Zoning of Streets, Alleys, Public Ways, and Railroad Rights-of-Way

All streets, alleys, public ways, and railroad rights-of way, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property abutting such streets, alleys, public ways, or railroad rights-of way. Where the center line of a street, alley, public way, or railroad right-of-way serves as a district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

3.4-2 District Boundaries

Wherever any uncertainty exists as to the boundary of any zoning district shown on the Official Zoning Map, the following rules of interpretation shall apply:

1. Where district boundary lines are indicated as following streets, alleys, or similar rights-of-way, they shall be construed as following the center lines thereof.
2. Where district boundary lines are indicated as approximately following lot lines, such lot lines shall be construed to be such boundaries.
3. Where a lot of record is divided by a district boundary line, the entire lot shall be construed to be within the district containing more than one-half of the area of the lot.

SECTION 3.5 ZONING OF NEW OR ANNEXED LAND

1. All territory which may hereafter be annexed to the City of Jacksonville, Illinois shall be considered as being in the R-1 One-Family Dwelling district, and as appropriate, in the FP Flood Plain Overlay district, until otherwise changed by ordinance.
2. Nothing shall preclude the City Council, upon a recommendation from the Plan Commission, from adopting a simultaneous ordinance that has either been initiated by the City Council or by an applicant that rezones the annexed territory to an appropriate zoning district other than the R-1 district (see **Article 13, "Amendments"**).

SECTION 3.6 ZONING OF LAND SUBSEQUENTLY INCLUDED WITHIN EXTRATERRITORIAL AREA

Any unzoned land lying outside of and contiguous to the zoned boundary one and one-half (1½) miles distance from the corporate limits of the City of Jacksonville, Illinois shall automatically be zoned A-1 Agricultural district, when the corporate limits of the City of Jacksonville are changed or altered in such a way that the previously contiguous land then lies within such one and one-half (1½) mile area. The A-1 Agricultural district classification shall remain until such time as the City Council designates another zoning classification of the land in accordance with the provisions of this ordinance (see **Article 13, "Amendments"**).

SECTION 3.7 RULES OF CONSTRUCTION

For the purpose of this Chapter, certain rules of construction apply to the text, as follows:

1. Words used in the present tense include the future tense; the singular includes the plural; and plural indicates singular, unless the context clearly indicates the contrary;
2. The terms "shall" and "must" are mandatory and not discretionary; the words "may" or "should" are permissive;
3. The words and phrases expressly defined herein shall be given the defined meaning, unless indicated otherwise by the context;
4. Words and phrases which are not defined herein shall be given their usual meaning except where the context clearly indicates a different or specified meaning;
5. The words "use" or "occupy" shall include the words "intended", "designed", or "arranged" to be "used" or "occupied."

SECTION 3.8 COMPUTATION OF TIME

1. Unless otherwise specifically provided, the time within which an action is to be taken shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday or legal holiday, that day shall be excluded. When the period of time prescribed is less than seven days, intermediate Saturdays, Sundays and holidays shall be excluded.
2. The time period legally required by law for public notices shall include all calendar days, unless specified otherwise by law.
3. Unless otherwise specifically provided, whenever a person has the right or is required to do some act within a prescribed period after the service of a notice or other paper upon such person and the notice or paper is served by mail, three days shall be added to the prescribed period.

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