

Title 9 ZONING REGULATIONS

Chapter 1 ZONING PURPOSE AND INTERPRETATION

9-1-1: TITLE:

This Title shall be known, cited and referred to as the *ZONING ORDINANCE OF THE VILLAGE OF WOODRIDGE*. (1976 Code §22-1-1)

9-1-2: PURPOSE:

A. This Title is adopted to the end that:

1. Adequate light, pure air and safety from fire and other dangers may be secured;
2. That the taxable value of land and buildings throughout the Village may be conserved;
3. That congestion in the public streets may be lessened or avoided;
4. That the hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters may be lessened or avoided;
5. That the public health, safety, comfort, morals and welfare may be otherwise promoted;
6. To insure and facilitate the preservation of sights, areas and structures of historical, architectural and aesthetic importance; and,
7. That aesthetic values throughout the Village may be preserved and enhanced.

B. To achieve these ends, this Title sets forth regulations and standards to:

1. Regulate and limit the height and bulk of buildings hereafter erected;
2. Establish, regulate and limit the building or setback lines on or along any street, trafficway, drive, parkway or storm or flood water runoff channel or basin;
3. Regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of open spaces within and surrounding such buildings;
4. Classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified industrial, business, residential and other uses;
5. Divide the entire Village into districts of such number, shape, area and of such different classes (according to use of land and buildings, height and bulk of buildings, intensity of the use of lot area, area of open spaces or other classification) as may be deemed best suited to carry out the purposes of this Title;
6. Fix standards to which buildings or structures therein shall conform;
7. Prohibit uses, buildings or structures incompatible with the character of such districts;
8. Prevent additions to and alteration or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed under this Title;
9. Classify, regulate and restrict the use of property on the basis of family relationship, which family relationship may be defined as one or more persons each related to the other by blood, marriage or adoption and maintaining a common household;
10. Regulate or forbid any structure or activity which may hinder access to solar energy necessary for the proper functioning of a solar energy system as defined in section 1.2 of the Comprehensive Solar Energy Act of 1985, Illinois Revised Statutes, chapter 96¹/₂, as amended, paragraph 7303;
11. Provide for the gradual elimination of uses, buildings and structures which are incompatible with the character of the districts in which they are made or located;
12. Define and limit the powers and duties of the administrative officers and bodies as hereinafter provided; and
13. Proscribe penalties for the violation of the provisions of the Title or any amendment hereto. (1976 Code §22-1-2)

9-1-3: INTERPRETATION:

- A. Minimum Requirements: The provisions of this Title shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.
- B. Conflicting Laws: Where the conditions imposed by any provision of this Title are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this Title or any other law, ordinance, rule or regulation of any kind, the conditions which are the most restrictive or impose the higher standards or requirements shall govern.
- C. Existing Agreements: This Title is not intended to abrogate any easement, covenant or other private agreement; provided, that where the regulations of this Title are more restrictive or impose higher standards or requirements than such easements, covenants or other private agreements, the requirements of this title shall govern.
- D. Existing Violations: No building, structure or use not lawfully existing at the time of the adoption of this title shall become or be made lawful solely by reason of the adoption of this title, and to the extent that and in any manner that said unlawful building, structure or use is in conflict with the requirements of this title, said building, structure or use shall remain unlawful under the provisions of this title. (1976 Code §22-2-1)

9-1-4: SCOPE OF REGULATIONS:

- A. Uses And Structures: No building or parcel of land shall be devoted to any use and no building or structure or part thereof shall be erected, raised, moved, reconstructed, extended, enlarged or altered, except in conformity with the regulations herein established and specified for the district in which it is located. (1976 Code §22-2-3)
- B. Building Permits: Where a building permit for a structure has been issued in accordance with this code prior to the effective date hereof, and provided that construction is begun within six (6) months after such effective date and diligently prosecuted to completion (completion to be accomplished within 18 months of the effective date hereof), said structure may be completed in accordance with the approval plans on the basis of which the building permit has been issued and further, may, upon completion, be occupied under a certificate of occupancy for the use originally designed, subject thereafter to the provisions of [chapter 9](#) of this title. (1976 Code §22-2-14)
- C. Previously Platted Lots: If any lot not complying with the applicable district bulk regulations on the effective date hereof is now or later becomes under the same ownership as any one or more adjacent lots or parcels of land, then the applicable bulk regulations of the district in which the lot is located shall apply from and after the date of such common ownership to the extent that compliance may be or is possible for the relocation of lot lines or resubdivision or combination of two (2) or more lot or parcels by such owner.

If any lot not complying with the applicable district bulk regulations with respect to lot area, width and/or depth on the effective date hereof be owned in violation by an owner (not adjoining any other lot or parcel belonging to the same owner) then such lot or parcel shall be deemed as a buildable lot or parcel, subject, however, to all the bulk regulations of the applicable district in which the lot or parcel is located, except those with respect to lot area, width and/or depth. (1976 Code §22-2-13)

9-1-5: SEPARABILITY:

It is hereby declared to be the intention of the village board that the several provisions of this title are separable in accordance with the following:

- A. Provisions Of Title: If any court of competent jurisdiction shall adjudge any provisions of this title to be invalid, such judgment shall not affect any other provision of this title not specifically included in said judgment; and
- B. Property Application: If any court of competent jurisdiction shall adjudge invalid the application of any provision of this title to a particular property, building or other structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment. (1976 Code §22-2-2)

Chapter 2 ZONING RULES AND DEFINITIONS

9-2-1: RULES OF WORD CONSTRUCTION:

The language set forth in the text of this title shall be interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural, and the plural the singular.
- B. The present tense includes the past and future tenses, and the future the present.
- C. The word "shall" is mandatory, while the word "may" is permissive.
- D. The masculine gender includes the feminine and neuter.
- E. Whenever a word or term defined hereinafter appears in the text of this title, its meaning shall be construed as set forth in the definition thereof, and any word appearing in parentheses, directly after a word herein defined, shall be construed in the same sense as that word. (Ord. 86-63, §§1_7)

9-2-2: DEFINITIONS:

As used in this title, unless the context otherwise requires, the following words and terms shall be construed as herein defined:

ABOVEGROUND SERVICE FACILITY: A structure located on or above the surface of the ground, including any cabinet and the underground supports and foundations for such structure, that is used by a public utility or service provider to supply some public need or demand such as power, water, gas, telecommunications or similar benefit. An aboveground service facility shall be deemed to be a principal structure, and for the purposes of this title, an aboveground service facility is one located on private property.

ACCESSORY UNIT: A group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit, as provided in section [9-5-4](#) of this title.

ADULT BOOKSTORE AND/OR VIDEO STORE: An establishment having as a significant or substantial portion of its stock-in-trade books, magazines, periodicals or other printed matter, and/or photographs, films, motion pictures, videocassettes, slides, tapes, records or other form of visual or audio representations which are characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

ADULT BUSINESS USE: Any commercial use of property of which a significant or substantial portion involves an activity distinguished or characterized by its emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas, including, but not limited to, the operation of an adult bookstore and/or video store, adult mini-motion picture theater, adult motion picture theater, adult motion picture arcade, adult motel, adult card, gift or novelty store, or adult entertainment cabaret.

ADULT CARD, GIFT, OR NOVELTY STORE: An establishment having as a significant or substantial portion of its stock-in-trade items, such as cards, games, articles of clothing and novelties which are distinguished or characterized by an emphasis on depicting, describing, or relating to specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT CABARET: A public or private establishment which, live or on motion pictures, features:

- A. Topless and/or bottomless dancers, strippers and/or male or female impersonators; or
- B. Entertainers who not infrequently display specified anatomical areas; or
- C. Entertainers who by reason of their appearance or conduct perform in a manner which is designed primarily to appeal to the prurient interest of the patron, or entertainers who engage in, or engage in explicit simulation of, specified sexual activities.

ADULT MINI-MOTION PICTURE THEATER: An enclosed building, or any portion or portions thereof, having a capacity from six (6) to fifty (50) persons, where, for any form of consideration (including a coin or token inserted into a coin or token operated projector, video screen, or other image producing device), patrons may view films, motion pictures, videocassettes, slides or similar photographic or electronic reproductions in which a significant or substantial portion of the total presentation time is devoted to the showing of materials that are distinguished by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

ADULT MOTEL: A hotel, motel or similar commercial establishment which:

- A. Offers accommodations to the public for any form of consideration; provides patrons with closed circuit television transmissions, films, motion pictures, videocassettes, slides or other electronic or photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and has a sign visible from the public right of way which advertises the availability of such transmissions, films, motion pictures, videocassettes, slides or other electronic or photographic reproductions; or

B. Offers a sleeping room for rent for a period of time that is less than eight (8) hours; or

C. Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than eight (8) hours.

"Rent" and "subrent", when used in reference to an adult motel, shall mean the act of permitting a sleeping room to be occupied for any form of consideration.

ADULT MOTION PICTURE ARCADE: An establishment in which electronic, electrical, or mechanical still or slide projectors, video screens, closed circuit television transmissions or other image producing devices operable by insertion of a coin or token or for other consideration are maintained for presentation of images to five (5) or fewer persons at a time per such device and where the images presented are distinguished or characterized by an emphasis on depicting, describing or relating to specified sexual activities or specified anatomical areas.

ADULT MOTION PICTURE THEATER: An enclosed building with a capacity of fifty (50) or more persons where, for any form of consideration, patrons may view closed circuit television transmissions, films, motion pictures, videocassettes, slides or similar electronic or photographic reproductions in which a significant or substantial portion of the total presentation time is devoted to the showing of materials that are distinguished by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

AGRICULTURE: Land, including necessary buildings and structures, shall be considered used for agriculture if not less than twenty (20) acres in area and if the principal use thereof is the raising or keeping of livestock and/or the growing of crops in the open.

ALLEY: A public right of way, with a width not exceeding twenty four feet (24'), which affords a secondary means of access to abutting property.

ALTERATION: A change in size, shape, character or use of a structure.

AMUSEMENT DEVICES: Any mechanical, electric or electronic amusement machine or device used for the purpose of amusement or as a test of skill. The term "amusement devices" shall not include vending machines not operated for purposes of amusement or as a test of skill, mechanical musical devices, jukeboxes or television sets, children's rides, billiards or pool tables, or athletic activities, including, but not limited to, golf driving and putting facilities, tennis courts, baseball batting cages and handball or racquetball courts.

ANIMAL HOSPITAL: Any building or portion thereof used to provide medical care, observation, treatment, and accessory indoor boarding of domestic animals.

ANTENNA: Any exterior transmitting or receiving device mounted on a building, structure or tower that radiates or captures electromagnetic waves, digital signals, analog signals, video programming, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals. For the purpose of this title, "antenna" shall include "personal wireless facilities" as referenced in section 704 of the telecommunications act of 1996. For the purpose of this title, all antennas are considered wireless communication facilities.

ARCHITECTURAL ENTRANCE FEATURE: Structures used in conjunction with a sign for the purpose of ornamentation intended to improve, identify, designate, label or demarcate the entrance to or exit from a residential subdivision, business park or planned unit development. Such structures may include, but are not limited to, decorative walls, columns, fence-like structures, sculptures or statues. An architectural entrance feature is not considered a sign per se; however, a development entrance sign may be part of, or mounted to, an architectural entrance feature as set forth in [chapter 11](#) of this title and subject to approval by the director of community development.

ARCHITECTURAL LIGHTING: Outdoor lighting directed at buildings, facades, structures, monuments and other architectural features.

ATTIC: The space between the ceiling (joist) beams of the top story and the roof rafters.

ATTIC, HABITABLE: A habitable attic is an attic which has a stairway as a means of ingress and egress and in which the ceiling area at a height of seven and one-third feet ($7\frac{1}{3}$ ') above the attic floor is not more than one-third ($\frac{1}{3}$) the area of the next floor below.

AUTOMOBILE SERVICE STATION (GAS STATION): Any building or portion thereof or premises used for dispensing or offering for sale at retail any automobile fuels or oils, having pumps and storage tanks; also, where battery, tire and other similar services are rendered, but only if rendered wholly within lot lines. Excluded are open sales lots, parking, storing and sale of automobiles or any other commodity not incidental to an automobile service station.

AVERAGE SURROUNDING GRADE: The average finished grade of the site.

BASEMENT: A portion of a building located partly underground, but having not less than one-half ($\frac{1}{2}$) its clear floor to ceiling height below the average surrounding grade of the adjoining ground.

BLOCK: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights of way, bulkhead lines or shorelines of waterways or corporate boundary lines.

BOAT: Any vessel used for travel upon or through water, except a personal watercraft. As it pertains to [chapter 5](#) of this title, if a boat is maintained upon a trailer, the boat and the trailer upon which the boat is mounted shall be considered as one vehicle.

BUILDABLE AREA: The area of the lot which is not located within any required yard.

BUILDING: Any structure which is built for the support, shelter or enclosure of persons, animals, chattels or movable property of any kind, and which is permanently affixed to the land.

BUILDING, ACCESSORY: A subordinate building or portion of a principal building, the use of which is incidental to that of the principal building and customary in connection with that use.

BUILDING, COMPLETELY ENCLOSED: A building separated on all sides from the adjacent open space or from other buildings or other structures by a permanent roof and behind exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

BUILDING HEIGHT: The height in feet shall be taken as the vertical distance from the average grade measured at the two (2) points where the front building setback line intersects the side lot lines, to the highest point of the building. In determining height, parapet walls not exceeding three feet (3') in height from the roof surface, penthouse, roof tanks, bulkheads, chimneys and similar roof structures shall not be included unless the aggregate area of such structures exceeds one-third ($\frac{1}{3}$) of the area of the roof of the building.

BUILDING IDENTIFICATION SIGN: A wall sign which displays the company name of a business proprietor and/or the address of the building.

BUILDING, PRINCIPAL: A nonaccessory building in which the principal use of the lot on which it is located is conducted.

BUILDING, RESIDENTIAL: A building which is arranged, designed, used or intended to be used for residential occupancy.

BUILDING, TEMPORARY: Any building not designed to be permanently located in the place where it is, or where it is intended to be placed or affixed.

BUSINESS: Any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor and materials, or where services are offered.

CALIPER: The diameter of the trunk of a tree measured in inches at a point six inches (6") above the ground for up to and including four inch (4") caliper size, and twelve inches (12") above the ground for larger sizes. This point of measurement is used for nursery stock trees.

CANOPY: A roofed structure that is open on at least three (3) sides and typically provides protection from the sun or weather that is associated with the sale of commercial goods or services.

CAR WASH: A building or portion thereof where automobiles are washed with the use of a conveyor and blower, or other cleaning device.

CARGO CONTAINER: An industrial, standardized reusable vessel that was:

A. Originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, and/or

B. Designed for or capable of being mounted or moved on a rail car, and/or

C. Designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

CARGO CONTAINER FACILITY: Any site in which the principal use is the movement, staging, or redistribution of cargo containers either on or off of a chassis, or the nonpermanent storage (6 months or less) of cargo containers without being utilized for transportation purposes, but not to include railroad operations that are subject to jurisdiction of the U.S. department of transportation surface transportation board.

CARPORTS: A permanent roofed structure, made of wood, brick, steel or similar materials, not more than fifty percent (50%) enclosed by walls and attached to the principal structure for the purpose of providing shelter for one or more motor vehicles.

CARTAGE AND EXPRESS FACILITIES: Any buildings, parking lots and related structures whose principal use is one or more of the following: the routing of trucks; the receipt and immediate dispatching of goods; short term storage which is incidental to the primary function of receipt and dispatching of goods; the parking or storage of trucks, trailers or other vehicles that accommodates the simultaneous loading and unloading of trucks. Cartage and express facilities shall not include cargo container movement, storage, staging, or redistribution on or off a truck trailer.

CENTER ISLAND: Center islands are located between modules of head in parking spaces, and run the length of the parking rows (see table 1 of this section).

CHASSIS: The nonpowered portion of a semitrailer configuration that transports the cargo container; also known as a truck trailer.

CIRCULATION BORDER ISLAND: Circulation border islands provide a landscaped edge at the perimeter of a parking lot and define internal access drives used for primary traffic circulation within, entrance to, or exit from a parking lot (see table 1 of this section).

CLOSED CUP FLASHPOINT: The lowest temperature at which a combustible liquid under prescribed conditions will give off a flammable vapor which will propagate a flame. The tag closed cup tester shall be authoritative for liquids having a flashpoint below one hundred seventy five degrees Fahrenheit (175°F). The Pensky Martens tester shall be authoritative for liquids having flashpoints between one hundred seventy five degrees Fahrenheit (175°F) and three hundred degrees Fahrenheit (300°F).

COLLOCATION: The use of a single structure by two (2) or more antenna systems or platforms on a structure such as a support structure, pole, tower, mast building, water tower, or other structure.

COMMON AREA LIGHTING: Lighting fixtures located in the common area of residential developments including, but not limited to, private roadways, streets and driveways.

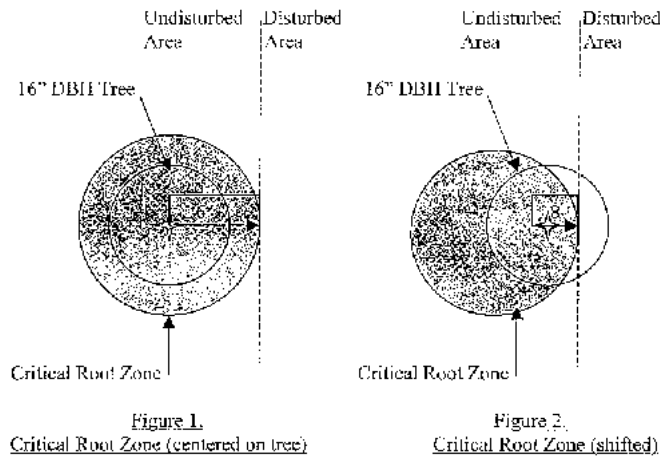
COMMUTER VAN: Any motor vehicle designed for the transportation of not less than seven (7) nor more than sixteen (16) passengers, which is: a) used in a ridesharing arrangement; and/or b) owned or leased by or on behalf of a company or an employee organization and operated on a nonprofit basis with the primary purpose of transporting employees of the company between the employees' homes and the company's place of business or a public transportation station and in which the operating, administrative, maintenance and reasonable depreciation costs are paid principally by the persons utilizing the commuter van.

COMPENSATORY STORAGE: An artificially excavated volume of storage used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the floodplain. The uncompensated loss of natural floodplain storage can increase off site floodwater elevations and flows.

COMPREHENSIVE PLAN: The comprehensive plan of the village of Woodridge, DuPage and Will Counties, Illinois.

CONVERTED DWELLING: A single-family dwelling which has been converted into a primary unit and accessory unit, as provided in section [9-5-4](#) of this title.

CRITICAL ROOT ZONE: A circular area on the ground beneath a tree having a radius equal to one foot (1') for every one inch (1") of tree diameter at breast height (see figure 1 of this definition for an example). The circular area need not be exactly centered around the tree, but it shall be positioned so that no disturbance occurs closer to the tree than one-half ($1/2$) the radius of the circle (see figure 2 of this definition for an example).



CURB LEVEL: The level of the established curb in front of a building or structure measured at the center of such front. When no curb level has been established, it shall be deemed to be the established level of the centerline of the street surface in front of a building or structure, measured at the centerline of such front.

DAMAGE, TREE: Any direct or indirect action that causes, or is reasonably likely to cause, the death of a tree or a significant loss of a tree's structural integrity including, but not limited to, destruction, poisoning, carving, mutilating, girdling, severing the main trunk, leader or large branches, touching with live wires, crushing or exposing the roots, digging or drilling any hole or trench within the critical root zone, filling with soil or other materials within the critical root zone, compacting a substantial portion of the soil within the critical root zone, or flooding the critical root zone. Without limitation to the foregoing, damage does not include the pruning of trees in accordance with the American National Standards Institute publication A300, part 1, "Tree, Shrub And Other Woody Plant Maintenance Standard Practices (Pruning)".

DAYCARE CENTER: Any childcare facility, as defined by 225 Illinois Compiled Statutes 10/205, which regularly provides daycare for less than twenty four (24) hours per day for more than eight (8) children in a family, or more than three (3) children in a facility other than a family home. The term does not include: a) kindergartens or nursery schools or other daytime programs operated by public or private elementary school systems or secondary level school units or institutions of higher learning; b) facilities operated in connection with a shopping center or service, or other similar activity, where transient children are cared for temporarily while parents or custodians of the children are occupied on the premises, or are in the immediate vicinity and readily available; c) any type of daycare center that is conducted on federal government premises; d) education program or programs serving children who shall have attained the age of three (3) years and which are operated by a school which is registered with the state board of education or accredited by a recognized organization; e) accessory childcare facilities; and f) special activities programs, including athletics, crafts instruction and similar activities conducted on an organized and periodic basis by civic, charitable and governmental organizations.

DAYCARE CENTER, ACCESSORY: Any facility for which notification has been made to, approval has been granted by, the Illinois department of children and family services and which is conducted by a religious organization or social service agency in which individual children are provided care, on an intermittent basis, for up to ten (10) hours per seven (7) day week. Any facility which provides intermittent care for up to ten (10) hours per seven (7) day week shall not provide care for more than eight (8) hours on any given day during the seven (7) day week. Such a facility is exempt as a daycare home or center under this title.

DAYCARE, HOME: Any residence which receives more than three (3), up to a maximum of twelve (12) children, for less than twenty four (24) hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of twelve (12). The term does not include facilities which receive only children from a single household.

DECIBEL: A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in decibels.

DENSITY: The density is the ratio determined as follows:

$$\frac{\text{Number of dwelling units}}{\text{Total lot area exclusive of all streets (sq. ft.)}} \text{ (Divided by) } \underline{\hspace{2cm}}$$

Although this ratio is defined by using lot size, it is also used in determining overall densities when area developments are proposed without regard to individual lots.

DEVELOPMENT: Any manmade change to improved or unimproved real estate, including, but not limited to, construction of or substantial improvements to buildings or other structures, the placement of mobile homes, mine dredging, filling, grading, paving, excavation or drilling operations.

DIAMETER AT BREAST HEIGHT (dbh): The diameter of the trunk of a tree measured in inches at a point four and one-half feet (4.5') above the ground.

This point of measurement is used for existing trees. The dbh for a multitrunk tree that splits below four and one-half feet ($4\frac{1}{2}$ ') but whose trunks share a common base shall equal the combined dbh of all of the trunks and shall count as one tree. Trunks that split at ground level and that do not share a common base shall each be measured as a separate tree.

DISABLED: A person who has a chronic condition which:

- A. Is attributable to a mental and/or physical impairment.
- B. Is likely to continue indefinitely.
- C. Results in substantial functional limitations in three (3) or more of the following areas of major life activity: self-activity, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and economic self-sufficiency.
- D. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment or other services which are of lifelong or extended duration.

DISPLACEMENT (EARTH): The amplitude or intensity of an earthborn vibration measured in inches. The displacement or amplitude is one-half ($\frac{1}{2}$) the total earth movement.

DONATION DROP BOX: A receptacle placed outdoors used for the collection of used clothing, shoes, books and small household items donated by the public for redistribution by for profit and not for profit organizations and licensed under [title 3](#) of this code.

DRIVE AISLE: A pathway for motor vehicles through a parking area that provides direct access to parking stalls on either or both sides of the pathway.

DRIVE-IN, DRIVE-THROUGH: Any place or business operated for the sale and purchase at retail of food and other goods or the rendering of services which facility is designed and equipped so as to allow its patrons to be served or accommodated while remaining in their motor vehicle.

DRIVEWAY: A pathway for motor vehicles from a street to a building, structure, or parking area. In residential districts, a driveway may also provide off street parking for vehicles.

DWELLING: A building or portion thereof designed or used for residential purposes, including single- and multiple-family uses, but not including house trailers, mobile homes or lodging rooms in hotels, motels or lodging houses.

DWELLING, MULTIPLE-FAMILY: A residential building designed and built as a group of individual dwelling units, each for a single family, but which units may touch each other by virtue of common or party walls and/or floors and ceilings, and which contain two (2) or more dwelling units.

DWELLING, SINGLE-FAMILY ATTACHED: A residential building designed and built as a dwelling unit for one family, but which may touch another single-family dwelling on one or more sides, with or without party walls, but which is located as the only dwelling unit on a single specific lot or parcel of ground.

DWELLING UNIT: A group of rooms constituting all or part of a dwelling which are arranged, designed, used or intended for use exclusively as living quarters for one family and which include cooking facilities.

EASEMENT: A specific area of land over which a liberty, privilege or advantage is granted by the owner to the public, a corporation or some particular person or part of the public for specific uses and purposes and which shall be designated a "public" or "private" easement, perpetual or for a given term and exclusive or nonexclusive depending on the nature of the particular grant.

EDUCATIONAL AND INSTITUTIONAL USES: Public and private schools, hospitals, sanatoriums and other similar uses.

END ISLAND: End islands are located at the ends of parking rows (see table 1 of this section).

EXISTING GRADE: The vertical location of the existing ground surface prior to excavation or filling.

FAA: The federal aviation administration of the United States.

FCC: The federal communications commission of the United States.

FAMILY: An individual, two (2) or more persons related by blood, marriage or law, or a group of not more than five (5) persons living together in a dwelling unit. Servants having common housekeeping facilities with a family consisting of an individual, or two (2) or more persons related by blood, marriage or law, shall be considered a part of the family for the purposes of this title.

FAST FOOD ESTABLISHMENT: A retail establishment serving food to individuals and/or groups and having a food preparation area of more than one-third ($\frac{1}{3}$) the area of the serving and seating area and utilizing disposable serving dishes or containers that permit the patrons to remove food from the establishment for consumption either on the premises or elsewhere, and providing drive-up window service to customers in motor vehicles. Such practice tends to encourage high vehicular traffic volumes and/or generate large amounts of refuse.

FENCE, CLOSED: A fence which is not an open fence; provided, that any fence required by section [9-12-3](#) of this title shall be constructed in such manner so as to provide a solid visual barrier between the uses located on the same lot as such fence and all other surrounding uses.

FENCE¹, OPEN: A fence, including gates, which has a ratio of open area to closed area of four to one (4:1) with the open area distributed uniformly over the entire height and length of the fence. Open fences shall be constructed in such a manner that no vertical member shall exceed a width of six inches (6"). Open fences shall include split-rail fences with no more than three (3) horizontal rails, post and board fences with no more than three (3) horizontal boards, and fences of chainlink, woven mesh or other similar designs; except, that any fences which obstruct or disturb vision or create a visibility hazard

due to reflected or refractive qualities are not defined as an open fence.

FIXTURE: A complete lighting unit consisting of a lamp (or lamps) and ballast (or ballasts) as required, together with the parts designed to distribute the light, position and protect the lamps and connect them to the power supply. A fixture is often referred to as a luminaire.

FLOOR AREA, GROSS: For the purposes of determining floor area ratio, the floor area of a building or buildings shall be the sum of the gross horizontal areas of the several floors of such building or buildings measured from the exterior faces of exterior walls or from the centerline of party walls separating two (2) buildings. In particular, "gross floor area" shall include:

- A. Basement space, if at least one-half ($1/2$) of the basement or lowest level height is above the average grade, measured at the two (2) points where the front building setback line intersects the side lot lines.
- B. Elevator shafts and stairwells at each floor.
- C. Floor space used for mechanical equipment where the structural headroom exceeds seven and one-half feet ($7\frac{1}{2}$) except equipment, open or enclosed, located on the roof, i.e., bulkheads, water tanks and cooling towers.
- D. Reserved.
- E. Interior balconies and mezzanines.
- F. Enclosed porches, but not terraces and breezeways.
- G. Accessory buildings.

FLOOR AREA, NET: For the purpose of determining off street parking and loading requirements, the net floor area of a building or buildings shall mean the sum of the net horizontal floor area of the several floors of a building measured from the interior faces of the exterior walls or from the centerline of party walls separating two (2) buildings. The net floor area (NFA) of a building shall include:

- A. Basements, when used for other than storage;
- B. Penthouse, excluding mechanical penthouses;
- C. Attic space having headroom of seven feet six inches (7'6") or more;
- D. Interior balconies and mezzanines, excluding those designed and used as provided in subsection H of this definition of the exclusions from the net floor area listed below;
- E. Enclosed porches; and
- F. Floor area devoted to storage areas located within selling or working space such as counters, racks or closets; backroom or main floor storage rooms.

The net floor area (NFA) of a building shall not include:

- A. Floor area occupied by mechanical, telephone and electrical equipment, including penthouses;
- B. Stairwells, escalators and elevator shafts;
- C. Attic space having headroom of less than seven feet six inches (7'6");

D. Public restrooms;

E. Interior off street parking and loading;

F. Basements, or portions thereof used for storage;

G. Entrance lobbies; and

H. Interior covered common areas designed primarily for pedestrian circulation.

FLOOR AREA RATIO: The floor area ratio is determined as follows:

$$\frac{\text{Total gross floor area, all floors on lot (sq. ft.)}}{\text{Total lot area exclusive of all streets (sq. ft.)}} \quad (\text{Divided by})$$

Total lot area includes all impermeable surface areas, including driveways, access drives, parking areas, and sidewalks. Permeable surface areas include all landscaped areas, landscape berms, detention/retention areas, wetlands, etc.

FOOT-CANDLE: A unit of illumination. Technically, the illumination at all points one foot (1') distant from a uniform point source of one candlepower.

FREE BURNING: A rate of combustion described by material which burns actively and easily supports combustion. Examples: coal, charcoal.

GARAGE, PRIVATE: An accessory building or an accessory portion of the principal building, including a carport, which is intended for and used to store the private vehicles of the family resident upon the premises and in which no business, service or industry connected directly or indirectly with automotive vehicles is carried on.

GLARE: Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

GROUND FLOOR AREA: The lot area covered by a building(s) whether principal or accessory, measured from the exterior faces of exterior walls, exclusive of terraces, breezeways, open porches, carports and garages.

GROUP HOME: A dwelling unit shared by not more than twelve (12) persons not related by blood, marriage, adoption or guardianship, plus their related staff, who live together as a single housekeeping unit and in a long term family environment in which staff persons assist in providing care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. A group home may be shared by groups such as the disabled or the elderly.

HARD SURFACED OFF STREET PARKING AREA: A surface consisting of portland cement, bituminous asphalt, or paver bricks.

HELIPORT: A designated area on the ground or on a building meeting the specifications of the federal aviation administration for the exclusive use of landing and takeoff of helicopters, excluding service and/or refueling buildings or facilities.

HOME OCCUPATION: Any gainful occupation engaged in by the resident(s) of a dwelling unit at or from the dwelling unit.

HOTEL: A building which provides a common entrance, lobby, halls and stairways and in which lodging is offered with or without meals to thirteen (13) or more transient guests.

IMPACT NOISE: A short duration sound which is incapable of being accurately measured on a sound level meter.

IMPULSE: Discrete vibration pulsations occurring no more often than one per second.

INCOMBUSTIBLE: A material which will not ignite nor actively support combustion during an exposure for five (5) minutes to a temperature of one thousand two hundred degrees Fahrenheit (1,200°F).

INTENSE BURNING: A rate of combustion described by a material that burns with a high degree of activity and is consumed rapidly. Examples: sawdust, magnesium (powder, flaked or strips), rocket fuels.

INTERMEDIATE ISLAND: Intermediate islands are landscaped features located perpendicular to and within a parking row (see table 1 of this section).

ISLANDS: An area of ground within the boundary of any parking lot which has curbing adjacent to paved areas. Planting islands are used for traffic control and provide space for landscaping which help screen and shade parking lots.

KELVIN: A unit increment of temperature and is used as a color temperature scale of a light bulb (symbol "K").

KENNEL: Any premises or portion thereof where four (4) or more domestic animals over four (4) months of age are kept or boarded for compensation and which does not include the provision of medical care.

LANDBANKED PARKING: A portion of the required parking spaces for a building or structure that are permitted to remain as lawn or a landscaped area but which must be converted into off street parking facilities upon notice to do so by the Village (see table 1 of this section).

LANDSCAPE LIGHTING: Outdoor lighting directed at trees, shrubs, plants, flowerbeds, fountains, gardens and other natural or landscaped features.

LATTICE TOWER: A tower characterized by an open framework of lateral cross members, which stabilize the tower.

LIGHT: Radiant energy that can be sensed or seen by the human eye.

LIGHT FIXTURE, FULLY SHIELDED: A light fixture constructed and installed in such a manner that all light emitted by the fixture, either directly from the bulb or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane through the fixture's lowest light emitting part.

LIGHT OUTPUT: The power emitted from a source of electromagnetic radiation, such as a light bulb, in the form of visible light. Light output is measured in lumens and is typically specified by the manufacturer for a given lamp or luminaire. Typical light output values for incandescent bulbs are:

100W: 1550 lumens
 75W: 1080 lumens
 60W: 780 lumens
 40W: 450 lumens

LOADING, OFF STREET: A space, accessible from a street, alley or way, in a building or on a lot, for the use of trucks while loading or unloading merchandise or materials.

LOT: A parcel of land (whether legally so described or subdivided as 1 or more lots or parts of lots) located within a single block, occupied by or intended for occupancy by one (1) principal building or principal use, and having its principal frontage upon a street.

LOT AREA: The area of horizontal plane bounded by the vertical planes through front, side and rear lot lines.

LOT COVERAGE: That area of a lot or parcel which is covered by buildings and/or other structures. In business and industrial zoning districts parking lots shall not be considered structures for lot coverage calculations.

LOT DEPTH: The depth of a lot or parcel as measured along a straight line connecting the midpoint of the front lot line to the midpoint of the rear lot line.

LOT LINE: A property boundary line of a lot; except, that where any portion of a lot extends into the abutting street, the lot line shall be deemed to be the street line.

LOT LINE, EXTERIOR SIDE: A lot line which abuts a street and which is not a front lot line or a rear lot line. If the exterior side lot line abuts a front lot line on a curve, the exterior side lot line shall extend to the midpoint of the curve.

LOT LINE, FRONT: A lot line which abuts a street. For landlocked or partially landlocked lots, a lot line which faces the access to the lot. On a lot abutting two (2) or more streets, the front lot line shall be the shortest lot line abutting a street. If the front lot line abuts an exterior side lot line on a curve, the front lot line shall extend to the midpoint of the curve.

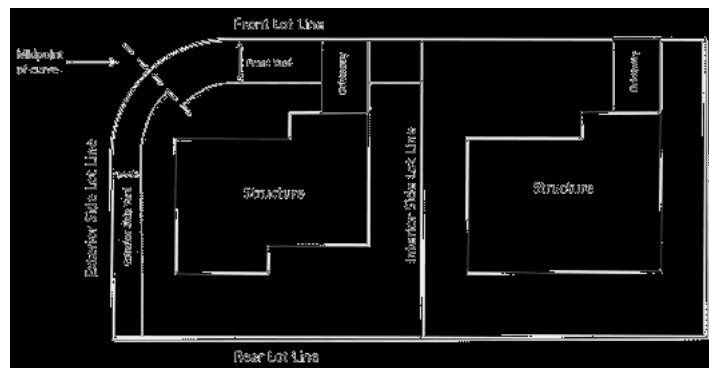


Figure 1

LOT LINE, INTERIOR SIDE: A lot line which abuts another lot and which is not a front lot line or a rear lot line.

LOT LINE, REAR: A lot line or lot lines most distant from and most nearly parallel to the front lot line.

LOT, REVERSED CORNER: A corner lot, the rear of which abuts upon the side of another lot.

LOT, THROUGH CORNER: A lot having frontage on two (2) parallel or approximately parallel streets, and on the third street which is perpendicular or approximately perpendicular to the other two (2) streets.

LOT WIDTH: The width of a lot or parcel measured along a straight line perpendicular to a straight line connecting the midpoint of the front lot line with the midpoint of the rear lot line, such measurement being made to the point that the front to rear line intersects the required front yard setback line. In no case shall the front lot line be less than seventy five percent (75%) of the required lot width in the applicable district.

LOT, ZONING: A tract of land consisting of individual parcels located within a block, under single ownership, and with one (1) principal building.

LUMENS: The unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture.

LUMINAIRE: A complete lighting unit consisting of a lamp (or lamps) and ballast (or ballasts) as required, together with the parts designed to distribute the light, position and protect the lamps and connect them to the power supply. A luminaire is often referred to as a fixture.

MANUFACTURING: The production of articles for use from raw or prepared materials by giving such materials new forms, qualities, properties or combinations, whether by hand labor or machine.

MASSAGE: Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical electrical apparatus or appliances with or without rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations used in this practice, under such circumstances that it is reasonably expected that the person to whom treatment is provided, or some third party on such person's behalf, will pay money or give other consideration or any gratuity therefor.

MASSAGE ESTABLISHMENT: As defined in [title 3, chapter 13](#) of this Code.

MEDICAL CANNABIS DISPENSARY: A facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

MINIWAREHOUSE: Multiple buildings or structures designed and used exclusively for the storage of personal property of persons who own and/or lease portions of said building or structure, including a caretaker's residence and office.

MONOPOLE TOWER: A tower that is a single upright pole engineered to be self-supporting that does not require lateral cross support or guys.

MOTEL: A building in which lodging is afforded with or without meals to transient guests.

NONCONFORMING SIGN: A sign, lawful prior to the effective date hereof, which does not comply with all of the regulations of this title or any amendment hereto governing the use of signs.

NONCONFORMING STRUCTURE: A structure lawfully established which:

A. Does not comply with all the regulations of this title governing the bulk of structures located within any given district; or

B. Is designed or intended for nonconforming use.

NONCONFORMING USE: A structure and the use thereof or the use of land that does not comply with the regulations of this title governing use in the district in which it is located, but which conformed with all of the codes, ordinances and other legal requirements applicable at the time such structure was erected, enlarged or altered, and the use thereof or the use of land was established.

NONRETAIL COMMERCIAL: Commercial sales and services to customers who intend resale of the products or merchandise sold or handled. For example, nonretail commercial includes wholesaling, warehousing, trucking terminal and similar commercial enterprises.

NOXIOUS MATTER: Material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the psychological, social or economic well being of human beings.

OCTAVE BAND: A prescribed interval of sound frequencies which classifies sound according to its pitch.

ODOR THRESHOLD: The lowest concentration of odorous matter in air that will produce an olfactory response in a human being. Odor thresholds shall be determined in accordance with ASTM method D1391-57, "Standard Method For Measurement Of Odor In Atmospheres (Dilution Method)".

ODOROUS MATTER: Any material that produces an olfactory response among human beings.

OFFICE BUILDING: Any building, containing one or more businesses, used primarily for conducting the administrative affairs of a business, profession, service industry, or government, or like activity.

OPEN SPACE: Land unoccupied by structures, buildings, streets, rights of way and automobile parking lots and designed and intended for the use or enjoyment of residents of a planned unit development. Open space may contain structures for recreational use.

OUTDOOR RECREATION FACILITIES: Recreational uses conducted primarily outdoors, which shall be limited to par 3 and miniature golf courses, golf driving ranges, swimming pools, and tennis clubs.

PARCEL (OR TRACT): A continuous area or acreage of land which can be described as provided for in the plat act².

PARKED TRUCK: A vehicle which does not remain on a parcel for more than ninety six (96) consecutive hours.

PARKING MODULE: The area of a parking lot consisting of the drive aisle and the parking rows that adjoin the aisle (see table 1 of this section).

PARKING ROW: A series of parking spaces placed next to each other in a line (see table 1 of this section).

PARKING SPACE: A surfaced and permanently maintained area on privately or publicly owned property, either within or outside of a building, of sufficient size to store one standard automobile, but in no instance less than the minimum dimensions established by this title, exclusive of passageways, driveways or other means of circulation or access.

PARKS AND OTHER RECREATIONAL AREAS: Any public or private land that is predominately open space and that is designated to serve the recreational needs of the community. The facilities and structures allowed shall be limited to those related to and necessary for active and passive recreation as defined in this section. In addition, the following accessory structures shall be permitted: picnic shelters, benches, restrooms, concessions, drinking fountains, and sculptures.

PARTICULATE MATTER: Material which is suspended in or discharged into the atmosphere in finely divided form as a liquid or a solid at atmospheric

pressure and temperature.

PERFORMANCE STANDARD: A criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

PERSON: Any person, firm or corporation, public or private, the state of Illinois and its agencies or political subdivision, the United States Of America, its agencies and instrumentalities and any agent, servant, officer or employee of any of the foregoing.

PERSONAL WATERCRAFT: Any vessel used for travel upon or through water that uses an inboard motor powering a water jet pump as its primary source of motor power and that is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than the conventional manner of sitting or standing inside the vessel, and includes vessels that are similar in appearance and operation but are powered by an outboard or propeller drive motor.

PET GROOMING: Any building or portion thereof designed or used for the nonmedical care, cleaning, or styling of domestic animals.

PET SHOP: A retail sales establishment primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds and reptiles, excluding farm animals such as horses, goats, sheep and poultry.

PLANNED UNIT DEVELOPMENT: A tract of land which, at its time of development, is developed under single ownership or unified control, which includes two (2) or more principal buildings or uses, and is processed under the planned unit development procedure of this title.

PLANNED UNIT DEVELOPMENT PLAT: A drawing or map made to a measurable scale upon which is presented a description and definition of the way in which the design requirements of the planned unit development are to be met and intended for recording with the county recorder of deeds.

PLANTINGS, PRAIRIE OR WETLAND: Those plants identified by the U.S. geological survey (USGS) or the environmental protection agency (EPA) as natural prairie or wetland species.

PLAT: A map or chart of a subdivision of land.

PLAT ACT: 765 Illinois Compiled Statutes, as amended.

PLAT, FINAL: A map of all or part of a subdivision providing substantial conformance with the requirements of the plat act and this title and for recording by the county recorder.

PLAT, PRELIMINARY: A map showing all requisite details of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration, prepared in conformance with the plat act and this title.

PORTABLE SELF-STORAGE CONTAINERS: A portable storage unit designed and used exclusively for the storage of personal property which is designed to be delivered to a customer's house for on location packing and subsequent pick up and delivery to a storage facility.

PRE-1960 OCTAVE BANDS: The frequency intervals prescribed by the American Standards Association in ASA standard 224 10-1953, "Octave Band Filter Set".

PREFERRED FREQUENCIES: A set of octave bands described by the band center frequency and standardized by the American Standards Association in ASA standard 6-1969, "Preferred Frequencies For Acoustical Measurements".

PRIMARY UNIT: That portion of a converted dwelling which is not part of the accessory unit, as provided in section [9-5-4](#) of this title.

PROCESSING: The means or methods employed to produce a certain result or effect, or a mode of treatment of given materials to produce a desired result, either by chemical reaction, by the operation or application of some element or power of nature, or of one substance to another, including the manufacturing, fabricating, assembly, disassembly, repairing, cleaning, servicing, of products or goods, irrespective of any machine or mechanical device.

PUBLIC IMPROVEMENTS: Grading, street surfacing, curbs and gutter, sidewalks, walkways, crosswalks, water mains, fire hydrants and other water system improvements, sanitary sewers, storm sewers, stormwater management structures and lands, culverts, bridges, streetlights, trees and other additions or deletions from the natural state of land which increases its value, utility or habitability.

PUBLIC OPEN SPACE: Any publicly owned open area, including, but not limited to, the following: parks, playgrounds, forest preserves, beaches, waterways, parkways and streets.

PUBLIC SERVICE: A building, structure or parcel of land owned by a governmental entity for the benefit of the public at large and aboveground service facilities owned by nongovernmental entities located on private property.

PUBLIC STREETLIGHT: A luminaire or light installation designed to illuminate a public right of way.

PUBLIC UTILITY: Any person, firm, corporation, municipal department, board or commission, duly authorized to furnish, and furnishing under governmental regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water. Aboveground service facility owners, operators, managers, and controllers shall be deemed to be public utilities.

RACKING: A method of storing a chassis on end in an upright position where the bed is perpendicular to the ground.

RECREATION, ACTIVE: Leisure activities, usually performed with others, often requiring equipment and taking place at prescribed places, sites, or sports fields. The term active recreation shall be limited to swimming; hockey; basketball, volleyball, tennis and other court games; baseball, softball, soccer, and other field sports; and playground activities.

RECREATION ESTABLISHMENT: A building or facility designed and equipped for the conduct of sports, leisure time activities and other recreation activities, including, but not limited to, gymnasiums, bowling alleys, skating rinks, swimming pools, and dance halls.

RECREATION, PASSIVE: Leisure activities that generally do not require a developed site. The term passive recreation shall be limited to hiking, picnicking, biking, boating, and birdwatching.

REFLEXOLOGY ESTABLISHMENT: An establishment whose primary service is the manipulation of soft tissue to the feet, hands, and ears, and who does not have the client disrobe. Reflexology establishments shall conduct their operations in an open floor format and not in private client rooms.

REMOVAL, TREE: The physical detachment or elimination of a tree, or the effective detachment or elimination of a tree, through damage or otherwise. Without limitation to the foregoing, removal does not include the pruning of trees in accordance with the American National Standards Institute publication A300, part 1 "Tree, Shrub And Other Woody Plant Maintenance Standard Practices (Pruning)".

RESTAURANT: A retail establishment serving food to individuals and/or groups; provided, that the definition of restaurant shall not include fast food restaurants.

RETAIL SALES: Sale of any product or merchandise to customers for their own personal consumption or use, not for resale.

RINGELMANN CHART: A chart which is described in the U.S. bureau of mines information circular 6888, and on which are illustrated gradual shades of gray for use in estimating the light obscuring capacity of smoke.

RINGELMANN NUMBER: The number of the area on the Ringelmann chart that coincides most nearly with the light obscuring capacity of smoke.

ROOFLINE: Either the edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette, and where a building has several roof levels, this roof or parapet shall be the one belonging to that portion of the building on whose wall the sign is located.

SCREENING: Solid wall, fence or densely planted compact hedge not less than five feet (5') in height.

SELF-STORAGE FACILITY: A stand alone building designed and used exclusively for the storage of personal property of persons who own and/or lease portions of said building. At least seventy five percent (75%) of the units are required to have interior access.

SETBACK: The minimum horizontal distance between a lot line and uses on a lot as measured from the lot line.

SETBACK, BUILDING: The minimum horizontal distance between a lot line and a principal building on a lot as measured from the lot line.

SHOPPING CENTER: Any concentration of two (2) or more retail stores and/or service establishments in one or more buildings under single ownership or management, with common parking facilities.

SHRUB, LOW: Any shrub, with a minimum planting height of eighteen inches (18"), which attains a mature height of four feet (4') or less when left unpruned.

SHRUB, TALL: Any shrub, with a minimum planting height of twenty four inches (24"), which attains a mature height greater than four feet (4') when left unpruned.

SIGHT DISTANCE TRIANGLE: That portion of a lot within the triangular area formed by two (2) legs measuring twenty five feet (25') in length from the point of intersection of two (2) street right of way lines forming a corner lot.

SIGN: Any object, device, display or structure or part thereof which is used to advertise, identify, display, direct or attract the attention to an object, person, institution, organization, business, project, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images. The term "sign" includes, but is not limited to, every projecting sign, wall sign, roof sign, billboard, poster board, freestanding sign, ground sign, window sign, vehicle sign, awning, canopy, marquee, changeable copy sign, illuminated sign, flashing sign, animated sign, temporary sign, portable sign, handheld or human sign, or any other "attention getting device" or other display (as hereinafter defined) whether affixed to a building or separate from any building.

Animated Sign: Any sign or part of a sign which changes physical position by any movement or rotation or any sign which presents the illusion of movement.

Attention Getting Device: Any pennant, flag, valance, banner, propeller, spinner, streamer, searchlight, balloon and similar device or ornamentation designed for the purpose of promotion or advertising or attracting attention.

Awning, Marquee, Canopy Sign: Any sign, on a marquee, canopy or awning (fixed or removable), that projects from the wall of a building. In the case of an internally illuminated awning, marquee or canopy sign, the entire structure shall be considered a sign.

Banner Sign: A sign that is decorative in nature installed on a light pole for the purpose of advertising seasonal messages, graphics and/or shopping center or community identity and events.

Business Sign: A sign that directs attention to or advertises a business or profession conducted upon or to a commodity, service or entertainment sold or offered upon the zoning lot upon which such sign is erected.

Changeable Copy Sign: A sign wherein provision is made for the manual or electronic change of letters or characters in the field in or upon the surface area of the sign.

Commercial Billboard Or Poster Board: A single or double faced, freestanding sign permanently erected on the premises, including changeable copy signs, used for the display of commercial information not associated with the conduct of a business or enterprise located on the same premises of such a sign.

Electronic Message Board Sign: A sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means.

Externally Illuminated Sign: A sign illuminated by a source of light which is cast upon or falls upon the surface of the sign to illuminate by reflection only.

Festoon Lighting: A group of two (2) or more incandescent light bulbs hung or strung overhead, not on a building or structure, which are exposed to persons on a public right of way or which are not shaded or hooded to prevent direct rays or light from being visible.

Flashing Sign: Any directly or indirectly illuminated sign, either stationary or animated, which exhibits changing natural or artificial light or color effects by any means whatsoever.

Freestanding Sign Or Ground Sign: A sign completely or principally self-supported by a post(s) or other support(s) independent of any building or other structures and anchored in or upon the ground.

Handheld Or Human Sign: Signs attached to or held by a person, or persons outfitted in costumes designed to promote a specific business, service or product.

Identification Sign: Any sign which states the company name of any business including national company and/or proprietor.

Internally Illuminated Sign: A sign, all or any part of the letter or design of which is made of incandescent, neon or other types of lamps; a sign with painted, flush or raised letters lighted by an electric lamp or lamps attached thereto; a sign having a border of incandescent or fluorescent lamps thereto attached and reflecting light thereon; or a translucent sign, whether lighted by electricity or other illuminant.

Monument Ground Sign: Any sign which is completely supported by the ground and erected in a manner so that no views are possible underneath the bottom edge of the sign surface area.

Nameplate: A sign which displays only the name and/or address of the occupant and is nonelectrical.

Noncommercial Sign: A sign not directed at promoting commercial activity and includes, but is not limited to, political campaign and advocacy signs.

Nonconforming Sign: A sign, lawful at the enactment of ordinance 83-33 (July 14, 1983), which does not comply with all of the regulations of such ordinance, or any amendment thereto, governing the use of signs.

Obsolete Sign: A sign which advertises a business which is not being presently conducted upon the premises on which the sign is located.

Off Premises Sign: A sign which directs attention to or advertises a use, business, commodity, service or activity not conducted, sold or offered upon the premises where the sign is located. (This term shall also include those signs commonly known as advertising signs, billboards, real estate signs and poster panels.)

Portable Sign: (This term also includes those signs commonly known as sandwich signs.) Any sign that is not permanently affixed to a building, structure or the ground; a sign designed to be moved from place to place. These signs primarily include, but are not limited to, signs attached to wood or metal frames designed to be self-supporting and movable; paper, cardboard or canvas signs wrapped around supporting poles. Also included are those signs, commonly trailer mounted, which are designed to be moved from place to place.

Projecting Sign: A sign which projects more than twelve inches (12") from the face of any building or wall which supports said sign. Any sign suspended under a marquee and in a place approximately perpendicular to the wall of the building supporting the marquee shall not be deemed to be a "projecting sign".

Pylon Ground Sign: Any sign which is completely supported by a post(s) or other support(s), and erected in a manner which permits views underneath at least fifty percent (50%) of the space directly below the bottom edge of the sign surface area.

Real Estate Sign: A sign located for the purposes of advertising a parcel of land or a building as available for sale, rent or lease.

Roof Sign: A sign erected, constructed or maintained in whole or in part upon or over the roof of a building or structure. Roof signs shall not include those signs maintained upon the lower slope of a mansard roof which do not extend above the uppermost point of the lower slope. Such signs shall be classified as "wall signs".

Sign Surface Area: The total exposed surface devoted to the sign's message, including all framing, bordering, backgrounds, backdrops, ornamentation, embellishment, letters, symbols, logos and all other such elements of a sign (including blank spaces within, between and adjacent to individual letters, symbols and logos) but excluding, in the case of a freestanding or ground sign, the supporting structure. The "supporting structure" shall be defined as any poles, posts, framework, masonry construction or other structural elements. In the case of a ground sign designed with more than one exterior surface, the sign surface area shall be computed as including the sum of the areas of the surfaces.

Temporary Sign: Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboards, wallboard or other materials, with or without frames, for use for a limited period of time.

Time And/Or Temperature Signs:

A. Time Signs: Devices which periodically display the time of day.

B. Temperature Signs: Devices which periodically display the current temperature.

Unusually Shaped Signs: Signs such as cubes, globes, cylinders or pyramids shall be considered multifaced signs and the sign surface area shall be computed as the total of the exposed surface.

Wall Sign: A sign mounted or attached to the wall of a building or structure in a plane parallel to that of the supporting wall, consisting of individual or grouped letters and/or symbols. A wall sign may not project more than twelve inches (12") from the plane of the surface to which it is attached.

Window Identification Sign: An identification sign painted on, affixed to or placed against any window or which is placed in a display case for view from the outdoors through a window when such sign is visible from any public right of way.

Window Promotional Sign: Any sign painted on, affixed to or placed against any window, or which is placed in a display case, for view from the outdoors through a window when such sign is visible from any public right of way and which is displayed for the specific purpose of attracting the attention of the passerby to a sale, or to promotional items, or to other products or services.

SKETCH PLAN: A map indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for review and to meet the requirements and procedures set forth in this title.

SLOW BURNING: A rate of combustion which describes materials that do not in themselves constitute an active fuel for the spread of combustion. Examples: wool, materials with fire retardant treatments.

SMOKE: Small gasborne particles other than water that form a visible plume in the air.

SMOKE UNITS, NUMBER OF: The number contained by multiplying the smoke density in Ringelmann numbers by the time of emission in minutes. For the purposes of this calculation, a Ringelmann density reading is made at least once every minute during the period of observation; each reading is then multiplied by the time in minutes during which it is observed; the various products are then added together to give the total number of smoke units observed during the total period under observation.

SOLAR ENERGY SYSTEM: A system that uses the power of the sun to capture, distribute and/or store energy for on site consumption of utility power.

SOLAR ENERGY SYSTEM, GROUND MOUNTED: A solar energy system that is not attached to another structure and is affixed to the ground.

SOLAR ENERGY SYSTEM, ROOF MOUNTED: A solar energy system affixed to the roof of a principal or accessory structure.

SOLAR SHINGLES: Photovoltaic shingles that directly integrate with typical asphalt shingles which serve as a conventional shingle for weather protection, while generating clean solar electricity to a building.

SOUND LEVEL METER: An instrument standardized by the American Standards Association for measurement of intensity of sound that is calibrated in decibels.

SOUND PRESSURE LEVEL: The intensity of sound or noise in decibels.

SPECIFIED ANATOMICAL AREAS:

- A. Less than completely or opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areola; and/or
- B. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

SPECIFIED SEXUAL ACTIVITIES:

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Acts or representations of acts of human masturbation, sexual intercourse or sodomy, bestiality, oral copulation, flagellation or erotic or sexual oriented torture, beating or infliction of pain;
- C. Fondling, kissing or erotic touching of human genitals, pubic region, buttocks or female breasts; and/or
- D. Excretory functions as part of or in connection with any activity set forth in subsections A through C of this definition.

STACKING: A method of storing multiple cargo containers or chassis on top of each other in a vertical manner where the floor of the containers or chassis remain parallel to the ground.

STORY: That portion of a building included between the floor surface and the surface of the next floor or roof above and having a height of not less than seven feet (7'); except, that space used exclusively for the housing of mechanical services for the building and having access limited to maintenance purposes only, shall not be construed as a story. A story may have differing or "split" levels, in which case, the floor levels which have the least difference in floor level (5 feet or less) shall be construed as being the same story. A mezzanine shall be construed as a story if its area exceeds one-third ($\frac{1}{3}$) of the floor directly below it, or if the vertical distance from the floor below the mezzanine to the floor or roof above the mezzanine exceeds twenty three feet (23'). Basements, as determined from the average grade, measured at the two (2) points where the front building setback line intersects the side lot lines, and habitable attic areas shall not be considered stories for the purpose of determining building height for single-family detached dwellings.

STORY, HALF: A space under a sloping roof which has the line of intersection of roof decking and wall not more than three feet (3') above the top floor level, and in which space not more than sixty percent (60%) of the floor area is completed for the principal or accessory uses.

STREET: A permanent public or private right of way which affords a primary means of access to abutting property.

STRUCTURE: Anything erected, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground. An advertising or business sign or other advertising device, if detached or projecting, shall be construed to be a separate structure.

SUBDIVIDER: A natural person, firm, association, partnership, corporation or combination thereof or their agents, who shall seek to subdivide or partition a parcel or tract of land as hereinafter regulated³, or who shall seek to develop a heretofore subdivided parcel or tract which has not been improved in accordance with the standards and specifications incorporated herein. In addition, as used herein, a subdivider shall be deemed to include any person or entity who shall seek approval of a planned unit development to the extent provided in this title, or who shall seek to construct a heretofore approved planned unit development.

SUBDIVISION⁴: The partitioning or dividing of a parcel or tract of land by the subdivider thereof or by his heirs, executors, administrators, legal representatives, successors or assigns, where the act of division creates a subdivision not exempt under the provisions of 765 Illinois Compiled Statutes. In addition, as used herein, a subdivision shall be deemed to include a planned unit development to the extent provided in [chapter 14](#) of this title or who

shall seek to construct a heretofore approved planned unit development.

TELECOMMUNICATION TOWER: Any freestanding structure that is designed and constructed primarily for the purpose of supporting one or more antennas. This term includes, but is not limited to, radio and television transmission towers, microwave towers, common carrier towers, cellular phone towers, alternative tower structures, and other wireless communication towers. For the purpose of this title, all telecommunication towers are considered wireless communication facilities.

THREE COMPONENT MEASURING SYSTEM: An instrument or complement of instruments which records earthborn vibration simultaneously in three (3) mutually perpendicular directions.

TOXIC MATERIALS: A substance (liquid, solid or gaseous) which, by reason of an inherent deleterious property, tends to destroy life or impair health.

TRAILERS:

A. House Trailer:

1. A trailer or semitrailer equipped and used for living quarters or for human habitation (temporarily or permanently) rather than for the transportation of freight, goods, wares and merchandise; or
2. A house trailer or a semitrailer which is used commercially (temporarily or permanently), that is, for the advertising, sales, display or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

B. Semitrailer: Every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

C. Trailer: Every vehicle without motive power in operation, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

TREE: Any self-supporting, woody plant with its root system, growing upon the earth usually with one trunk supporting a generally well defined crown and which, at maturity, is at least twelve feet (12') in height.

TREE, CLASS ONE: Any tree that is not a class two tree or that is otherwise deemed desirable by the director of community development due to local or historical significance, significant environmental value or other similar attribute.

TREE, CLASS TWO: Trees that are weak wooded, prone to rot, prone to disease or insect problems, invasive, or that are otherwise deemed undesirable by the director of community development, including, but not limited to: nonhybrid American elm, Siberian elm, European birch, black locust, Russian olive, box elder, buckthorn, cottonwood, Lombardy poplar, white poplar, mulberry, willow, osage orange, tree of heaven, and silver maple.

TREE, DECIDUOUS: A tree that sheds its foliage annually.

TREE, EVERGREEN: A tree that has live foliage on its branches year round.

TREE, QUALIFYING: An existing live tree growing in the earth that falls into any of the categories listed below:

A. Deciduous trees with a minimum size of six inches (6") in dbh.

B. Evergreen trees with a minimum size of twelve feet (12') in height.

C. Any other tree designated to be preserved on an approved tree preservation plan.

TREE, REPLACEMENT: A nursery grown, deciduous tree in excellent condition with a minimum caliper of three inches (3"), properly balled and burlapped and satisfying the standards established for nursery stock and installation thereof set forth by the American Association Of Nurserymen. It shall be of a species normally grown in northeastern Illinois and capable of withstanding site microclimates, and shall meet the definition of a class one tree.

USE: The purpose or activity for which the land or building thereon is designed, arranged or intended or for which it is occupied or maintained.

USE, ACCESSORY: An accessory use is a structure and/or use which:

A. Is subordinate to and serves a principal structure or use;

B. Is subordinate in area, extent, intensity and/or purpose to the principal structure or use served;

C. Contributes to the comfort, convenience or necessity of the occupants of, or of the business or industry located in or on the principal structure and/or use served; and

D. Is located on the same zoning lot as the principal structure and/or use served.

USE, ANCILLARY: A use that does not exceed more than twenty five percent (25%) of the anticipated weekly operating hours of the existing permitted assembly use in which it is located.

VEHICLE, COMMERCIAL: Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for hire or not for hire, but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreation vehicle not being used commercially.

VEHICLE, OFF ROAD: Any vehicle intended principally for recreational off road use, including, but not limited to, a dune buggy, go-cart, all-terrain vehicle (ATV), off highway motorcycle or snowmobile.

VEHICLE, RECREATIONAL: Any camping trailer, motor home, mini-motor home, travel trailer, truck camper or van camper used primarily for recreational purposes and not used commercially. The terms found in this definition shall have the meanings respectively ascribed to them as provided in the Illinois vehicle code.

VEHICLE, STORED: A vehicle which remains on a parcel for more than ninety six (96) consecutive hours.

VETERINARIAN OFFICE: Any building or portion thereof used to provide medical care, observation or treatment of domestic animals, where the indoor boarding of animals is accessory to the veterinary use and where the hours of daily operation are restricted to twelve (12) hours or less.

WAREHOUSE: A building or structure or part thereof used principally for the storage of goods and/or merchandise.

WHOLESALE CLUBS: A self-service, cash and carry, food and general merchandise facility designed to serve businesses, institutions and individuals who must purchase either a business or individual membership before they will be allowed access to the facility. The goods sold may be for both final consumption and resale.

The type of food and general merchandise sold may include, but shall not be limited to, the following: food and groceries, wine, beer and liquor, major and small appliances, electronics, photo equipment, hardware, clothing, health and beauty aids, office supplies, jewelry, tires (including accessory installation and balancing), automotive supplies including, but not limited to, batteries (including accessory installation), motor oil, antifreeze and jacks, and other items of the type which are usually found in general family type discount department stores.

WIRELESS COMMUNICATION FACILITY: An unstaffed facility for the transmission and/or reception of radio frequency (RF) signals. The facility may consist of: transmission and reception devices, a support structure, ancillary equipment (cable, conduit, connectors), and/or an equipment enclosure used to house and protect the necessary electronic equipment as support structures for antennas and/or towers only.

YARD: Areas required on any lot which are unoccupied and unobstructed from its lowest level upward, except for permitted obstructions as otherwise provided for in this title, and which extend along a lot line and at right angles thereto a depth or width as specified by the bulk regulations for the district in which the lot is located.

YARD, EXTERIOR SIDE (STREET): A required yard adjoining a street which extends the full depth of a lot, along an exterior side lot line, excluding the area within a front yard.

YARD, FRONT: A required yard which extends the full width of a lot along a front lot line.

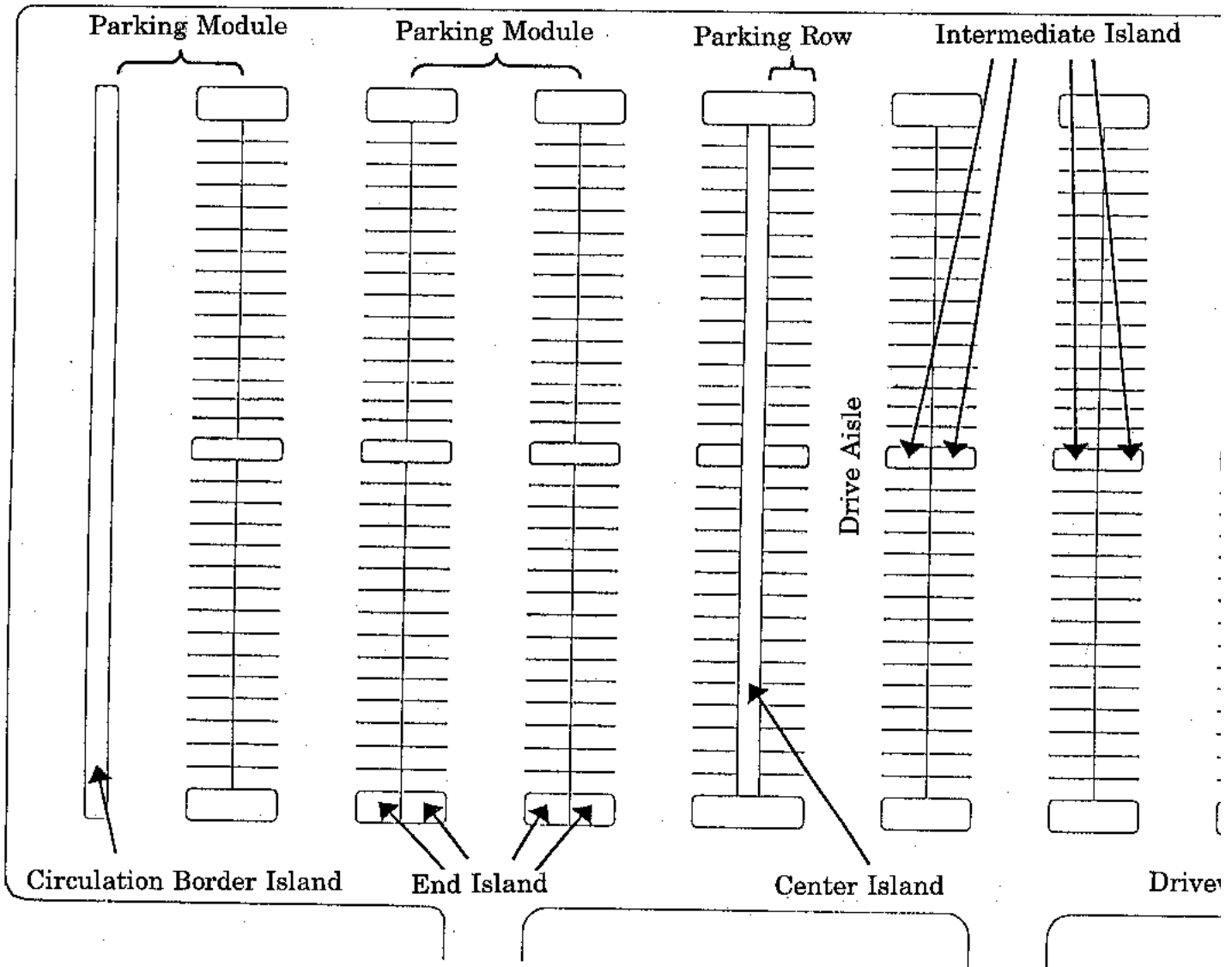
YARD, INTERIOR: A required yard adjoining another lot which extends the full depth of a lot along an interior side lot line, excluding the areas within a front yard and/or rear yard.

YARD, LANDSCAPE: Areas required on any lot which are occupied by landscaping and which extend along a lot line and at right angles thereto a depth or width as specified elsewhere in this title.

YARD, REAR: A required yard which extends the full width of a lot along a rear lot line excluding the area within an exterior side yard.

ZONING OFFICER⁵: Wherever in this title the term "Zoning Officer" is used, it shall mean the duly appointed and acting Director of Community Development⁶ or his designee. That officer is hereby authorized and it is his duty to administer and enforce the provisions of this title, making such determinations, interpretations and orders as are necessary therefor, and requiring such plats, plans and other descriptive material in connection with applications for permits as are necessary for him to judge compliance with this title.

TABLE 1



(1976 Code §22-1-4; amd. Ord. 86-63, §§1 - 7; Ord. 90-55, 8-23-1990; Ord. 90-83, 12-13-1990; Ord. 91-13, 4-11-1991; 1991 Code; Ord. 92-06, 3-12-1992; Ord. 94-20, 3-24-1994; Ord. 96-25, 6-13-1996; Ord. 99-63, 11-11-1999; Ord. 99-64, 12-9-1999; Ord. 99-65, 10-14-1999; Ord. 2001-02, 1-25-2001; Ord. 2002-50, 12-12-2002; Ord. 2003-17, 4-24-2003; Ord. 2004-10, 3-18-2004; Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2005-49, 9-1-2005; Ord. 2007-16, 4-5-2007; Ord. 2007-49, 9-6-2007; Ord. 2009-31, 7-16-2009; Ord. 2010-29, 5-20-2010; Ord. 2011-21, 5-12-2011; Ord. 2011-40, 8-25-2011; Ord. 2011-43, 9-8-2011; Ord. 2013-53, 10-24-2013; Ord. 2014-36, 6-12-2014; Ord. 2015-11, 3-5-2015; Ord. 2015-72, 12-17-2015; Ord. 2016-2, 1-21-2016; Ord. 2017-51, 9-21-2017)

Chapter 3 GENERAL ZONING PROVISIONS

9-3-1: BULK REGULATIONS:

A. New And Existing Structures: All new structures shall conform to the bulk regulations established herein for the district in which each structure shall be located. Further, no existing structure shall be enlarged, reconstructed, structurally altered, converted or relocated in such a manner as to conflict or to further conflict with the bulk regulations of this title for the district in which such structure shall be located.

B. Maintenance: The maintenance of yards, open space, minimum lot area and other bulk regulations legally required for a structure shall be a continuing obligation of the property owner as long as the structure is in existence. Further, no required yards, open space, minimum lot areas or other bulk

regulations allocated for any structure shall, by virtue of a change in ownership or for any other reason, be used to satisfy yard, open space, minimum lot area or other bulk requirements for any other structure. (1976 Code §22-2-4)

9-3-2: LOTS:

- A. Number Of Buildings On Lot: In any district, there shall be permitted only one principal building per lot except as otherwise provided in [chapter 14](#) of this title. Notwithstanding anything contained in this section to the contrary, more than one aboveground service facility shall be permitted on a lot with or without another principal building when located and constructed in accordance with this title, except as otherwise provided in subsection [9-12-4B1](#) of this title. (Ord. 2009-31, 7-16-2009)
- B. Division Of Lots: No lot shall hereafter be divided into two (2) or more lots unless all lots resulting from each such division shall conform with all the applicable bulk regulations of the zoning district in which the property is located. (1976 Code §22-2-6)
- C. Two Uses On A Lot: Where two (2) or more permitted or special uses, each requiring a minimum lot area, are provided on the same lot, the required lot area for such uses shall be the sum of the areas required for each use individually. (1976 Code §22-2-9)
- D. Lots Located In Multiple Jurisdictions: When a lot under single ownership is situated in part in the village of Woodridge and in part in an adjacent jurisdiction, the regulations and restrictions of this title shall be applied to that portion of such lot as lies in the village of Woodridge in the same manner as if the entire lot were situated therein.
- E. Yards:
1. All required yards allocated to a structure shall be located on the same lot as such structure.
 2. No yards allocated to a structure or use existing on the effective date hereof shall be subsequently reduced or be further reduced below the yard requirements set forth in this title, except the yard adjoining a street may be reduced in depth or width in the event and to the extent that the right of way width of such street adjoining such yard is subsequently increased.
- F. Landscape And Maintenance: The owner of any lot located within the village shall be responsible for the landscape and maintenance of such lot. (Ord. 2007-56, 9-20-2007)

9-3-3: PROHIBITED USES:

Except as may be otherwise provided, when a use is not specifically listed as a permitted, special or accessory use in any specific zoning district, such use shall be expressly prohibited. (1976 Code §22-2-7)

9-3-4: UTILITIES:

- A. Public Sanitary Sewer And Water Supply: Each use hereafter established which requires sewage and water facilities shall be served by public sewage and water systems except as may be otherwise permitted by provisions of this code¹. (1976 Code §22-2-11)
- B. Public Service And Utility Uses: The following public service and utility uses are permitted in any district: wires, cables, conduits, vaults, laterals, pipes, mains and valves or other similar transmission and distributing equipment; provided, they meet one of the following criteria: (Ord. 2009-31, 7-16-2009)
1. Is located underground; or
 2. Is an aboveground service facility which is less than four feet (4') in all dimensions; or (Ord. 2007-49, 9-6-2007)
 3. Is an aboveground service facility which is four feet (4') or greater in any one dimension that complies with section [9-3-8](#) of this chapter; or (Ord. 2009-31, 7-16-2009)
 4. Is for temporary service during a period of new construction; or
 5. Is located at the request of the village; or
 6. Is for minor repair of existing facilities. (Ord. 2007-49, 9-6-2007)

9-3-5: HOUSE TRAILERS, SEMITRAILERS, TRAILERS:

House trailers, semitrailers and/or trailers shall be prohibited except as set forth below:

- A. Temporary Construction Offices, Real Estate Rental Or Sales Offices: The zoning officer may grant a permit allowing a house trailer, semitrailer or trailer for temporary construction offices, real estate rental or sales offices and/or storage uses incidental to, but only, while an active permit is pending for the construction of a building(s). Such house trailer, semitrailer or trailer shall be located on the same lot or on land which is under the same ownership where more than one principal building is to be constructed and shall be removed prior to the issuance of a final occupancy permit for the final building to be constructed in the development. Each house trailer, semitrailer and trailer shall have the name and current telephone number of the owner permanently affixed to its exterior. In no event shall any such house trailer, semitrailer or trailer be located nearer than twenty five feet (25') to any front or exterior side lot line. No outdoor storage shall be permitted in conjunction with any temporary real estate rental or sales office. Upon issuance of an occupancy permit for a model home pursuant to this title, no temporary real estate rental or sales offices shall be permitted within the development.
- B. House Trailers, Semitrailers, Trailers Permitted As A Special Use: A house trailer, semitrailer, or trailer used as a temporary building for a permitted or special use within a zoning district may be allowed as a special use subject to the following conditions:
1. Such temporary building shall be allowed for a business use only during the construction of a new, permanent building or during the remodeling of an existing building.
 2. Such temporary building shall be removed prior to issuance of a final occupancy permit for the permanent building and, in no case, shall the temporary building be permitted to remain on the premises for more than a period of eighteen (18) months.
 3. That the private drives and parking area to serve the temporary building consist of a bituminous asphalt surface prior to the issuance of an occupancy permit for a temporary building.
 4. That the location, number, and type of temporary directional signs shall be installed as required by the village engineer, to control the flow of on site and off site traffic related to the subject property.
 5. That construction barricades shall be installed to protect pedestrians from any on site construction activity. The location, number, and type of construction barricades to be provided shall be as required by the village engineer. (Ord. 94-20, 3-24-1994)

9-3-6: CONFORMANCE WITH STORMWATER MANAGEMENT REGULATIONS:

No building or parcel of land shall be devoted to any use and no building or structure or part thereof shall be erected, raised, moved, reconstructed, extended, enlarged or altered, except in conformity with the provisions of [title 8, chapter 1, article L](#) of this code, which are expressly incorporated herein by reference. (Ord. 92-06, 3-12-1992)

9-3-7: EMERGENCY WARNING SIRENS:

Emergency warning sirens, operated by an authorized emergency services and disaster agency, not exceeding fifty five feet (55') in mounted height, shall be a permitted use in every district. (Ord. 98-53, 9-24-1998)

9-3-8: ABOVEGROUND SERVICE FACILITIES:

- A. Intent: To encourage the location of aboveground service facilities that are four feet (4') or greater in any dimension into nonresidential areas and to minimize the total number of said aboveground service facilities in the community; to encourage the location of aboveground service facilities that are four feet (4') or greater in any dimension, to the greatest extent possible, in areas where the adverse impact on the community is minimal; to encourage designs and configurations that minimize the adverse visual impact; and provide public utilities the ability to provide services to the community.
- B. Applicability: No aboveground service facility that is four feet (4') or greater in any dimension shall be erected or installed except in compliance with the provisions of this section.

The following aboveground service facilities shall be exempt from the provisions of this section:

1. Aboveground service facilities that are less than four feet (4') in all dimensions.
2. Aboveground service facilities located on property owned, leased or otherwise controlled by the village provided a lease, franchise or other written agreement is entered into with the village after September 16, 2007, or where a license authorizing such aboveground service facility has been approved by the village after September 16, 2007.

Where conflicts exist between this section and any other provision of the zoning ordinance, the provisions of this section shall control. (Ord. 2009-31, 7-16-2009)

- C. Building Permit Requirements: A building permit shall be obtained prior to the installation of any aboveground service facility. Applications for a building permit to install an aboveground service facility shall include, in addition to any requirements contained in [title 8](#) of this code, the following documents:
1. A spotted survey, drawn to scale, of the lot upon which the aboveground service facility is to be constructed, showing thereon the proposed location of the aboveground service facility. The survey shall include written dimensions of the distances between the aboveground service facility and the lot lines and structures on the lot, and shall also show the location, size and type of easements on the property.
 2. Plans and specifications for the installation, including elevations and concrete pad construction. (Ord. 2007-49, 9-6-2007)
 3. Landscape plan, including details and elevations of required screening, in accordance with subsection [9-13-8E](#) of this title.
- D. Location Restrictions:
1. Aboveground service facilities may be located on undeveloped lots that are zoned for nonresidential use and on nonresidential zoned lots developed with nonresidential uses in accordance with the following provisions, except as otherwise provided in subsection [9-12-4B2](#) of this title:
 - a. Front And Exterior Side Yards: Aboveground service facilities located in front and exterior side yards shall have a maximum height of six feet (6') or less and shall be screened in accordance with subsection [9-13-8E](#) of this title.
 - b. Interior Side And Rear Yards: Aboveground service facilities may be located in interior side and rear yards except those yards adjacent to residential districts or residential uses and shall be screened in accordance with subsection [9-13-8E](#) of this title.
 - c. Buildable Area: Aboveground service facilities located in the buildable area between a principal nonresidential building and the front or exterior side yards shall have a maximum height of six feet (6') or less and shall be screened in accordance with subsection [9-13-8E](#) of this title.
 2. Aboveground service facilities may be located on lots that are developed with residential uses, undeveloped lots that are zoned for residential use, and on residential zoned lots developed with nonresidential uses in accordance with the following provisions, except as otherwise provided in subsection [9-12-4B2](#) of this title:
 - a. Front And Exterior Side Yards: Aboveground service facilities shall not be located in front and exterior side yards.
 - b. Interior Side And Rear Yards: Aboveground service facilities may be located in interior side and rear yards and shall be screened in accordance with subsection [9-13-8E](#) of this title. Notwithstanding anything contained in this subsection to the contrary, aboveground service facilities on lots developed with multi-family residential uses or on undeveloped lots zoned for multi-family residential use shall not be located in a required yard adjacent to a single-family residential use.
 - c. Buildable Area: Aboveground service facilities shall not be located in the buildable area between a principal residential building and the front or exterior side yards.
 3. Aboveground service facilities shall be located a minimum of three feet (3') from any property line, except as otherwise provided in subsection [9-12-4B2](#) of this title. (Ord. 2009-31, 7-16-2009)
 4. Aboveground service facilities shall not be located on easements without the express written consent of all parties to whom the easement is granted. Documentation of said consent shall be submitted to the director of community development prior to the issuance of any building permit related to the installation of the aboveground service facility. The village shall have the right but not the responsibility to install screening in said easement provided the village is permitted to do so under the terms of the easement or with the consent of the grantor of said easement. Aboveground service facilities shall not be located in stormwater detention facilities or over spillways.
 5. If it is not possible to comply with the location restrictions set forth in this section, the director of community development may authorize relief from said restrictions at his or her discretion. Said relief shall be conditional upon the provision of any additional screening or other measures deemed necessary by the director of community development to mitigate the impact of the aboveground service facility upon the adjacent properties. Any mitigation measures provided in conformance with this subsection shall be provided solely at the applicant's expense. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)

E. Other Restrictions:

1. No signage, advertising, or information shall be allowed on or above aboveground service facilities other than four inches by six inches (4" x 6") identifying the service entity. (Ord. 2007-49, 9-6-2007)
2. No visible or audible signals or lights or illumination shall be permitted on an aboveground service facility except for warning lights on cell towers, monopoles, water towers and similar structures if required by the federal aviation administration. Aboveground service facilities shall be of earth tone colors and be maintained in good condition including, but not limited to, being free of peeling paint, rust and graffiti. Notwithstanding anything contained in this section to the contrary, cell towers, monopoles, water towers and similar structures shall be white, light gray or other similar color subject to the approval of the director of community development so as to be unobtrusive against the background of the daytime sky. (Ord. 2009-31, 7-16-2009; amd. Ord. 2011-21, 5-12-2011)
3. In the event the use of any aboveground service facility has been discontinued for a period of one hundred eighty (180) consecutive days, the aboveground service facility shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the zoning officer who shall have the right to request documentation and/or affidavits from the service entity regarding the use of the aboveground service facility. Upon the zoning officer's determination and written notification to the service entity of such abandonment, the service entity shall have an additional ninety (90) days within which to: a) reactivate the use of the aboveground service facility or transfer the aboveground service facility to another service entity which makes actual use of the facility, or b) dismantle and remove the aboveground service facility, and notify the zoning officer in writing of the completion of such removal.
4. Mobile or immobile equipment not used in direct support of an aboveground service facility shall not be stored or parked on the site of the facility except while repairs to such facility are being made. (Ord. 2007-49, 9-6-2007)
5. Aboveground service facilities shall be screened in accordance with subsection [9-13-8E](#) of this title. (Ord. 2009-31, 7-16-2009)

9-3-9: WIRELESS COMMUNICATION FACILITIES:

- A. Purpose: The purpose of this section is to provide specific regulations for the placement, construction and modification of antennas and telecommunication towers and associated equipment for wireless communication services. This is to further encourage placement of antennas and telecommunication towers in areas where their impact on surrounding property is minimized, and encourage users to collocate with existing uses and structures. All new antennas and telecommunication towers shall be subject to the regulations set forth in this title.
1. The provisions of this section are not intended and shall not be interpreted to prohibit or have the effect of prohibiting the provision of personal wireless services, nor shall any provision of this section be applied in such a manner as to unreasonably discriminate between providers of functionally equivalent personal wireless services.
 2. In the course of reviewing any request by an applicant to provide wireless communication service, the village shall act within a reasonable period of time after the request is duly filed with the village, taking into account the nature and scope of the request. Any decision to deny such a request shall be in writing and supported by substantial evidence contained in a written record.
 3. The village may employ an independent technical expert to review any technical materials required by this section. The applicant shall pay all reasonable costs of the review, including any administrative costs incurred by the village.
- B. Antennas:
1. Antennas On Existing Nontelecommunication Tower Structures: Any antenna which is not attached to a telecommunications tower may be approved by the director of community development, without a hearing or approval by the board of trustees and the plan commission, provided:
 - a. The antenna is mounted directly to a lawfully existing principal structure greater than forty feet (40') in height;
 - b. The antenna does not extend more than twenty feet (20') above the highest point of the structure;
 - c. The antenna complies with all applicable FCC and FAA, federal, state and local laws, codes, regulations and standards;
 - d. Any artificial illumination of the antenna and associated equipment may only be permitted when required by the FCC or the FAA;
 - e. All ancillary equipment to the antenna including, but not limited to, cable, conduit, connectors and/or an equipment enclosure used to house and protect the necessary electronic equipment is screened in accordance with subsection C11 of this section;
 - f. A building permit is obtained prior to construction/installation of the antenna.
 2. Antennas On Existing Telecommunications Towers: Additional antennas may be permitted on lawfully existing telecommunications towers provided they adhere to the requirements set forth in subsection B1 of this section and get the approval of the director of community development, without a hearing or approval by the board of trustees and the plan commission.
- C. Telecommunication Towers:
1. Application: A special use permit shall be obtained prior to the erection of any telecommunication tower and its associated equipment. Applications shall include, in addition to any requirements contained in [title 8](#) of this code, those items listed below:
 - a. Legal description of the property on which the proposed wireless communication facility is to be located.
 - b. Identification of the owners of all wireless communication service facilities to be located at the site.
 - c. Written authorization from the owner of the facility site to apply on his/her behalf, if the landowner is not the owner of the wireless communication service facility.
 - d. Documentation that the proposed wireless communication service facility will comply with all applicable federal, state and local laws.
 - e. Plat of survey of the property on which the proposed wireless communication facility is to be located.
 - f. An inventory, including a current map, depicting the applicant's existing wireless communications facilities and/or antennas, that are either within the corporate limits of the village or within one and one-half (1¹/₂) miles of the village corporate limits. This inventory shall include specific information about the location, height, design (including type of construction), owner/operator information (if available), and screening of each wireless communication facility. The map shall include all existing facilities and any proposed facilities and clearly note the separation distance between each of the wireless communication facilities identified.
 - g. A scaled site plan clearly indicating the location, type and height of the proposed wireless communication facility, on site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), zoning classification of the site and all properties within the application separation distances set forth in this section, adjacent roadways, proposed means of access, setbacks from the property lines, elevation drawings of the proposed wireless communication facility, and any other structures, topography, parking and other information deemed by the director of community development to be necessary to assess compliance with this section.
 - h. Structural engineering plans sealed by a licensed structural engineer showing the antenna and/or telecommunication tower type and number with a certification that the wireless communication service facility conforms to the current structural standards and wind loading requirements.
 - i. The setback distance between the wireless communication facility and the nearest residentially zoned properties.
 - j. A description of the availability and suitability of the use of existing telecommunications towers, other structures, or alternative technology, not requiring the construction or use of a new telecommunications tower and an explanation as to why these facilities are not suitable.
 - k. A landscape plan showing existing landscaping to remain and proposed landscaping in accordance with this title.

- l. A photometric plan if lighting on the site is added, removed or modified.
 - m. Elevations depicting how the structure and associated equipment will be enclosed, screened and/or landscaped.
 - n. A notarized statement from the applicant as to whether the construction of the wireless communication facility will accommodate collocation of additional antennas for future users.
 - o. A description of the feasible location(s) of future wireless communication facilities within the village of Woodridge based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.
 - p. Other information as the village may from time to time deem necessary.
2. Collocation: Wireless communication facilities shall be located on existing buildings or structures or existing communication towers wherever possible. No special use permit for a telecommunication tower shall be issued unless the applicant demonstrates to the reasonable satisfaction of the plan commission that no existing building, structure or telecommunication tower can accommodate the applicant's proposed antenna. In order to satisfy this requirement, the applicant shall submit evidence to the village which shall consist of one or more of the following:
- a. No existing telecommunication towers or structures are located within the geographic area required to meet the applicant's engineering requirements.
 - b. Existing telecommunication towers or structures are not of sufficient height and size to meet the applicant's engineering requirements or do not have sufficient structural strength to support the applicant's proposed antenna.
 - c. The applicant's proposed antenna would cause electromagnetic interference with the antennas on the existing telecommunication tower or structure or the existing antennas would cause interference with the applicant's proposed antenna.
 - d. The applicant has sought and been denied the opportunity to collocate its antenna and equipment on an existing telecommunication tower or structure.
3. Future Collocation Requirement: When authorizing a special use permit for a telecommunication tower, the board of trustees may, in its sole discretion, require the design, construction and installation to be of a sufficient size and capacity to allow the location of an antenna of at least one additional provider in the future. Absent good cause shown by the applicant, any special use permit for a telecommunication tower shall be conditioned upon the agreement of the applicant to allow the collocation of other wireless communication providers on commercially reasonable terms. Failure to comply with this condition may result in the revocation of the special use permit.
4. Location Restriction: No telecommunication tower shall be located within one thousand five hundred feet (1,500') from any other existing telecommunication tower.
5. Lot Size: For purposes of determining whether the installation of a telecommunication tower or antenna complies with the district bulk regulations, including, but not limited to, setback requirements, lot coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the wireless communication facility may be located on leased parcels or easements within such lots.
6. Setbacks:
- a. All wireless communication facilities shall adhere to the applicable zoning district bulk regulations with regard to setbacks.
 - b. A distance equal to one hundred ten percent (110%) of the height of the communication tower shall separate any telecommunication tower from the principal buildings on the subject lot and adjoining lots.
7. Maximum Height: No telecommunication tower shall exceed one hundred fifty feet (150') in height.
8. Design: All telecommunication towers and all ancillary equipment shall be of neutral colors unless otherwise required by the FAA or FCC.
9. Screening: All telecommunication towers shall be enclosed with security fencing consisting of either a solid wood fence or masonry wall six feet (6') in height.
10. Anticlimbing Devices: All telecommunication towers shall be equipped with appropriate anticlimbing device(s). The anticlimbing device(s) may not include barbed wire, razor wire or similar sharp barrier.
11. Landscaping: Telecommunication towers and ancillary equipment shall be landscaped including dense plantings a minimum of six feet (6') in height so as to provide the maximum screening for the base of the tower and all ancillary equipment. The landscaped buffer shall be a minimum of four feet (4') wide to provide a visual shield of the wireless communication facility. If the wireless communication facility is on a wooded lot, natural growth around the perimeter may substitute for parts of the buffer.
12. Tree Preservation: If trees must be removed in order to construct the telecommunication tower, the applicant shall adhere to the regulations set forth in section [9-13-3](#) of this title.
13. Lighting: Artificial illumination of the facility is only permitted when required by the FCC or the FAA.
14. Type: Whenever feasible a tower of the monopole type shall be installed instead of a lattice tower.
15. Code Compliance: All telecommunication towers, antennas and ancillary equipment shall comply with applicable federal, state and local laws, ordinance codes, rules, regulations and standards.

D. General Provisions:

- 1. At such time as the operator of a wireless communication facility plans to abandon or discontinue operation of the facility, the operator must notify the director of community development by certified mail of the proposed date of abandonment or discontinuation of operations. Such notice must be given no less than thirty (30) days prior to abandonment or discontinuation.
- 2. In the event that the operator fails to provide such notice, the facility will be deemed abandoned upon such discontinuation of operation.

3. Upon such abandonment or discontinuation of use, the operator must reactivate the use of the facility or transfer the facility to another owner/operator who begins actual use of the facility within a sixty (60) day period. If the operator does not transfer or reactivate the facility within the initial sixty (60) day period, the operator must physically remove the wireless communication facility within a second sixty (60) day period. "Physically remove" includes, but is not limited to:
 - a. Removal of tower, antennas, mount, equipment shelters or platforms and security barriers from the subject property;
 - b. Proper disposal of the waste materials from the site in accordance with the applicable solid waste disposal regulations;
 - c. Restoration of the location of the wireless communication facility to its natural condition, except that any landscaping and grading must remain.
4. At the earlier date of either the completion of the dismantling and removal or sixty (60) days from the date of abandonment without reactivation, any special use shall automatically expire.
5. No communication tower or antenna shall be permitted in any zoning district in the village unless it complies with all federal laws and regulations concerning its use and operation. Within sixty (60) days of any changes to such laws and regulations, the owner shall bring such facility into compliance, unless the law or regulation mandates a more stringent compliance schedule or grandfathers the facility. Failure to bring such facility into compliance with the revised law or regulation shall constitute grounds for the immediate removal of the facility at the owner's expense. (Ord. 2011-21, 5-12-2011)

Chapter 4 ZONING DISTRICTS AND MAP

9-4-1: DISTRICTS ESTABLISHED:

In order to carry out the purposes and provisions of this Title, the Village is hereby divided into the following zoning districts:

R-1	Residential District
R-2	Residential District
R-3	Residential District
A-1	Residential District
A-2	Residential District
B-1	Neighborhood Shopping District
B-2	Community Shopping District
B-3	Highway and Service Business District
OSB	Office and Service Business District
RBC	Regional Business Center District
ORI	Office, Research and Light Industrial District
M-1	Manufacturing District

(1976 Code §22-4-1; amd. Ord. 89-66, 12-14-89)

9-4-2: OFFICIAL ZONING MAP:

On or before March 31 of each year, the Village shall cause to be published a map clearly showing the existing zoning uses, divisions, restrictions, regulations and classifications of the Village for the preceding calendar year. Said map shall be designed as the Official Zoning Map of the Village. The Official Zoning Map is expressly incorporated in this Title by reference as if fully set forth and described herein. If in any calendar year there are no changes in zoning uses, divisions, restrictions, regulations or classifications in the Village, the Mayor and Board of Trustees shall not be required to publish a new Official Zoning Map for such calendar year.

The Village may establish a fee to be charged any person desiring a copy of the Official Zoning Map. (1976 Code §22-4-2)

9-4-3: DISTRICT BOUNDARIES:

Where uncertainty exists with respect to the boundaries of the various zoning districts as shown on the Official Zoning Map, the following rules shall apply:

- A. A zoning district boundary line following a street or extension thereof shall be construed to be the center line of such street or extension.
- B. A zoning district boundary line approximately following a lot line or extension thereof shall be construed as following such lot line or extension.
- C. Where a zoning district boundary line divides a lot of single ownership, the regulations of this Title for either portion of such lot may, at the owner's discretion, apply to the entire area of the lot or twenty five feet (25') beyond the zoning district boundary line, whichever is the lesser distance.
- D. Where the district boundaries do not coincide with the location of streets, lot lines or extensions thereof, the district boundaries shall be determined by the measurements shown on the Official Zoning Map or in the absence of such measurements, the district boundaries shall be determined by scaling the Zoning Map.
- E. Questions concerning the exact locations of zoning district boundary lines shall be interpreted by the Zoning Officer. (1976 Code §22-4-4)

9-4-4: ZONING OF UNCLASSIFIED AND ANNEXED TERRITORY:

Any land whose classification is not shown on the Official Zoning Map and land hereafter annexed to the Village shall be automatically classified in the R-1 District until differently classified by amendment. (1976 Code §22-4-3)

9-4-5: ZONING OF VACATED AREAS:

Whenever any street or public way is vacated by official action of the Village Board, the zoning district adjoining each side of such street or public way shall be automatically extended to the center line of such vacated property (or to the reversionary owner should such reversionary rights be different than the center line of the right of way) and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts. (1976 Code §22-4-5)

Chapter 5 RESIDENTIAL DISTRICTS

9-5-1: PARKING REGULATIONS FOR CERTAIN VEHICLES:

A. Reserved. (Ord. 2007-16, 4-5-2007)

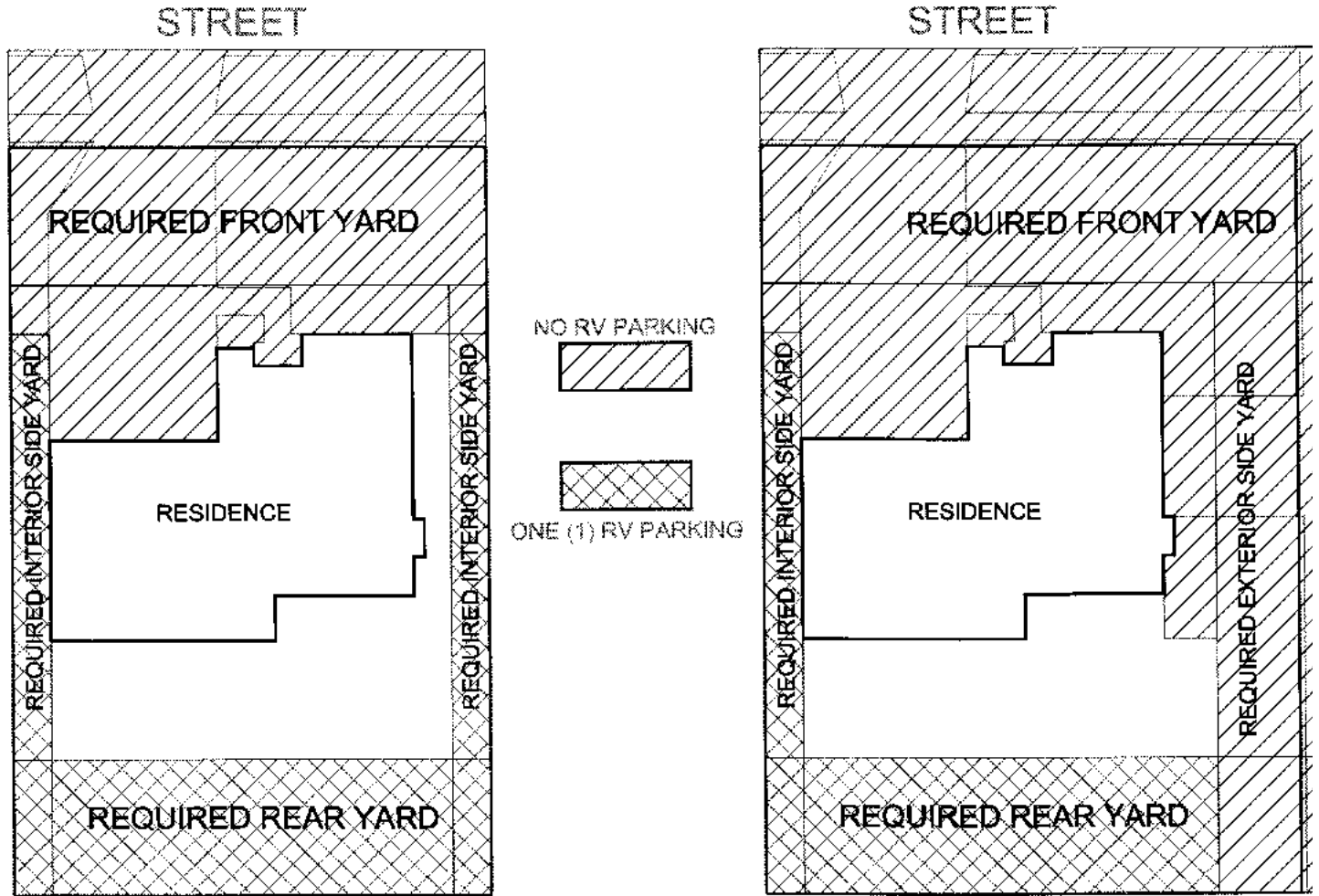
B. Reserved. (Ord. 2005-47, 8-18-2005)

C. Parking Of Certain Vehicles In Residential Districts:

1. Except as further restricted in subsection C2 of this section, one recreational vehicle, one boat, two (2) off road vehicles or personal watercraft on a trailer, or one trailer may be parked or stored in any required interior side or rear yard on a lot used for single-family purposes, provided none of the above may be occupied.
2. Except as permitted in subsection C5 of this section, no recreational vehicle, boat, off road vehicle or personal watercraft on a trailer, or trailer may be parked or stored in any required front or exterior side yard; between the principal structure and the front lot line; between the principal structure and any exterior side lot line; or closer to the front lot line than the principal structure (as measured on a line perpendicular to the front lot line from a point on the principal structure that is the shortest distance from the front lot line).
3. The figure at the end of this section depicts the parking restrictions set forth in subsections C1 and C2 of this section. In the event of any conflict between the figure and the provisions of subsections C1 and C2 of this section, the provisions of subsections C1 and C2 of this section shall control.
4. Except as permitted in subsection C5 of this section, no recreational vehicle, boat, off road vehicle or personal watercraft, or trailer having a height from the underside of the tire to the top of the vehicle, inclusive of load, exceeding nine feet (9') or a length exceeding twenty feet (20'), shall be parked, stored or located on any single-family residential lot.

5. The zoning officer may grant a permit allowing the temporary parking or storage of one recreational vehicle or boat that exceeds the size limitations set forth in subsection C4 of this section on the driveway of a lot used for single-family purposes. Such parking shall only occur with such a permit and shall only be permitted for a period not to exceed ten (10) days in any consecutive thirty (30) day period.

Recreational Vehicle and Trailer Parking/Storage



(Ord. 2001-41, 7-26-2001)

9-5-2: MODEL HOME REGULATIONS¹:

Temporary model homes, used to offer for sale or rental dwelling units within the village, shall not be established without first obtaining a permit from the zoning officer. The following regulations shall govern the establishment and operation of a model home:

- A. No such model shall be occupied for residential living purposes during the term of the model home permit.
- B. Model home permits may be issued for a period of three (3) years, but may be extended thereafter by the zoning officer for a maximum of up to three (3) additional one year time periods. Notwithstanding the above, the model home permit shall expire once a building permit is issued for the construction of a new home on the last vacant lot owned by the model home permit applicant within the subdivision or development in which the model home is located or upon the sale/rental of the model home by the builder/developer, whichever occurs first.
- C. Temporary off street parking facilities shall be provided so as to eliminate traffic obstructions on the public right of way. In no event shall such off street parking facility contain less than two (2) spaces per model home. Any such parking facility shall be constructed of an impervious surface. (Ord. 94-20,

3-24-1994)

- D. Exterior floodlights may be used to illuminate the model home. Exposed sources of light shall be controlled so that direct and indirect illumination from any source within the lot line shall not cause illumination in excess of two-tenths (0.2) foot-candle on adjacent lots. Any such floodlights may only be illuminated during the hours from dusk to twelve o'clock (12:00) midnight. (Ord. 94-20, 3-24-1994; amd. Ord. 98-53, 9-24-1998)
- E. No construction traffic or storage of construction materials shall be permitted at the model home site.
- F. Signs for model homes shall conform with the provisions of [chapter 11](#) of this title.
- G. Storage of building and construction materials shall be prohibited in model homes.
- H. Model homes shall only be allowed in locations where, in the judgment of the zoning officer, the additional pedestrian activity and vehicle traffic generated by such uses will not adversely impact adjacent residential properties. (Ord. 94-20, 3-24-1994)

9-5-3: HOME OCCUPATIONS:

- A. Intent: There are permitted in any dwelling unit home occupations incidental to the principal use of the dwelling unit as a residence.
- B. Permitted Home Occupations: Permitted home occupations are limited to the following list of occupations:
1. Beauty or electrolysis shops and barbershops; limited to two (2) operators of whom one shall be a resident of the dwelling unit in which the home occupation is permitted. (1976 Code §22-5-4)
 2. Daycare, home. (Ord. 2007-16, 4-5-2007)
 3. Instructions or tutoring in music, dance, home crafts and the arts and sciences; provided, that the total class size does not exceed four (4) students at any one time.
 4. Offices for architects, brokers, engineers, insurance agents, lawyers, real estate agents, accountants, bookkeepers, teachers, urban planners, consultants, election and political campaigns, editors, reporters, publishers, contract management, landscape design, building tradesmen, building contractors, house cleaning services, surveyors, landscapers, tour brokers, travel agents and stamp and coin dealers.
 5. Offices for medical and dental practitioners, marriage counselors, family counselors and psychologists.
 6. Offices for duly ordained leaders of religious and/or spiritual communities.
 7. Offices for salesmen, sales representatives or manufacturer's representatives; provided, that no wholesale transactions shall be made on the premises except through telephone, telegraph or mail communication; and further provided, that the real estate sales shall only be permitted at the premises on any one day in each calendar month. (1976 Code §22-5-4)
 8. Repair services (not including retail sales, and provided further that no repair of motor vehicles shall be permitted), chauffeur services, cartography services, vending machine services, typing services, strike-on or phototype typesetting services, rubber stamp making services, upholstery services, locksmith services. (1976 Code §22-5-4; amd. Ord. 99-65, 10-14-1999)
 9. Studios of artists, authors, composers, photographers, sculptors, dress designers and needleworkers.
 10. Workrooms of dressmakers, seamstresses and tailors.
 11. Workrooms for home crafts such as model making, rug weaving, lapidary work, cabinet carving, etc.; provided, that no machinery or equipment shall be used or employed other than which would customarily be used in connection with a hobby or avocation.
- C. Prohibited Home Occupations: All home occupations not expressly permitted by subsection B of this section are prohibited.
- D. Standards For Home Occupations: In addition to all of the standards applicable to the district in which it is located, any home occupation shall comply with the following standards:
1. Not more than one person other than members of the immediate family residing at such dwelling unit shall be employed on the premises. (1976 Code §22-5-4)
 2. There shall be no manufacturing or processing of any kind. (1976 Code §22-5-4; amd. Ord. 2007-16, 4-5-2007)
 3. No sign shall advertise the presence or conduct of the occupation.

4. There shall be no alteration of the principal structure which changes the character thereof as a dwelling unit.
5. Not more than twenty five percent (25%) of the gross floor area of one story of any dwelling unit shall be principally devoted to the home occupation.
6. No outdoor storage shall be permitted.
7. The home occupation shall be conducted entirely within the dwelling unit; provided, however, that nothing contained herein shall prohibit recreational and/or relaxational activities incidental to the conduct of the home occupation from taking place outside of the dwelling unit.
8. No home occupation may be operated so as to cause a nuisance.

E. Presumptions: Any of the following facts shall give rise to a rebuttable presumption that a home occupation is being conducted at or from any residential premises:

1. Advertising or notices of any type whatsoever which indicate that the address of any business or occupation is located at a premises in any residential district.
2. Advertising or notices of any type whatsoever which indicate that the telephone number of any business or occupation is located at a premises in any residential district.
3. Utility bills for any business or occupation which indicate that the service address for any such business or occupation is located at a premises in any residential district.
4. Reports, returns or other documents required to be filed with any governmental body which indicate that the address of any business or occupation is located at a premises in any residential district.
5. Letterhead, invoices, statements of account, estimates or any other documentation which indicates that a business or occupation is located at a premises in any residential district.
6. That any U.S. mail, UPS or other carrier, deliveries or pick ups for any business or occupation are being made at or from a premises located in any residential district. (1976 Code §22-5-4)

9-5-4: ACCESSORY HOUSING FOR THE ELDERLY:

A. Intent: It is recognized that, while persons in Woodridge who are sixty two (62) years old or older may seek to live independently, insufficient incomes or needs for services may make it impossible for such persons to maintain separate households. By permitting an accessory unit to be maintained in single-family dwellings in the single-family districts of the village, these individuals will be afforded a means of obtaining the additional income and security which will enable them to remain in the homes they own and occupy. In addition, other persons owning and occupying single-family dwellings in these districts will be provided with a means of caring and providing companionship for relatives who are at least sixty two (62) years of age.

B. Requirements For A Permit For Accessory Housing: An accessory unit may be maintained in a single-family dwelling as an accessory use in the R-1, R-2 and R-3 districts, upon issuance of a permit for the accessory unit by the zoning officer. Conversion of the dwelling and maintenance of the accessory unit and primary unit must conform to the following requirements:

1. Only one accessory unit may be maintained in a converted dwelling.
2. The total floor area of an accessory unit shall not exceed the larger of either seven hundred (700) square feet or thirty five percent (35%) of the area of the principal structure in square feet. Any new construction to accommodate an accessory unit shall not increase the size of the original structure by more than twenty percent (20%).
3. The accessory unit shall be structurally part of the converted dwelling; no accessory unit or portion thereof shall be maintained in an accessory building.
4. The converted dwelling must conform to all applicable yard and bulk requirements.
5. The converted dwelling must conform to all applicable building code requirements for habitable rooms with respect to privacy, light, ventilation, heating floor area and ceiling height.
6. Floor plans for the construction of the accessory unit and for reconversion of both the primary unit and the accessory unit to a single-family dwelling after the expiration of the permit must be submitted with the application for the permit.
7. The exterior of the converted dwelling must retain the appearance of a single-family dwelling. The number of exterior entries on the front of the converted dwelling shall be the same number as prior to its conversion.
8. At least one of the occupants of a converted dwelling must be the legal or beneficial owner of the property. At least one of the occupants of the converted dwelling must also be sixty two (62) years old or older. Additionally, the occupants of the primary unit must be related to the occupants of the accessory unit by blood, marriage or adoption.
9. By January 31 of each year after the occupancy permit for the accessory unit is issued, all owners of the property shall file an affidavit, on a form as supplied and approved by the village, along with the annual renewal fee, with the zoning officer certifying that the property complies with subsections B1 through B8 of this section on the date of the filing.

- C. Expiration Of Permit: Every permit for accessory housing shall expire by its own terms if the property or use fails to conform with any of the requirements of subsections B1 through B9 of this section, or if an affidavit is not filed in accordance with subsection B9 of this section. The expiration date shall be thirty (30) days after the date on which the property or use first fails to conform with these requirements or thirty (30) days after the date on which the affidavit was to have been filed. The permit shall not expire, however, if the property is brought into conformity with the requirements of subsections B1 through B9 of this section, or if the affidavit is filed as required prior to the expiration date. Every permit for accessory housing shall also expire when the owner of the converted dwelling ceases to occupy the converted dwelling or when he or she conveys any portion of his or her interest in the property, unless the conveyance is to a trust of which that owner is a beneficiary or to a person residing in the converted dwelling who is a blood relative of the occupant of the other unit of the converted dwelling and the zoning officer is notified of such transfer.
- D. Reconversion To Single-Family Dwelling: Reconversion of the property to a single-family dwelling shall be completed within one hundred twenty (120) days of any expiration of a permit for accessory housing. The zoning officer may extend the period of conversion for just cause shown. The property shall be reconverted according to the plans submitted at the time of application for the permit. (Ord. 96-25, 6-13-1996)

9-5-5: OUTSIDE STORAGE FOR GOVERNMENTAL ENTITIES:

Outside storage by a governmental agency that is accessory to a permitted or special use in any residential district may be permitted as a special use, if completely enclosed by sightproof fencing. The height of such fencing shall be equal to the height of the material or equipment stored, but in no event shall such fence exceed ten feet (10'). No such fence shall be erected in a required front yard or side yard adjoining a street. In addition, no such fence shall be erected within ten feet (10') of any lot line of an adjoining residentially zoned property. Such special use shall be subject to the recommendation of the plan commission and approval of the village board. (Ord. 2009-31, 7-16-2009)

Notwithstanding any provision contained in this section to the contrary, a special use permit shall not be required for temporary outside storage by the village of Woodridge that is accessory to a permitted or special use in any residential district that advances and supports the public health, safety and welfare. Sightproof fencing that does not exceed six feet (6') in height shall be provided between said temporary outside storage and adjacent residential uses. Temporary outside storage shall not be located in a required front yard or side yard adjoining a street and shall not be located within ten feet (10') of any lot line of an adjoining residentially zoned property. It shall be subject to the approval of the director of the community development department or his or her designee. Said temporary outside storage shall be allowed for a maximum of six (6) months every calendar year. Notwithstanding anything to the contrary contained in this title, temporary outside storage by the village of Woodridge shall have a maximum height of twenty feet (20'). (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)

9-5-6: ROLL-OFF CONTAINERS:

Roll-off containers designed for residential use such as dumpsters and portable self-storage containers that are accessory to a permitted or special use in any residential district shall not be located on a lot except in accordance with the following regulations:

- A. They shall be located entirely on the lot on an impervious surface.
- B. They shall be located a minimum of three feet (3') from any lot line. (Ord. 2009-31, 7-16-2009)
- C. Roll-off containers shall be allowed for a period of up to fourteen (14) consecutive days once per calendar year. Upon receipt of written permission from the director of community development, roll-off containers may be allowed for a maximum of up to three (3) additional fourteen (14) day time periods per calendar year. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)
- D. Notwithstanding anything contained in this section to the contrary, the time period for roll-off containers accessory to the construction of a new structure or renovation of an existing structure may extend through the duration of said construction or renovation only if a valid building permit has been issued for said construction or renovation. Said roll-off containers shall be removed prior to the issuance of an occupancy permit.
- E. Notwithstanding anything contained in this section to the contrary, roll-off containers used for general refuse disposal and recyclables for any multiple-family residential use that are permanently screened in accordance with subsections [9-13-8A](#) and B of this title are exempt from the time restrictions specified in subsection C of this section.
- F. The provisions of this section shall not be construed to allow cargo containers in residential districts. (Ord. 2009-31, 7-16-2009)

ARTICLE A. R-1 RESIDENTIAL DISTRICT

9-5A-1: USES PERMITTED:

Accessory uses as provided by [chapter 12](#) of this title.

Antennas for wireless communication.

Churches as ancillary uses to schools (elementary, junior high and senior high) only.

Churches, convents, rectories, parsonages; provided that such uses shall only be permitted along collector streets.

Parks and other recreational areas owned by the village or other governmental unit or private homeowners' association.

Single-family detached dwellings.

State of Illinois licensed group home. (1976 Code §22-6-1; amd. Ord. 90-55, 8-23-1990; Ord. 2004-49, 7-15-2004; Ord. 2007-49, 9-6-2007; Ord. 2011-21, 5-12-2011)

9-5A-2: SPECIAL USES:

Electronic message board signs, provided, that they serve nonresidential uses, with the exception of golf courses, and that they meet all applicable regulations set forth in [chapter 11](#) of this title.

Planned unit developments.

Public service and utility uses if not in accordance with subsection [9-3-4B](#) of this title.

Restaurants and/or banquet facilities accessory to parks and other recreational areas owned by the village or other governmental unit or private homeowners' association.

Schools (elementary, junior high and senior high); provided that such uses shall only be permitted along collector streets.

Telecommunication towers. (1976 Code §22-6-2; amd. Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2007-49, 9-6-2007; Ord. 2011-21, 5-12-2011; Ord. 2013-53, 10-24-2013)

9-5A-3: BULK REGULATIONS:

A. Minimum Lot Area:

1. Single-family detached dwellings: One acre.
2. Parks and other recreational uses: One-half ($\frac{1}{2}$) acre.
3. Public service and utility uses: One-half ($\frac{1}{2}$) acre.
4. Churches, convents, rectories and parsonages: Two (2) acres or one acre per thirteen thousand (13,000) square feet gross floor area, whichever is greater; provided, that where a rectory or parsonage is the sole use on a lot, the minimum lot area set forth in subsection A1 of this section shall apply.
5. Schools:
 - a. Elementary: Five (5) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - b. Junior high: Ten (10) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - c. Senior high: Twenty (20) acres plus one acre per one hundred (100) students' designed enrollment capacity.
6. All other uses: Five (5) acres.

B. Minimum Lot Width:

1. Single-family detached dwellings: One hundred feet (100').
2. All other uses: One hundred fifty feet (150').

C. Minimum Lot Depth For All Uses: One hundred seventy five feet (175'). (1976 Code §22-6-3)

D. Building Setbacks: Required building setbacks are: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of fifty feet (50'). (1976 Code §22-6-3)

2. Side Yards:

- a. A minimum interior side yard of fifteen feet (15'). (1976 Code §22-6-3; amd. Ord. 2005-47, 8-18-2005)
- b. A minimum exterior side yard of fifty feet (50').

3. Rear Yard: A minimum rear yard of fifty feet (50').

E. Maximum Lot Coverage: Thirty five percent (35%).

F. Maximum Building Height: Thirty five feet (35') or two (2) stories, whichever is less.

G. Maximum Floor Area Ratio: 0.3. (1976 Code §22-6-3)

ARTICLE B. R-2 RESIDENTIAL DISTRICT

9-5B-1: USES PERMITTED:

Accessory uses as provided by [chapter 12](#) of this title.

Antennas for wireless communication.

Churches as ancillary uses to schools (elementary, junior high and senior high) only.

Churches, convents, rectories, parsonages; provided that such uses shall only be permitted along collector streets.

Parks and other recreational areas owned by the village or other governmental unit or private homeowners' association.

Single-family detached dwellings.

State of Illinois licensed group home. (1976 Code §22-7-1; amd. Ord. 90-55, 8-23-1990; Ord. 2004-49, 7-15-2004; Ord. 2007-49, 9-6-2007; Ord. 2011-21, 5-12-2011)

9-5B-2: SPECIAL USES:

Electronic message board signs, provided, that they serve nonresidential uses, with the exception of golf courses, and that they meet all applicable regulations set forth in [chapter 11](#) of this title.

Planned unit developments.

Public service and utility uses if not in accordance with subsection [9-3-4B](#) of this title.

Schools (elementary, junior high and senior high); provided that such uses shall only be permitted along collector streets.

Telecommunication towers. (1976 Code §22-7-2; amd. Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2007-49, 9-6-2007; Ord. 2011-21, 5-12-2011; Ord. 2013-53, 10-24-2013)

9-5B-3: BULK REGULATIONS:

A. Minimum Lot Area:

1. Single-family detached dwellings: Twelve thousand (12,000) square feet.
2. Churches, convents, rectories and parsonages: Two (2) acres or one acre per thirteen thousand (13,000) square feet of gross floor area, whichever is greater; provided, that where a rectory or parsonage is the sole use on a lot, the minimum lot area set forth in subsection A1 of this section shall apply.
3. Schools:
 - a. Elementary: Five (5) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - b. Junior high: Ten (10) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - c. Senior high: Twenty (20) acres plus one acre per one hundred (100) students' designed enrollment capacity.

4. All other uses: Twenty five thousand (25,000) square feet.

B. Minimum Lot Width:

1. Single-family detached dwellings: Eighty feet (80').
2. All other uses: One hundred twenty feet (120').

C. Minimum Lot Depth For All Uses: One hundred fifty feet (150'). (1976 Code §22-7-3)

D. Building Setbacks: Required building setbacks are as follows: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of thirty feet (30'). (1976 Code §22-7-3)
2. Side Yards:
 - a. A minimum interior side yard of ten feet (10'). (1976 Code §22-7-3; amd. Ord. 2005-47, 8-18-2005)
 - b. A minimum exterior side yard of thirty feet (30').
3. Rear Yard: A minimum rear yard of forty feet (40'). (1976 Code §22-7-3)

E. Maximum Lot Coverage: Forty percent (40%). (Ord. 2006-19, 4-20-2006)

F. Maximum Building Height: Thirty five feet (35') or two (2) stories, whichever is less. (1976 Code §22-7-3)

G. Maximum Floor Area Ratio: 0.4. (Ord. 2006-19, 4-20-2006)

ARTICLE C. R-3 RESIDENTIAL DISTRICT

9-5C-1: USES PERMITTED:

Accessory uses as provided for in [chapter 12](#) of this title.

Antennas for wireless communication.

Churches as ancillary uses to schools (elementary, junior high and senior high) only.

Churches, convents, rectories, parsonages; provided that such uses shall only be permitted along collector streets.

Parks and other recreational areas owned by the village or other governmental unit, or private homeowners' association.

Single-family detached dwellings.

State of Illinois licensed group home. (Ord. 86-63, §§9, 10; amd. Ord. 90-55, 8-23-1990; Ord. 2004-49, 7-15-2004; Ord. 2011-21, 5-12-2011)

9-5C-2: SPECIAL USES:

Electronic message board signs, provided, that they serve nonresidential uses, with the exception of golf courses, and that they meet all applicable regulations set forth in [chapter 11](#) of this title.

Planned unit developments.

Public service and utility uses if not in accordance with subsection [9-3-4B](#) of this title.

Schools (elementary, junior high and senior high); provided that such uses shall only be permitted along collector streets.

Telecommunication towers. (Ord. 86-63, §§9, 10; amd. Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2007-49, 9-6-2007; Ord. 2011-21, 5-12-2011; Ord. 2013-53, 10-24-2013)

9-5C-3: BULK REGULATIONS:

A. Minimum Lot Area:

1. Single-family detached dwellings: Eight thousand two hundred (8,200) square feet.
2. Churches, convents, rectories and parsonages: Two (2) acres or one acre per thirteen thousand (13,000) square feet of total floor area, whichever is greater; provided, that where a rectory or parsonage is the sole use on a lot, the minimum lot area set forth in subsection A1 of this section shall apply.
3. Schools:
 - a. Elementary: Five (5) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - b. Junior high: Ten (10) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - c. Senior high: Twenty (20) acres plus one acre per one hundred (100) students' designed enrollment capacity.

B. Minimum Lot Width:

1. Single-family detached dwellings: Sixty six feet (66').
2. All other uses: One hundred feet (100').

C. Minimum Lot Depth For All Uses: One hundred feet (100'). (Ord. 86-63, §§9, 10)

D. Building Setbacks: Required building setbacks are: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of twenty five feet (25'). (Ord. 86-63, §§9, 10)
2. Side Yards:
 - a. Interior Side Yards:
 - (1) Single-family detached dwellings: A minimum interior side yard of seven feet (7'). (Ord. 94-20, 3-24-1994; amd. Ord. 2005-47, 8-18-2005)
 - (2) All other uses: A minimum interior side yard of ten percent (10%) of the lot width is required.
 - b. Exterior Side Yards: A minimum exterior side yard of fifteen feet (15'). (Ord. 94-20, 3-24-1994)
3. Rear Yard: A minimum rear yard of twenty five feet (25').

E. Maximum Lot Coverage: Fifty percent (50%).

F. Maximum Building Height: Thirty five feet (35') or two (2) stories, whichever is less.

G. Maximum Floor Area Ratio: 0.5. (Ord. 86-63, §§9, 10)

ARTICLE D. A-1 RESIDENTIAL DISTRICT**9-5D-1: USES PERMITTED:**

Accessory uses as provided by [chapter 12](#) of this title.

Antennas for wireless communication.

Churches as ancillary uses to schools (elementary, junior high and senior high) only.

Churches, convents, rectories, parsonages; provided that such uses shall only be permitted along collector streets.

Multiple-family dwellings.

Single-family attached dwellings.

State of Illinois licensed group home. (1976 Code §22-9-1; amd. Ord. 90-55, 8-23-1990; Ord. 2003-17, 4-24-2003; Ord. 2004-49, 7-15-2004; Ord. 2011-21, 5-12-2011)

9-5D-2: SPECIAL USES:

Electronic message board signs, provided, that they serve nonresidential uses, with the exception of golf courses, and that they meet all applicable regulations set forth in [chapter 11](#) of this title.

Planned unit developments.

Public service and utility uses.

Schools (elementary, junior high and senior high); provided that such uses shall only be permitted along collector streets.

Telecommunication towers. (1976 Code §22-9-2; amd. Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2011-21, 5-12-2011; Ord. 2013-53, 10-24-2013)

9-5D-3: BULK REGULATIONS:

A. Minimum Lot Area:

1. Single-family attached and multi-family dwellings: Four thousand three hundred fifty (4,350) square feet per dwelling unit, or ten thousand (10,000) square feet, whichever is greater.
2. Churches, convents, rectories and parsonages: Two (2) acres or one acre per thirteen thousand (13,000) square feet of gross floor area, whichever is greater; provided, that where a rectory or parsonage is the sole use on a lot, the minimum lot area set forth in subsection A1 of this section shall apply.
3. Schools:
 - a. Elementary: Five (5) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - b. Junior high: Ten (10) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - c. Senior high: Twenty (20) acres plus one acre per one hundred (100) students' designed enrollment capacity.
4. All other uses: Twenty thousand (20,000) square feet.

B. Minimum Lot Width For All Uses: Eighty feet (80').

C. Minimum Lot Depth For All Uses: One hundred feet (100'). (1976 Code §22-9-3)

D. Building Setbacks: Required building setbacks are: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of twenty five feet (25').
2. Side Yards:
 - a. A minimum interior side yard of ten feet (10').
 - b. A minimum exterior side yard of twenty five feet (25').
3. Rear Yard: A minimum rear yard of thirty five feet (35').

E. Maximum Lot Coverage: Fifty percent (50%).

F. Maximum Building Height: Thirty five feet (35') or two (2) stories, whichever is less.

G. Maximum Floor Area Ratio: 0.35. (1976 Code §22-9-3)

ARTICLE E. A-2 RESIDENTIAL DISTRICT

9-5E-1: USES PERMITTED:

Accessory uses as provided by [chapter 12](#) of this title.

Antennas for wireless communication.

Churches as ancillary uses to schools (elementary, junior high and senior high) only.

Churches, convents, rectories, parsonages; provided that such uses shall only be permitted along collector streets.

Multiple-family dwellings.

State of Illinois licensed group home. (1976 Code §22-10-1; amd. Ord. 90-55, 8-23-1990; Ord. 2004-49, 7-15-2004; Ord. 2011-21, 5-12-2011)

9-5E-2: SPECIAL USES:

Electronic message board signs, provided, that they serve nonresidential uses, with the exception of golf courses, and that they meet all applicable regulations set forth in [chapter 11](#) of this title.

Planned unit developments.

Public service and utility uses.

Schools (elementary, junior high and senior high).

Telecommunication towers. (1976 Code §22-10-2; amd. Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2011-21, 5-12-2011; Ord. 2013-53, 10-24-2013)

9-5E-3: BULK REGULATIONS:

A. Minimum Lot Area:

1. Multiple-family dwellings: Two thousand seven hundred twenty five (2,725) square feet per dwelling unit or thirteen thousand (13,000) square feet, whichever is greater.
2. Churches, convents, rectories and parsonages: Two (2) acres or one acre per thirteen thousand (13,000) square feet of gross floor area, whichever is greater; provided, that where a rectory or parsonage is the sole use on a lot, the minimum area set forth in subsection A1 of this section shall apply.
3. Schools:
 - a. Elementary: Five (5) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - b. Junior high: Ten (10) acres plus one acre per one hundred (100) students' designed enrollment capacity.
 - c. Senior high: Twenty (20) acres plus one acre per one hundred (100) students' designed enrollment capacity.
4. All other uses: Twenty thousand (20,000) square feet.

B. Minimum Lot Width For All Uses: Ninety feet (90').

C. Minimum Lot Depth For All Uses: One hundred feet (100'). (1976 Code §22-10-3)

D. Building Setbacks: Required building setbacks are: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of twenty five feet (25').
2. Side Yards:
 - a. A minimum interior side yard of ten feet (10').
 - b. A minimum exterior side yard of twenty five feet (25').
3. Rear Yard: A minimum rear yard of thirty feet (30').

E. Maximum Lot Coverage: Fifty percent (50%).

F. Maximum Building Height: Thirty five feet (35') or two (2) stories, whichever is less.

G. Maximum Floor Area Ratio: 0.35. (1976 Code §22-10-3)

Chapter 6 BUSINESS DISTRICTS

9-6-1: GENERAL REGULATIONS:

The following regulations apply to all business districts within the village, and each use must comply with them:

A. Minimum Lot Area, Two Or More Uses On A Lot: Wherever two (2) or more permitted uses or special uses, each requiring a minimum lot area, are located in the same building or on the same lot, the required minimum lot area shall be the sum of the areas required for each use individually. When one or more uses has a required minimum lot area and is located on a lot with a use which does not have a minimum required lot area, the total lot area shall equal the sum of the required lot areas, plus an additional area equivalent to the average minimum lot area devoted to the use which does not have a required minimum lot area. Notwithstanding any provision contained in this section to the contrary, uses contained within shopping centers, office buildings and multi-tenant office/warehouse buildings shall be considered exempt from this requirement. (1976 Code §22-11-1; amd. Ord. 2007-16, 4-5-2007)

B. Types Of Businesses; Businesses To Be Enclosed: All business establishments shall be retail trade or service establishments dealing directly with consumers, and all goods produced on the lot shall be sold on the lot where produced, and all business, service, storage, merchandise, display and, where permitted, repair and processing, shall be conducted wholly within a completely enclosed building except as otherwise permitted in the district regulations or as permitted by any ordinance granting or amending any special use permit for a planned unit development. (Ord. 2000-04, 2-10-2000)

Notwithstanding any provision contained in this section to the contrary, special outdoor sales or promotions may be conducted on specific dates and at specific locations when approved by the village administrator. Application to conduct a special outdoor sale or promotion shall be made to the village and shall contain such information as may be required from time to time by the village board. The special outdoor sales or promotions provided for by this subsection may not be granted with respect to any business establishment more than three (3) times during any twelve (12) consecutive month period. (1976 Code §22-11-1)

C. Outdoor Display And Sales: Outdoor display and sale of merchandise, including all vending machines licensed under [title 3](#) of this code, shall be permitted in all business districts for gas stations, warehouse retailers, hardware and home improvements stores, pharmacies, and grocery stores over twenty thousand (20,000) square feet, provided they meet the following standards:

1. Merchandise may not be displayed in any parking stalls, loading berths, drive aisles, landscape areas, required building setbacks, etc. All merchandise must be displayed on an impervious surface. If merchandise is displayed on pedestrian walkways, a minimum of five feet (5') in width must be maintained free and clear except as otherwise provided for in subsection E of this section.
2. The outdoor display shall be restricted to private property and no display shall be permitted on public property.
3. The outdoor display shall not exceed eight feet (8') in height.
4. The square footage of the area in which outdoor display occurs may not exceed ten percent (10%) of the total gross square footage of the principal structure up to a maximum of five hundred (500) square feet, whichever is less.
5. For gas stations: In addition to the standards outlined in this section, outdoor display and sales may only occur immediately adjacent to the principal structure and underneath the fuel pump canopy. (Ord. 2011-21, 5-12-2011)

D. Sidewalks: A private sidewalk of not less than five feet (5') in width shall be provided connecting a primary entrance of the principal building to a public sidewalk or bike path located in the public right of way adjoining the lot on which the building is located. Said public sidewalk or bike path shall be located in the parkway adjacent to the lot on which the principal building is located. In the event there is no public sidewalk or bike path in the parkway adjacent to the lot on which the principal building is located, no such private sidewalk shall be required. (Ord. 2001-02, 1-25-2001)

E. Outdoor Seasonal Landscape Storage, Display, And Sales - Grocery Stores: For grocery stores greater than fifty thousand (50,000) square feet in gross floor area, outdoor storage, display, and sales of seasonal landscaping and plant products shall be permitted as follows:

1. The outdoor storage, display and sales shall be limited to seasonal plants, landscape materials, and bags of soil, mulch, fertilizer, and stone.
2. The outdoor storage, display, and sales shall only be permitted from April 1 through August 31.

3. The outdoor storage, display, and sales shall be permitted on the sidewalk directly in front of the store provided that a minimum five foot (5') sidewalk width shall remain unobstructed for pedestrian passing, and further provided that the view of automobile traffic is not impaired.
4. A temporary tent may be permitted on paved parking areas to store, display, and sell such materials on site provided the site can continue to meet minimum parking requirements and drive aisle width once the tent is erected, as specified in [chapter 10](#) of this title, and provided that traffic circulation is not impaired.
5. Application to conduct outdoor storage, display, and sales shall be made to the village and shall indicate the location and duration of the storage, display, and sales and shall contain such information as may be required from time to time by the village board. (Ord. 2003-17, 4-24-2003)

9-6-2: SPECIAL USES IN ALL BUSINESS DISTRICTS:

Eight (8) or more amusement devices placed or kept for use or play, or in exhibition for the purpose of use or play, when accessory to the principal use¹. (Ord. 2003-17, 4-24-2003)

The special use provided for in this section has special or unique characteristics which require special consideration and restraints in order to measure and prevent potential adverse impact upon other uses located in the vicinity of such special use or the public. The plan commission and the mayor and board of trustees, in considering an application for a special use permit pursuant to this section, shall take into consideration all potential impacts of such use, including, but not limited to, such factors as:

- A. Location and intensity of use.
- B. Location of use in relation to existing schools.
- C. Pedestrian access and circulation.
- D. Noise levels, lighting levels and other potentially adverse conditions.
- E. Fire safety. (1976 Code §22-11-2)

ARTICLE A. B-1 NEIGHBORHOOD SHOPPING DISTRICT

9-6A-1: USES PERMITTED:

Accessory uses as provided by [chapter 12](#) of this title.

Antennas for wireless communication.

Art and craft supplies.

Bakeries.

Banks and financial institutions.

Barbershops and beauty salons.

Blueprinting, photocopying and quick printing establishments.

Book and stationery stores.

Business and professional offices.

Candy and ice cream stores.

Churches as ancillary uses to existing permitted assembly uses.

Commercial photography supplies.

Currency exchanges.

Delicatessens.

Drugstores.

Dry cleaning and laundry establishments, employing not more than ten (10) persons.

Floor and wall covering stores.

Florists.

Gift shops.

Grocery and food stores.

Hardware stores.

Herbal health products sales.

Hobby stores.

Interior design stores.

Jewelry stores.

Letter and parcel mailing services.

Loan offices.

Locksmith shops.

Meat and produce markets.

Medical and dental clinics and offices.

Music stores (instruments, sheet music, records and/or tapes).

Nail salons.

Optical stores and optometrist offices.

Package liquor stores.

Pet grooming.

Pet shops.

Photography studios.

Rental services not including outside storage.

Restaurants, including accessory outdoor customer seating.

Schools - music, dance, fine arts, theater and other arts.

Service, cleaning and repair shops for personal, household or garden equipment.

Sewing machine sales, service and repair - household machines only.

Shoe repair shops.

Tailor and dressmaking shops.

Tanning salons.

Telephone and/or personal wireless communications equipment sales, including service and installation.

Tobacco shops.

Travel agencies and ticket offices.

Variety stores.

Veterinarian offices.

Videotape rental and sales stores. (1976 Code §22-12-1; amd. Ord. 94-20, 3-24-1994; Ord. 99-65, 10-14-1999; Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2011-21, 5-12-2011; Ord. 2012-30, 5-24-2012)

9-6A-2: SPECIAL USES:

Automotive parts and accessory stores, not including automotive machine shops.

Daycare centers and preschools.

Drive-in and drive-through facilities, accessory.

Fast food restaurants.

Health clubs and athletic clubs.

Planned unit developments.

Public or private facilities such as libraries, hospitals, institutions, government buildings and other similar uses.

Public service and utility uses if not in accordance with subsection [9-3-4B](#) of this title.

Telecommunication towers. (1976 Code §22-12-2; amd. Ord. 2005-47, 8-18-2005; Ord. 2007-49, 9-6-2007; Ord. 2011-21, 5-12-2011; Ord. 2013-53, 10-24-2013; Ord. 2017-1, 2-2-2017)

9-6A-3: BULK REGULATIONS:

A. Minimum District Area: One or more contiguous lots having an aggregate area of not less than two (2) acres.

B. Minimum Lot Area For All Uses: Twenty thousand (20,000) square feet.

C. Minimum Lot Width For All Uses: One hundred feet (100').

D. Minimum Lot Depth For All Uses: One hundred fifty feet (150'). (1976 Code §22-12-3)

E. Building Setbacks: Required building setbacks are: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of thirty feet (30').
2. Side Yards:
 - a. A minimum interior side yard of ten feet (10').
 - b. A minimum exterior side yard of thirty feet (30').
3. Rear Yard: A minimum rear yard of twenty feet (20').

F. Maximum Lot Coverage: Fifty percent (50%).

G. Maximum Building Height: Thirty five feet (35'). (1976 Code §22-12-3)

H. Maximum Floor Area Ratio: The following maximum floor area ratios shall apply based on the type of permitted or special use:

1. Banks and financial institutions, business and professional offices, loan offices, medical and dental clinics and offices, optometrist offices, public or private facilities such as libraries, hospitals, institutions, government buildings and other similar uses, travel agencies and ticket offices, and veterinarian offices: 0.5.
2. All other uses: 0.25.
3. Mixed use developments with office building uses and any other uses allowable in the district: 0.5. (Ord. 94-20, 3-24-1994)

ARTICLE B. B-2 COMMUNITY SHOPPING DISTRICT

9-6B-1: USES PERMITTED:

Accessory uses as provided by [chapter 12](#) of this title.

Animal hospitals.

Antennas for wireless communication.

Antique stores.

Apparel and clothing stores.

Art and craft supply stores and studios.

Art galleries.

Bakeries.

Banks and financial institutions.

Barbershop and beauty salons.

Bicycle stores - sales, service repair and rental.

Blueprinting, photocopying and quick printing establishments.

Book and stationery stores.

Business and professional offices.

Camera and photography supply stores.

Candy and ice cream stores.

China and glassware stores.

Churches as ancillary uses to existing permitted assembly uses.

Clothing and costume rental.

Coin and philatelic stores.

Currency exchanges.

Delicatessens.

Department and discount stores.

Drugstores.

Dry cleaning and laundry establishments employing not more than ten (10) persons.

Employment agencies.

Floor and wall covering stores.

Florists.

Furniture stores.

Furrier shops, including accessory storage and conditioning of furs.

Garden and lawn supply stores.

Gift shops.

Glass and mirror sales establishments.

Grocery and food stores.

Hardware stores.

Hobby shops.

Household appliance stores, including accessory service and repair of appliance.

Interior decorating shops.

Jewelry stores.

Leather goods and luggage stores.

Letter and parcel mailing services.

Loan offices.

Locksmith shops.

Mail order and catalog stores.

Massage establishment.

Meat and produce markets.

Medical and dental clinics and offices.

Millinery stores.

Music stores - sheet music, record, tape and disk sales.

Musical instrument sales, service and repair.

Nail salons.

Newsstands.

Office machine and computer sales, service, repair and rental.

Office supply stores.

Optical stores and optometrist offices.

Orthopedic and medical appliance stores.

Package liquor stores.

Paint stores.

Pet grooming.

Pet shops.

Photography studios.

Picture framing, when conducted on the premises for retail trade.

Reflexology establishments.

Rental services, not including outside storage.

Restaurants, including accessory outdoor customer seating, musical entertainment and dancing.

Schools - dance, music, fine arts, theater and other arts.

Service, cleaning and repair shops for personal, household or garden equipment.

Sewing machine sales, service and repair - household machines only.

Shoe repair shops.

Shoe stores.

Sporting goods stores.

Tailor and dressmaking shops.

Tanning salons.

Telephone and/or personal wireless communications equipment sales, including service and installation.

Television, high fidelity, radio and related electronic equipment stores, including service and repair of electronic equipment.

Theaters, indoor.

Tobacco shops.

Tool sales including light equipment repair, but excluding the service of internal combustion engine powered equipment.

Toy stores.

Travel agencies and ticket offices.

Variety stores.

Veterinarian offices.

Videotape rental and sales stores.

Weight reduction clinics. (1976 Code §22-13-1; amd. Ord. 99-64, 12-9-1999; Ord. 99-65, 10-14-1999; Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2011-21, 5-12-2011; Ord. 2011-43, 9-8-2011; Ord. 2015-72, 12-17-2015)

9-6B-2: SPECIAL USES:

Automotive parts and accessory stores, not including automotive machine shops.

Catering establishments.

Drive-in and drive-through facilities, accessory.

Fast food restaurants.

Funeral homes.

Health clubs and athletic clubs.

Home improvement and building material supply stores; provided, that no milling, planing, jointing or manufacture of millwork shall be conducted on the premises.

Hotels and motels.

Outdoor recreation facilities including, but not limited to, par 3 and miniature golf courses, golf driving ranges, swimming pools and tennis clubs.

Outdoor sales, service or display accessory to home improvement supply stores, hardware stores and/or garden and lawn supply stores provided; that, all sales or display shall be effectively screened.

Planned unit developments.

Public or private facilities such as libraries, hospitals, institutions, government buildings and other similar uses.

Public service and utility uses if not in accordance with subsection [9-3-4B](#) of this title.

Recreation establishments including, but not limited to: gymnasiums, bowling alleys, skating rinks, swimming pools and dance halls.

Telecommunication towers.

Telephone answering services and telegraph offices.

Wholesale clubs. (1976 Code §22-13-2; amd. Ord. 91-13, 4-11-1991; Ord. 99-64, 12-9-1999; Ord. 99-65, 10-14-1999; Ord. 2005-47, 8-18-2005; Ord. 2007-49, 9-6-2007; Ord. 2011-21, 5-12-2011; Ord. 2011-43, 9-8-2011; Ord. 2013-53, 10-24-2013)

9-6B-3: BULK REGULATIONS:

A. Minimum District Area: One or more contiguous lots or parcels having an aggregate area of not less than five (5) acres.

B. Minimum Lot Area For All Uses: Twenty thousand (20,000) square feet.

C. Minimum Lot Width For All Uses: One hundred feet (100').

D. Minimum Lot Depth For All Uses: One hundred fifty feet (150'). (1976 Code §22-13-3)

E. Building Setbacks: Required building setbacks are: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of thirty feet (30').

2. Side Yards:

a. A minimum interior side yard of twenty feet (20').

b. A minimum exterior side yard of thirty feet (30').

3. Rear Yard: A minimum rear yard of twenty feet (20').

F. Maximum Lot Coverage: Fifty percent (50%).

G. Maximum Building Height: Thirty five feet (35'). (1976 Code §22-13-3)

H. Maximum Floor Area Ratio: The following floor area ratios shall apply based on the type of permitted or special use:

1. Banks and financial institutions, business and professional offices, employment agencies, loan offices, medical and dental clinics and offices, optometrist offices, public or private facilities such as libraries, hospitals, institutions, government buildings and other similar uses, travel agencies and ticket offices, and veterinarian offices: 0.5.
2. All other uses: 0.25.
3. Mixed use developments with office building uses and any other uses allowable in the district: 0.5. (Ord. 94-20, 3-24-1994)

ARTICLE C. B-3 HIGHWAY AND SERVICE BUSINESS DISTRICT

9-6C-1: USES PERMITTED:

Accessory uses as provided by [chapter 12](#) of this title.

Animal hospitals and veterinarian offices.

Antennas for wireless communication.

Automotive parts and accessory stores, including automotive machine shops.

Catering establishments.

Churches as ancillary uses to existing permitted assembly uses.

Funeral homes.

Furniture stores.

Hotels and motels.

Household appliance stores, including accessory service and repair of appliances.

Motorcycle and snowmobile sales establishments, including accessory service and repair thereof.

Pet grooming.

Pet shops.

Plumbing, heating, air conditioning and electrical fixtures and equipment showrooms and shops.

Recreation establishments including, but not limited to, health clubs, athletic clubs, gymnasiums, swimming pools, bowling alleys, skating rinks and dance halls.

Rental services, not including automobile, truck, boat and camper rentals.

Restaurants, including accessory outdoor customer seating, musical entertainment and dancing.

Schools - vocational and trade.

Television, high fidelity, radio and related electronic equipment stores, including service and repair of electronic equipment.

Theaters - indoor.

Warehousing and storage facilities within enclosed buildings.

Wholesaling establishments. (Ord. 86-63, §12; amd. Ord. 2003-17, 4-24-2003; Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2011-21, 5-12-2011)

9-6C-2: SPECIAL USES:

Automobile and truck rentals.

Automotive service stations including minor services customarily incidental thereto, facilities for chassis and gear lubrication, and vehicle washing, but not including the sale of new or used vehicles.

Boat sales establishments - new boats and repair incidental thereto, including accessory used boat sales.

Car washes.

Contractor and construction offices and shops such as building, concrete, electrical, masonry, painting, plumbing, refrigeration and roofing.

Drive-in or drive-through facilities, accessory.

Fast food establishments.

Fuel and ice sales.

Garden and lawn supply stores.

Greenhouse and plant nurseries.

Home improvement and building material supply stores; provided, that no milling, planing, jointing or manufacture of millwork shall be conducted on the premises.

Kennels, not including outdoor animal pens.

Linen, towels, diapers and similar supply services.

Machinery sales.

Monument sales.

Motor vehicle and equipment storage, service and repair including body repair, painting and engine rebuilding.

New automobile and/or truck sales establishments including accessory used car and truck sales.

Outdoor recreation facilities including par 3 and miniature golf courses, golf driving ranges, swimming pools and tennis clubs.

Packaging and crating.

Planned unit developments.

Printing and publishing establishments.

Public service and utility uses if not in accordance with subsection [9-3-4B](#) of this title.

Radio and microwave transmitting and receiving stations.

Telecommunication towers.

Trailer and camper trailer sales and rental for use with private passenger motor vehicles. (Ord. 86-63, §12; amd. Ord. 2005-47, 8-18-2005; Ord. 2007-49, 9-6-2007; Ord. 2009-31, 7-16-2009; Ord. 2011-21, 5-12-2011)

9-6C-3: BULK REGULATIONS:

A. Minimum Lot Area For All Uses: Twenty thousand (20,000) square feet.

B. Minimum Lot Width For All Uses: One hundred feet (100').

C. Minimum Lot Depth For All Uses: One hundred fifty feet (150'). (1976 Code §22-14-3)

D. Building Setbacks: Required building setbacks are: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of thirty feet (30').
2. Side Yards:
 - a. A minimum interior side yard of thirty feet (30').
 - b. A minimum exterior side yard of thirty feet (30').
3. Rear Yard: A minimum rear yard of twenty feet (20').

E. Maximum Lot Coverage: Fifty percent (50%).

F. Maximum Building Height: Thirty five feet (35'). (1976 Code §22-14-3)

G. Maximum Floor Area Ratio: The following floor area ratios shall apply based on the type of permitted or special use:

1. Hotels and motels, warehousing and storage facilities, or cartage express facilities: 0.5.
2. All other uses: 0.25.
3. Mixed use developments with uses from subsections G1 and G2 of this section: 0.5. (Ord. 94-20, 3-24-1994)

ARTICLE D. OSB OFFICE AND SERVICE BUSINESS DISTRICT

9-6D-1: USES PERMITTED:

Accessory uses as provided by [chapter 12](#) of this title.

Antennas for wireless communication.

Banks and financial institutions.

Barbershops and beauty salons.

Blueprinting, photocopying and quick printing establishments.

Business and professional offices.

Churches as ancillary uses to existing permitted assembly uses.

Cultural institutions.

Employment agencies.

Funeral homes.

Letter and parcel mailing services.

Loan offices.

Massage establishment.

Medical and dental clinics and offices.

Newsstands.

Office machine and computer sales, service, repair and rental.

Office supply stores.

Optical stores and optometrist offices.

Pet grooming.

Restaurants, including accessory outdoor customer seating.

Schools - music, dance, fine arts, theater, recreational, vocational, technical, business, data processing, electronic and corporate training centers.

Theaters, indoor.

Travel agencies and ticket offices.

Veterinarian offices. (1976 Code §22-15-1; amd. Ord. 99-65, 10-14-1999; Ord. 2003-17, 4-24-2003; Ord. 2004-49, 7-15-2004; Ord. 2005-47, 8-18-2005; Ord. 2011-21, 5-12-2011; Ord. 2012-08, 3-8-2012)

9-6D-2: SPECIAL USES:

Craft sales.

Daycare centers and preschools.

Drive-in and drive-through facilities, accessory.

Planned unit developments.

Public service and utility uses if not in accordance with subsection [9-3-4B](#) of this title.

Recreation establishments including, but not limited to, health clubs, athletic clubs, gymnasiums, swimming pools, bowling alleys, skating rinks and dance halls.

Telecommunication towers.

Other commercial uses permitted in the B-1 district in conjunction with the permitted uses in section [9-6D-1](#) of this article; provided, that the floor area occupied by such B-1 use does not exceed forty percent (40%) of the total floor area of existing and planned buildings within the development. (1976 Code §22-15-2; amd. Ord. 94-54, 8-11-1994; Ord. 2007-49, 9-6-2007; Ord. 2011-21, 5-12-2011)

9-6D-3: BULK REGULATIONS:

A. Minimum Lot Area For All Uses: One acre (43,560 square feet).

B. Minimum Lot Width For All Uses: One hundred fifty feet (150').

C. Minimum Lot Depth For All Uses: Two hundred feet (200'). (1976 Code §22-15-3)

D. Building Setbacks: Required building setbacks are: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of fifty feet (50').

2. Side Yards:

a. A minimum interior side yard of thirty feet (30').

b. A minimum exterior side yard of forty feet (40').

3. Rear Yard: A minimum rear yard of forty feet (40').

E. Maximum Lot Coverage: Sixty percent (60%).

F. Maximum Building Height: Thirty five feet (35'). (1976 Code §22-15-3)

G. Maximum Floor Area Ratio: The following floor area ratios shall apply based on the type of permitted or special use:

1. Banks and financial institutions, business and professional offices, employment agencies, health, medical, and other custodial care facilities, loan offices, medical and dental clinics and offices, optometrist offices, public or private facilities such as libraries, hospitals, institutions, government buildings and other similar uses, travel agencies and ticket offices, and veterinarian offices: 0.5.

2. All other uses: 0.25.

3. Mixed use developments with office building uses and any other uses allowable in the district: 0.5. (Ord. 94-20, 3-24-1994)

9-6D-4: STANDARDS:

In addition to all other standards set forth in this title, all property in the OSB district shall comply with the following additional standards:

A. Exterior Lighting: Exterior lighting fixtures shall be shaded wherever necessary to avoid casting excessive glare upon adjacent property, in compliance with the requirements of this title. (1976 Code §22-15-4)

B. Residential Use Prohibited: No building shall be used for residential purposes. (1976 Code §22-15-4; amd. Ord. 2001-02, 1-25-2001)

ARTICLE E. RBC REGIONAL BUSINESS CENTER DISTRICT

9-6E-1: USES PERMITTED:

The following uses are allowed on lands designated RBC on the village zoning map without hearing or approval of the board of trustees or plan commission: (Ord. 89-66, 12-14-1989; amd. Ord. 2005-49, 9-1-2005)

Accessory uses as provided by [chapter 12](#) of this title and the following:

Drive-up, drive-in and drive-through facilities.

Motor vehicle parking facilities.

Outdoor storage areas (unless otherwise prohibited).

Satellite earth stations and microwave transmitting and receiving stations.

"Adult business use", as defined by this title, subject to the restrictions in subsection [9-6E-4L](#) and section [9-6E-9](#) of this article.

Alcoholic, psychiatric and narcotic treatment facilities.

Ambulance services.

Amusement establishments.

Animal hospitals and veterinarian offices.

Antennas for wireless communication.

Antique stores.

Apparel and clothing stores.

Application of landscape waste at an agronomic rate provided that no associated structures shall be permitted on the site (licensed use per subsection [4-2B-1A](#) of this code).

Art and craft supply stores and studios.

Art galleries.

Athletic fields.

Auction houses.

Auditoriums.

Bakeries.

Bakeries and coffee shops.

Banks and financial institutions.

Banquet halls.

Barbershops and beauty salons.

Bicycle sales, including accessory service, repair and rental.

Blueprinting, photocopying and quick printing establishments.

Book and stationery stores.

Borrow pits.

Botanical gardens.

Bowling alleys.

Bus terminals.

Business and technical schools.

Camera and photographic supply stores.

Candy and ice cream stores.

Car and truck washes.

Catering establishments.

China and glassware stores.

Churches as ancillary uses to existing permitted assembly uses.

Clothing and costume rental.

Coin and philatelic stores.

Commercial laundries and cleaners.

Community and recreational centers.

Computer and data processing facilities.

Construction contractors' offices with inside storage.

Convention centers.

Country clubs.

Currency exchanges.

Dance and music schools, academies and conservatories.

Daycare centers.

Delicatessens.

Department and discount stores.

Diaper, linen and towel services.

Drama theaters and indoor motion picture theaters.

Drugstores.

Dry cleaning and laundry establishments.

Dwellings for watchmen and their families, when located on premises where they are employed in such capacity.

Electrical substations.

Electrolysis and hair removal offices.

Employment agencies.

Equipment leasing and rentals with inside storage.

Exterminating and fumigating services.

Facilities for manufacturing, processing, assembly, packaging, fabricating, repairing, refining, storing, cleaning and servicing of materials, goods or products; provided, that operations are conducted within a completely enclosed building and that operations conform with the performance standards and other applicable requirements of this title.

Fast food restaurants.

Fire stations.

Floor and wall covering stores.

Florists.

Furniture cleaning, upholstery and repair shops.

Furniture stores.

Furrier shops, including accessory storage and conditioning of furs.

Garden and lawn supply stores.

Gift shops.

Glass and mirror sales establishments.

Golf courses.

Golf driving ranges.

Grocery and food stores.

Gymnasium facilities.

Hardware stores.

Health clubs.

Health treatment centers.

Heliports and helistops.

Hobby shops.

Home improvement and building material supply stores; provided, that no milling, planing, jointing or manufacture of millwork shall be conducted on the premises.

Hospitals.

Hotels and motels.

Household appliance stores, including accessory service and repair of appliance.

Ice cream and yogurt shops.

Indoor and outdoor ice skating rinks.

Interior decorating shops.

Jewelry stores.

Laboratories and testing facilities, including pilot plants and production facilities for prototype products.

Lawn mower sales and accessory service.

Leather goods and luggage stores.

Letter and parcel mailing services.

Libraries.

Loan offices.

Locksmith shops.

Lumber companies, sales, yards.

Machinery sales and accessory service with indoor storage.

Mail order and catalog stores.

Mail order houses.

Manufacturing equipment showrooms.

Meat and produce markets.

Medical and dental offices, clinics and surgical centers.

Medical appliance and supply stores.

Medical cannabis dispensary.

Medical laboratories.

Millinery stores.

Miniature golf courses.

Miniwarehouses.

Motor vehicle driving schools.

Motor vehicle leasing and rental agencies.

Motor vehicle parts stores, including accessory machine shops.

Motor vehicle service stations.

Museums.

Music stores - sheet music, record, tape and disc sales.

Musical instrument sales, service and repair.

Nature and forest preserves and sanctuaries.

New motor vehicle sales, including accessory used motor vehicle sales, service, repair and towing.

Newsstands.

Noncommercial greenhouses and plant nurseries.

Nursery schools.

Nursing homes.

Office equipment, supply and machinery repair establishments.

Office machine and computer sales, service, repair and rental.

Office supply stores.

Offices - general, professional, business, corporate, government.

Optical stores and optometrist offices.

Orthopedic and medical appliance stores.

Package liquor stores.

Packaging and crating.

Paint stores.

Parcel pick up and delivery services.

Parks.

Personnel training centers.

Pet shops.

Photographic processing establishments.

Photography studios.

Picture framing.

Playgrounds.

Plumbing, heating, air conditioning and electrical equipment and fixtures showrooms and shops.

Police stations.

Political organization offices.

Printing and publishing.

Public and private schools, colleges and universities.

Public works garages.

Public works storage yards and related facilities.

Radio and television broadcasting stations.

Radio, microwave and television transmission and reception antennas located on rights of way for underground pipelines with a maximum height of four hundred twenty five feet (425').

Railroad tracks, stations, operators, yards and switching facilities.

Real estate sales and brokerage offices.

Recycling centers.

Reflexology establishments.

Restaurants, including accessory outdoor customer seating, entertainment and dancing.

Roller skating rinks.

Service, cleaning and repair shops for personal, household or garden equipment.

Sewing machine sales, service and repair - housing machines only.

Shoe repair shops.

Shoe stores.

Sporting goods stores.

Stables and riding academies.

Studios: drama, speech and similar skills.

Swimming clubs and pools.

Tailor and dressmaking shops.

Tanning salons.

Telephone exchange, switching and transmitting facilities.

Telephone relay facilities.

Television, high fidelity, radio and related electronic equipment stores, including accessory service and repair of electronic equipment.

Temporary concrete batch plants.

Temporary contractor and construction trailers.

Temporary roadside farm stands.

Tennis, racquetball, handball and other recreational clubs and facilities.

Tobacco shops.

Toy stores.

Trade schools.

Training institutes for massage, including an accessory massage business, where not more than twenty percent (20%) of the floor area is devoted to the massage business.

Travel agencies and ticket offices.

Utility substations.

Variety stores.

Videotape rental and sales stores.

Vocational schools.

Warehouse and distribution centers.

Water towers.

Water wells, reservoirs and storage facilities.

Weight reduction clinics.

Wholesale establishments.

Window cleaning services.

Other uses which are compatible with the foregoing uses, as approved by the village zoning officer. (Ord. 89-66, 12-14-1989; amd. Ord. 90-20, 4-26-1990; Ord. 90-66, 10-25-1991; 1991 Code; Ord. 99-64, 12-9-1999; Ord. 99-65, 10-14-1999; Ord. 2003-17, 4-24-2003; Ord. 2004-49, 7-15-2004; Ord. 2011-21, 5-12-2011; Ord. 2011-43, 9-8-2011; Ord. 2013-53, 10-24-2013; Ord. 2015-72, 12-17-2015)

9-6E-2: SPECIAL USES:

The following uses are allowed on lands designated RBC on the village zoning map subject to the hearing and approval requirements of section [9-15-6](#) of this title:

Planned unit developments.

Sewage treatment and distribution facilities.

Telecommunication towers, except as otherwise permitted in section [9-6E-1](#) of this article.

Water treatment and distribution facilities. (Ord. 89-66, 12-14-1989; amd. Ord. 2011-21, 5-12-2011)

9-6E-3: PROHIBITED USES:

The following uses are not allowed on lands designated RBC on the village zoning map, notwithstanding any other provision of this article:

Boat sales.

Bulk sales of fuel and ice.

Cargo container facilities.

Cartage and express facilities.

Commercial greenhouses and nurseries.

Kennels.

Monument sales.

Motor vehicle repair, painting and engine rebuilding.

Outdoor machinery storage and rental.

Radio and microwave transmitting and receiving stations, except as an accessory use.

Trailer and camper sales and rental.

Utility yards.

Uses prohibited in all industrial districts by section [9-7-1](#) of this title. (Ord. 89-66, 12-14-1989; amd. Ord. 2005-47, 8-18-2005; Ord. 2009-31, 7-16-2009)

9-6E-4: BULK REGULATIONS:

A. Minimum Requirements: No area shall be classified RBC unless such area consists of one or more tracts of land which are contiguous (except for intervening public utility and railroad rights of way) which have an aggregate area of not less than three hundred twenty (320) acres and which have frontage on an interstate highway. Ordinances classifying lands as RBC district may condition such classification on development in accordance with a plan designating roadways to be constructed and improved, areas with use limitations, development phases and development density.

B. Site development area required: Each building and use within the RBC district shall be established within an area of land consisting of one or more designated parcels, tracts or subdivided lots or parts thereof within a single block (hereinafter, a "site development area" or "SDA") which is designated on a site plan submitted with each application for a building permit. One or more principal buildings and uses may be located on a single SDA, and an SDA may be altered or expanded to include additional buildings and uses; provided, that the site plan and other documents submitted with the building permit application for the next building to be constructed within an SDA demonstrate: 1) compliance of all buildings and uses therein with the RBC district regulations and 2) establishment of covenants, conditions and restrictions on lands within and outside of the SDA sufficient for access, parking, storm water management and landscaped area for all uses and buildings therein. An SDA shall have frontage on a public street. (The definition of "lot" in section [9-2-2](#) of this title is not applicable in the RBC district.)

C. Minimum SDA sizes for permitted uses: (Note: When 2 or more permitted uses are combined on a single SDA, the largest area required for any one such permitted use shall be the minimum area for the combined permitted uses.)

1. Corporate, business and professional offices: One acre (43,560 square feet).
2. Hotels and motels: Three (3) acres.
3. Retail uses and restaurants in buildings primarily occupied by such uses: Five (5) acres.
4. All other uses: One acre.

D. Minimum SDA width for all uses: One hundred fifty feet (150').

E. Minimum SDA depth for all uses: Two hundred feet (200').

F. Minimum building setbacks:

1. From interstate highway and tollway right of way boundaries: A minimum fifty feet (50') plus one foot (1') for each foot of building height in excess of fifty feet (50') up to a maximum required setback of one hundred feet (100') for all buildings.
2. From all other road right of way boundaries: A minimum of thirty five feet (35') plus one foot (1') for each foot of building height in excess of fifty feet (50') up to a maximum required setback of seventy five feet (75') for all buildings.
3. From all other SDA lines:
 - a. Office, hotel and motel buildings: A minimum of thirty feet (30').
 - b. Freestanding retail and restaurant buildings: A minimum of twenty feet (20').
 - c. All other buildings: A minimum of twenty feet (20'), except no building setback is required adjacent to railroad rights of way.
4. From all residential zoning district boundaries: Fifty feet (50') plus one foot (1') for each foot of building height in excess of thirty five feet (35') up to a maximum required setback of one hundred twenty five feet (125') for all buildings.

G. Building separations within SDAs:

1. Office, hotel and motel buildings: Forty feet (40') plus one foot (1') for each three feet (3') in height in excess of thirty five feet (35') up to a maximum of sixty feet (60').
2. All other buildings: Thirty feet (30').

Note: Structures connected by an enclosed walkway shall be considered to be a single building. The foregoing separation standards do not apply to accessory parking structures.

H. Minimum parking space, loading space and aisle landscaped setbacks:

1. From interstate highway and tollway right of way boundaries: A minimum of thirty feet (30').
2. From all other road right of way boundaries: A minimum of twenty feet (20').
3. From all other SDA lines: Ten feet (10').
4. From abutting residential lot lines: Thirty feet (30').

I. Maximum building coverage of SDAs: (Provided, that when an SDA contains 2 or more principal buildings, the highest maximum coverage permitted for any one building shall be the maximum combined coverage for all buildings within that SDA.)

1. Office, hotel and motel buildings: Forty percent (40%); eighty percent (80%) with accessory parking structure.
2. Freestanding retail and restaurant buildings: Thirty five percent (35%).
3. All other buildings: Sixty percent (60%).

J. Maximum building height:

1. Office, hotel and motel buildings: Three hundred feet (300') or twenty five (25) stories, whichever is greater.
2. Freestanding retail and restaurant buildings: For buildings up to one hundred thousand (100,000) square feet of gross floor area, fifty feet (50'), but ten percent (10%) of gross floor area may have a height of up to one hundred feet (100'); for buildings with more than one hundred thousand (100,000) square feet of gross floor area, fifty feet (50'), but twenty five percent (25%) of gross floor area may have a height of up to one hundred feet (100').
3. All other buildings: Seventy five feet (75').

K. Maximum Floor Area Ratio (FAR) Within An SDA: 0.6; provided, that:

1. The FAR within an SDA may be increased up to 1.5 if territory outside that SDA is reserved by recorded covenant as permanent open space which is of sufficient area to create an FAR of 0.6 when added to the area of the affected SDA. Such permanent open space may be within another SDA and may be improved with the landscaping, ponds, storm water management facilities, pipelines, signage and ground surface parking areas, but not buildings or parking structures.
2. Any building permit application for a structure that will cause the floor area ratio within an SDA to exceed 1.0 shall be accompanied by a traffic impact study prepared by a licensed professional engineer stating that the traffic generated by developments within the SDA can be reasonably accommodated by the existing roadway network in the vicinity of the SDA and then anticipated improvements to that roadway network. (Ord. 89-66, 12-14-1989)

L. Adult Business Uses:

1. No adult business use shall be maintained:

- a. Within one thousand feet (1,000') of the property line of another adult business use;
 - b. Within seven hundred fifty feet (750') of any of the following zoning districts as provided for under this title: R-1, R-2, R-3, A-1, A-2;
 - c. Within seven hundred fifty feet (750') of any dwelling unit;
 - d. Within seven hundred fifty feet (750') of a zoned residential district lying within another municipality or within unincorporated portions of any county;
 - e. Within seven hundred fifty feet (750') of any educational institution that serves minors;
 - f. Within seven hundred fifty feet (750') of any daycare center; cemetery; public park; forest preserve; public library; or place of religious worship.
2. No two (2) adult business uses shall be located in the same building or structure, or on the same lot or SDA.
 3. The distances provided for in this subsection L shall be measured by following a straight line, without regard to intervening structures, from a point on the property line of the lot or SDA upon which the proposed adult business use is to be located that is nearest to the land use district boundary line, or property line of the lot or SDA, from which the proposed use is to be separated. (Ord. 99-63, 11-11-1999)

9-6E-5: RESERVED:

(Ord. 2007-16, 4-5-2007)

9-6E-6: RESERVED:

(Ord. 2007-16, 4-5-2007)

9-6E-7: RESERVED:

(Ord. 2007-16, 4-5-2007)

9-6E-8: ADDITIONAL STANDARDS:**A. Retail Buildings:**

1. Plans: Prior to issuance of a building permit, the plans for every building which will be primarily occupied by retail and restaurant uses shall be reviewed and approved by majority vote of the mayor and board of trustees. Any such building shall be in an SDA of not less than five (5) acres. Plans submitted for review and approval shall include a site plan for the entire SDA in which the building is located, a building elevation, building plan, preliminary engineering plan and a landscape plan. Such review and approval shall be completed within thirty five (35) calendar days of submittal of the required plans to the village zoning officer. If no action is taken by the mayor and board of trustees within said thirty five (35) day period, the plans shall be deemed approved. (Ord. 89-66, 12-14-1989; amd. 1991 Code)
2. Facades: The facades of all buildings which are principally occupied by retail and restaurant uses shall primarily consist of brick and glass.
3. Sidewalks: Sidewalks adjacent to the fronts of freestanding, multi-tenant retail and restaurant buildings shall be at least twelve feet (12') wide for buildings with up to fifty thousand (50,000) gross square feet of floor area and at least twenty feet (20') wide for buildings with more than fifty thousand (50,000) gross square feet of floor area; except, that such sidewalks may be twelve feet (12') wide in areas not directly accessed by doors. Planters with landscape material, bicycle racks, benches and waste receptacles may be placed on such sidewalks.

B. Documents Required For Building Permit: Each application for a building permit for a building within an SDA shall be accompanied by the following documents in addition to those required by the village's building code¹ and subsection [9-15-2B3](#) of this title:

1. Site plan of the SDA identifying and depicting all buildings, parking, loading space, driveway, landscape and storm water management facilities within the SDA.
2. Site plan identifying and depicting any areas not within the SDA which will be used for storm water management and required landscaping for the SDA.
3. Drawings depicting all elevations of buildings principally occupied by retail and restaurant uses.
4. Landscape plan for the entire SDA.
5. Legal descriptions and proposed easement or covenant documents for storm water management areas within an SDA with two (2) or more buildings, for required storm water management areas located outside the SDA, for required landscape areas located outside the SDA and for

permanent open space outside the SDA for FAR purposes. All such easements and covenants shall be recorded prior to building permit issuance and shall be enforceable by the village. (Ord. 89-66, 12-14-1989)

- C. Review Of Building Permit Applications And Documents: Applications and accompanying documents for building permits for buildings to be constructed in the RBC district, other than buildings primarily occupied by retail and restaurant uses, shall not be reviewed by the mayor and board of trustees or plan commission. (Ord. 89-66, 12-14-1989; amd. Ord. 2005-49, 9-1-2005)
- D. Satellite Earth Stations: The regulations and requirements of section [9-12-4](#) of this title, are applicable in the RBC district except subsections [9-12-4B1](#), B2a, B3, B4 and B8 of this title; provided, that the area adjacent to a ground mounted satellite earth station shall be landscaped with a densely planted compact hedge, or berm and hedge, to a minimum height of three feet (3'). (Ord. 89-66, 12-14-1989)

9-6E-9: ADULT BUSINESS USES:

A. Restrictions On The Operation Of Adult Business Uses:

1. Advertising: No adult business use shall be conducted in a manner that permits the observation of any material depicting, describing or relating to any specified sexual activities or specified anatomical areas by display, decorations, sign, show window or other opening from any public right of way, SDA line or property line.
2. Sale Of Alcohol: No adult business use shall be located on any premises for which a license to sell alcohol has been issued and no alcohol shall be permitted on such premises.
3. Persons Under Eighteen Years Of Age Prohibited:
 - a. Persons under the age of eighteen (18) years are prohibited from being in or on the premises of any adult business use.
 - b. Any owner, manager, or other person in charge of any adult business use is prohibited from knowingly permitting any person under the age of eighteen (18) years from being in or on the premises.

- B. Amortization Of Existing Adult Business Uses: Any adult business use which lawfully existed on November 21, 1999, and which became nonconforming by reason of the adoption of the amendments to this title pertaining to adult business uses shall be considered a nonconforming adult business use and amortized as hereinafter provided. On or before December 31, 2000, all nonconforming adult business uses shall be amortized and eliminated. Thereafter, it shall be unlawful for any nonconforming adult business use to continue the use of or occupy any building except in full compliance with the provisions hereof. (Ord. 99-63, 11-11-1999)

9-6E-10: ADOPTION OF STUDIES AND FINDINGS AS TO ADULT BUSINESS USES:

- A. The village hereby adopts by reference the following studies and case law decisions, including the specific studies and findings contained therein, as to the negative secondary effects resulting from the location and concentration of adult business uses within a municipality:

1. St. Paul division of planning at the Minnesota crime control planning board - 1978 study of relationships between sexually oriented and alcohol oriented adult entertainment business;
2. Minnesota Crime Prevention Center study on the effects of sex oriented and alcohol oriented adult entertainment upon property values and crime rates - 1980;
3. Indianapolis department of metropolitan development, division of planning - 1983 study of sexually oriented businesses and property values;
4. Indianapolis department of metropolitan development, division of planning - 1984 "adult entertainment business in Indianapolis";
5. Phoenix planning department - 1979 "relation of criminal activity and adult businesses";
6. Rochester/Olmsted consolidated planning department and office of the Rochester city attorney - 1988 "adult entertainment, land use and legal perspectives"; and
7. Northend Cinema, Inc. v. City of Seattle (Supreme Court, Wash., 1978) 90 Wash. 2d 709, 585 P.2d 1153.

- B. The village finds that the negative secondary effects associated with adult business uses, as adopted pursuant to subsection A of this section, are applicable to the location of adult business uses in the village and that the regulation of adult business uses is necessary to lessen said negative secondary effects including, but not limited to, lessening the following negative secondary effects:

1. There is a statistically significant correlation between the location of adult business uses and neighborhood deterioration.
2. The location of an adult business use in a neighborhood has a negative impact on property value.
3. The negative impact on property values increases when more than one adult business use is located within a given area.

4. The effect of adult business uses on the crime rate is positive and significant.
5. There is a significantly higher crime rate associated with two (2) adult businesses located in a given area than is associated with only one adult business use in a given area.
6. Adult business uses should be located in areas of the village which are not in close proximity to residential uses, schools and other retail business uses as well as areas frequented by minors.
7. Residents of the village and persons who are nonresidents but use the village for shopping and other needs will move from the village or shop elsewhere if adult business uses are allowed to locate in close proximity to residential dwellings, schools or other retail business uses.
8. The location of an adult business use in a given area creates the perception in the village that such area is an unsafe and undesirable part of the village.

Therefore, adult business uses should be separated from other dissimilar uses just as any other land use should be separated from uses with characteristics different from itself. The reasonable regulation of the location of adult business uses will provide for the protection of the image of the village and its property values, and protect the residents of the village from the negative secondary effects of such business uses, while providing to those who desire to patronize adult business uses such an opportunity in areas of the village which are appropriate for location of adult business uses. (Ord. 99-63, 11-11-1999)

Chapter 7 INDUSTRIAL DISTRICTS

9-7-1: PROHIBITED USES AND ACTIVITIES:

A. Prohibited Uses: The following uses are prohibited in all industrial districts whether or not they meet the performance standards:

Crematories.

Dumping, reduction or other processing of garbage, dead animals, offal or refuse, except as customarily incidental to a permitted principal use.

Fireworks or explosive manufacture or storage.

Junk shops.

Junkyards or automobile wrecking yards.

Stockyard or slaughter of animals or fowl.

Tanning, curing or storage of rawhides or skins. (1976 Code §22-16-1)

B. Prohibited Activities: No activities involving the storage, utilization or manufacture of materials or products which decompose by detonation shall be permitted; except, that those activities customarily incidental to the operation of permitted principal uses may be permitted by a recommendation of a variation by the plan commission to the mayor and board of trustees. Such materials shall be stored, utilized and manufactured in accordance with the applicable rules and regulations of the village and the state. Such materials shall include, but shall not be confined to, all primary explosives, such as lead azide, lead styphnate, fulminates and tetracens; PETN and picric acid; propellants and components thereof, such as dry 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 nitroglycerin; 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 thirty five percent (35%) and nuclear fuels, fissionable materials and products and reactor elements such as uranium 235 and plutonium 239. (1976 Code §22-16-1; amd. Ord. 2005-49, 9-1-2005)

9-7-2: STANDARDS:

In addition to all other standards set forth in this title, all property in industrial districts shall comply with the following additional standards:

A. Operations To Be Enclosed: All operations, activities and storage shall be conducted wholly inside a building or buildings, except as otherwise provided. (1976 Code §22-16-2)

B. Retail Businesses Restricted: No retail sales shall be permitted except as incidental or accessory to a permitted use. (Ord. 2005-47, 8-18-2005)

C. Dispensing Gasoline: Dispensing of gasoline from underground storage tanks on premises shall be limited to the requirements of vehicles necessary to the conduct of a permitted use.

- D. Vehicle Service And Maintenance: Service and maintenance of vehicles shall be permitted only as such is necessary to the conduct of a permitted use.
- E. Exterior Lighting: Exterior lighting fixtures shall be shaded wherever necessary to avoid casting excessive glare upon adjacent property in compliance with the requirements of this title. (1976 Code §22-16-2)
- F. Sidewalks: A private sidewalk of not less than five feet (5') in width shall be provided connecting a primary entrance of the principal building to a public sidewalk or bike path located in the public right of way adjoining the lot on which the building is located. Said public sidewalk or bike path shall be located in the parkway adjacent to the lot on which the principal building is located. In the event there is no public sidewalk or bike path in the parkway adjacent to the lot on which the principal building is located, no such private sidewalk shall be required. (Ord. 2001-02, 1-25-2001)

9-7-3: ADDITIONAL STANDARDS FOR CARGO CONTAINER FACILITIES:

- A. Access: Cargo containers on or off a chassis shall not be stored in a manner or in a location that impedes access to public rights of way, structures and buildings. Cargo containers shall not be located or stored on any easement.
- B. Materials Stored: Materials and products stored in the cargo containers shall not include any that decompose by detonation including, but not limited to, those materials and products listed in subsection [9-7-1B](#) of this chapter. All other materials stored at the facility shall be properly placarded in accordance with the ERG. The facility manager shall maintain adequate and current bills of lading for the contents of all containers stored on site.
- C. Minimum Lot Area: Notwithstanding anything contained in this chapter to the contrary, cargo container facilities shall have a minimum lot area of twenty (20) acres.
- D. Paving: Cargo containers shall be stored on an asphalt or concrete surface that complies with all applicable drainage and stormwater detention regulations. Gravel, grindings, and tar and chip surfaces are prohibited.
- E. Parking: No portion of any required off street parking or loading areas shall be used for the storage of cargo containers or similar storage devices.
- F. Racking Height: Racking of a chassis shall not exceed fifty seven feet (57') in height. For racked chassis that exceed thirty feet (30') in height, one additional foot shall be added to all setbacks from the property line for each one foot (1') of height in excess of thirty feet (30') for the racked chassis.
- G. Screening And Landscaping: Except as otherwise required in this chapter, screening and landscaping shall be provided in accordance with subsection [9-13-12A](#) of this title.
- H. Setbacks And Separations:
1. Cargo container and chassis storage shall be located a minimum of one thousand feet (1,000') from any property zoned or used for residential land uses.
 2. If containers are stacked, an additional thirty feet (30') shall be added to all setbacks from the property line for each level of stacked containers in excess of one.
 3. Cargo container and chassis storage shall be located a minimum of thirty feet (30') from any structure or building on the cargo container facility site.
 4. Thirty foot (30') wide paved access drives shall be maintained at all times on all sides of a grouping.
- I. Groupings: Side by side groupings shall not exceed a width of twenty (20) containers, twenty (20) chassis, or any combination of twenty (20) thereof. End to end groupings shall not exceed a length of two (2) containers, two (2) chassis, or a combination of two (2) thereof. The interiors of all containers shall be accessible from the thirty foot (30') wide paved access drive required in subsection H4 of this section.
- J. Stacking Height: Cargo containers shall not be stacked more than three (3) containers high. Empty chassis shall not be stacked more than five (5) chassis high.
- K. Signage: No signage, other than company identification logos and placards required by the ERG, shall be placed on any cargo container.

- L. Container Modifications: Cargo containers shall not be modified or retrofitted for on site habitation. Containers shall not have windows; heating, cooling, or plumbing systems; or multiple entrances. Cargo containers may have electric and ventilation systems as necessary to meet the minimum codes and standards for lighting and air circulation for storage purposes. (Ord. 2009-31, 7-16-2009)
- M. Fire Suppression And Insurance: All cargo container facilities shall provide access for emergency vehicles to all cargo containers both on and off a chassis. All cargo container facilities shall carry adequate insurance in an amount subject to the approval of the director of community development and shall provide a certificate of insurance to the director of community development prior to issuance of a certificate of occupancy. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)
- N. Structural Integrity And Surety For Removal:
1. All cargo containers shall be safe, structurally sound, stable and in good repair as determined by the director of community development. (Ord. 2009-31, 7-16-2009; amd. Ord. 2011-21, 5-12-2011)
 2. Any cargo container that, in the opinion of the director of community development, becomes unsound, unstable, or otherwise dangerous shall be immediately repaired or removed from the property. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)
 3. Any cargo container stored or kept in violation of any applicable laws or regulations shall be deemed to be dangerous and a public nuisance and may be immediately removed by the village.
 4. Any cost or expense associated with the removal of one or more cargo containers shall be the responsibility of the property owner. All associated costs including, but not limited to, legal fees and court costs shall constitute a debt due and owed to the village and shall be recordable as a lien upon the land of the cargo container facility and/or property owner. (Ord. 2009-31, 7-16-2009)

ARTICLE A. ORI OFFICE, RESEARCH AND LIGHT INDUSTRIAL DISTRICT

9-7A-1: USES PERMITTED:

Any establishment, the principal use of which is manufacturing, fabricating, processing, light assembly, storing, cleaning, or servicing of materials, goods or products, provided, that operations are conducted within a completely enclosed building and that operations conform with the performance standards and other applicable requirements of this section.

Accessory retail sales operations and display of merchandise produced on the premises.

Accessory uses as provided by [chapter 12](#) of this title.

Antennas for wireless communication.

Auditoriums.

Banks and financial institutions.

Business and professional offices.

Churches as ancillary uses to existing permitted assembly uses.

Computer and/or data processing centers.

Corporate offices.

Cultural facilities.

Engineering and testing facilities.

Medical and dental clinics and offices.

Production facilities for prototype products.

Research clinics and laboratories including accessory pilot plant operations.

Showroom space.

Warehousing and distribution facilities within enclosed buildings, provided that at least five percent (5%) of the gross floor area is comprised of office space. (Ord. 90-59, 9-27-1990; amd. Ord. 94-49, 6-23-1994; Ord. 2003-17, 4-24-2003; Ord. 2004-49, 7-15-2004; Ord. 2011-21, 5-12-2011)

9-7A-2: SPECIAL USES:

Commercial uses located within permitted and special uses including barbershops and beauty salons; daycare centers and preschools; drugstores; dry

cleaning and laundry establishments; food stores; florists; gift shops; letter and parcel mailing services; restaurants including accessory cocktail lounges, outdoor customer seating, musical entertainment and dancing; shoe repair shops and tailor shops.

Heliports.

Hotels and motels.

Kennels, provided all related activities occur within a completely enclosed building.

Planned unit developments.

Public service and utility uses if not in accordance with subsection [9-3-4B](#) of this title.

Recreation uses.

Schools; vocational, technical, business, data processing, electronic and corporate training centers.

Self-storage facility.

Telecommunication towers.

Uses ancillary to permitted and other special uses including: meeting and conference facilities, lodging facilities, restaurants and recreational facilities primarily for the private use of the employees of the owner, its subsidiaries, affiliates, franchisees and other business invitees; storage, service and maintenance buildings and areas; central heating and air conditioning plants; dwellings for caretakers, watchmen and operators. (Ord. 90-59, 9-27-1990; amd. Ord. 2007-49, 9-6-2007; Ord. 2009-53, 11-19-2009; Ord. 2011-21, 5-12-2011; Ord. 2011-40, 8-25-2011; Ord. 2014-36, 6-12-2014)

9-7A-3: PROHIBITED USES:

The uses not allowed under sections [9-7A-1](#) and [9-7A-2](#) of this article are prohibited in the ORI district together with the following expressly prohibited uses:

Bulk sales of fuel and ice.

Cargo container facilities.

Cartage and express facilities.

Commercial greenhouses and nurseries.

Miniwarehouses.

Monument sales.

Motor vehicle repair, painting and engine rebuilding.

Outdoor machinery storage and rental.

Radio and microwave transmitting and receiving stations, except as an accessory use.

Utility yards.

Uses prohibited in all industrial districts by section [9-7-1](#) of this chapter. (Ord. 90-59, 9-27-1990; amd. Ord. 2005-47, 8-18-2005; Ord. 2009-31, 7-16-2009; Ord. 2011-40, 8-25-2011)

9-7A-4: BULK REGULATIONS:

A. Site Development Area: Each building and use within the ORI district shall be established within an area of land consisting of one or more designated parcels, tracts, or subdivided lots or parts thereof within a single block (hereinafter, a "site development area" or "SDA") which is designated on a site plan submitted with each application for a building permit. One or more principal buildings and uses may be located on a single SDA, and an SDA may be altered or expanded to include additional buildings and uses; provided, that the site plan and other documents submitted with the building permit application for the next building to be constructed within an SDA demonstrate: 1) compliance of all buildings and uses therein with the ORI district regulations and 2) establishment of covenants, conditions and restrictions on lands within and outside of the SDA sufficient for parking, stormwater management and landscaped area for all uses and buildings therein. An SDA shall have frontage on a public street. (The definition of "lot" in section [9-2-2](#) of this title is not applicable in the ORI district.) (Ord. 90-59, 9-27-1990)

B. Minimum District Area: Five (5) acres. (Note: Any ORI district area may contain more than 1 SDA.)

C. Minimum SDA Size For Permitted Or Special Uses: Two (2) acres. (Note: When 2 or more permitted or special uses are combined in a single SDA, the largest area required for such use shall be the minimum required for the combined uses.) (Ord. 91-49, 9-26-1991)

D. Minimum SDA Width For All Uses: One hundred seventy five feet (175').

E. Minimum SDA Depth For All Uses: Two hundred fifty feet (250').

F. Minimum Gross Floor Area Of A Principal Building: Fifteen thousand (15,000) square feet.

G. Minimum Building Setbacks:

1. From interstate highway and tollway right of way boundaries: A minimum of fifty feet (50') plus two feet (2') for each one foot (1') of building height in excess of thirty five feet (35').
2. From arterial streets: A minimum of thirty five feet (35') plus two feet (2') for each one foot (1') of building height in excess of thirty five feet (35').
3. From collector roads and local roads: A minimum of thirty five feet (35') plus two feet (2') for each one foot (1') of building height in excess of thirty five feet (35'). (Ord. 90-59, 9-27-1990)
4. From all other SDA lines: A minimum of thirty feet (30'), except no building setback is required adjacent to railroad rights of way. (Ord. 91-49, 9-26-1991)
5. From all residential zoning district boundaries: Thirty feet (30') plus two feet (2') for each one foot (1') of building height in excess of thirty five feet (35'), except a setback of twenty feet (20') plus two feet (2') for each one foot (1') of building height in excess of thirty five feet (35') is required adjacent to utility rights of way. (Ord. 94-49, 6-23-1994)

H. Building Separations Within SDAs:

All buildings: Thirty feet (30') plus one foot (1') for each two feet (2') of height in excess of thirty five feet (35'). The height of the tallest building shall determine the separation distance, where necessary.

Note: Structures connected by an enclosed walkway shall be considered to be a single building. The foregoing separation standards do not apply to accessory parking structures.

I. Minimum Landscaped Setbacks For Off Street Parking Areas:

1. From interstate highway and tollway right of way boundaries: A minimum of thirty feet (30').
2. From arterial streets: A minimum of twenty five feet (25').
3. From collector roads and local roads: A minimum of twenty feet (20').
4. From all other SDA lines of property: Ten feet (10'). (Ord. 90-59, 9-27-1990)
5. From abutting residential uses: A minimum of twenty feet (20'). In addition, all loading spaces shall be located not less than thirty eight feet (38') from residential uses. (Ord. 2000-14, 4-13-2000)

J. Maximum Building Coverage: Maximum building coverage of SDAs (provided that when an SDA contains 2 or more principal buildings, the highest maximum coverage permitted for any 1 building shall be the maximum combined coverage for all buildings within that SDA), all buildings, fifty percent (50%). (Ord. 90-59, 9-27-1990)

K. Maximum Building Height:

1. Hotels and office buildings (including allowable ancillary uses and commercial uses) having a gross floor area of not less than one hundred seventy five thousand (175,000) square feet: Eighty feet (80').
2. All other hotels and office buildings (including allowable ancillary uses and commercial uses): Sixty feet (60').
3. All other buildings: Forty feet (40'). (Ord. 91-49, 9-26-1991)

L. Maximum Floor Area Ratio (FAR) Within An SDA: 0.6. (Ord. 90-59, 9-27-1990)

9-7A-5: RESERVED:

(Ord. 2007-16, 4-5-2007)

9-7A-6: RESERVED:

(Ord. 2007-16, 4-5-2007)

9-7A-7: RESERVED:

(Ord. 2007-16, 4-5-2007)

9-7A-8: ADDITIONAL STANDARDS:

Each application for a building permit for a building within an SDA shall be accompanied by the following documents in addition to those required by the village's building code and subsection [9-15-2B3](#) of this title:

- A. Site plan of the SDA identifying and depicting all buildings, parking, loading space, driveway, landscape, and stormwater management facilities within the SDA.
- B. Site plan identifying and depicting any areas within the SDA which will be used for stormwater management and required landscaping for the SDA.
- C. Drawings depicting all elevations of buildings principally occupied by retail and restaurant uses.
- D. Landscape plan for the entire SDA.
- E. Legal description and proposed easement or covenant documents for stormwater management areas within an SDA with two (2) or more buildings, for required stormwater management areas located outside the SDA, for required landscape areas located outside the SDA, and for permanent open space outside the SDA for FAR purposes. All such easements and covenants shall be recorded prior to building permit issuance and shall be enforceable by the village. (Ord. 90-59, 9-27-1990)

ARTICLE B. M-1 MANUFACTURING DISTRICT

9-7B-1: USES PERMITTED:

Any establishment, the principal use of which is manufacturing, fabricating, processing, assembly, repairing, cleaning or servicing of materials, goods or products; provided, that operations are conducted within a completely enclosed building and that operations conform with the performance standards and other applicable requirements of this title.

Accessory retail sales and display of merchandise produced on the premises.

Accessory uses as provided by [chapter 12](#) of this title.

Antennas for wireless communication.

Business establishments providing supplies and services primarily to industrial related customers.

Churches as ancillary uses to existing permitted assembly uses.

Food pantries.

Offices.

Warehousing and storage facilities within enclosed building, but not including cartage and express facilities and miniwarehouses.

Wholesaling establishments. (Ord. 88-01, §§1, 2; amd. Ord. 2003-17, 4-24-2003; Ord. 2004-49, 7-15-2004; Ord. 2007-49, 9-6-2007; Ord. 2011-21, 5-12-2011)

9-7B-2: SPECIAL USES:

Cargo container facilities that comply with section [9-7-3](#) of this chapter.

Cartage and express facilities, including outdoor vehicle storage areas, if completely enclosed by closed fencing in accordance with section [9-12-3](#) of this title.

Heliports.

Miniwarehouses and accessory truck rental.

Motor vehicle and equipment storage, service and repair including body repair, painting and engine rebuilding.

Outdoor storage areas and facilities if completely enclosed by a closed fence in accordance with this title.

Planned unit developments.

Public service and utility uses if not in accordance with subsection [9-3-4B](#) of this title.

Telecommunication towers. (Ord. 86-63, §16; amd. Ord. 88-01, §3; Ord. 2001-19, 4-26-2001; Ord. 2003-17, 4-24-2003; Ord. 2007-49, 9-6-2007; Ord. 2009-31, 7-16-2009; Ord. 2011-21, 5-12-2011)

9-7B-3: BULK REGULATIONS:

A. Minimum Lot Area For All Uses: One acre (43,560 square feet).

B. Minimum Lot Width For All Uses: One hundred fifty feet (150').

C. Minimum Lot Depth For All Uses: Two hundred feet (200'). (1976 Code §22-18-3)

D. Building Setbacks: Required building setbacks are: (Ord. 2005-47, 8-18-2005)

1. Front Yard: A minimum front yard of forty feet (40').
2. Side Yards:
 - a. A minimum interior side yard of twenty feet (20').
 - b. A minimum exterior side yard of forty feet (40').
3. Rear Yard: A minimum rear yard of twenty feet (20').

E. Maximum Lot Coverage: Fifty percent (50%).

F. Maximum Height For All Uses: Forty feet (40'). (1976 Code §22-18-3)

G. Maximum Floor Area Ratio: 0.6. (Ord. 94-20, 3-24-1994)

Chapter 8 PERFORMANCE STANDARDS

9-8-1: APPLICATION OF PROVISIONS:

Any use established in nonresidential districts shall be operated in such a manner as to comply with the applicable performance standards as hereinafter set forth governing noise, vibration, smoke, toxic matter, odors, fire and explosive hazards and glare. No such use already established on the effective date hereof shall be so altered or modified as to conflict with or further conflict with the applicable performance standards hereafter set forth. (1976 Code §22-19-1)

9-8-2: NOISE:

A. In nonresidential districts, any use established after the effective date hereof shall meet the performance standards for noise as described below:

For the purpose of measuring the intensity and frequency of sound, the sound level meter, the octave band analyzer and the impact noise analyzer shall be employed.

The flat network and the fast meter response of the sound level meter shall be used. Sounds of short duration as from forge hammers, punch presses and metal shears which cannot be measured accurately with the sound level meter shall be measured with the impact noise analyzer.

Octave band analyzers calibrated in the Preferred Frequencies (American Standards Association S1 6-1960, Preferred Frequencies for Acoustical Measurements) shall be used with tables marked "Preferred Frequencies". Octave band analyzers calibrated with pre-1960 octave bands (American Standards Association Z24, 10-195 Octave Band Filter Set) shall use tables marked "Pre-1960 Octave Bands".

The following uses and activities shall be exempt from the noise level regulations:

1. Noises not directly under the control of the property user.
2. Noises emanating from construction and maintenance activities between seven o'clock (7:00) A.M. and nine o'clock (9:00) P.M.
3. The noises of safety signals, warning devices and emergency pressure relief valves.
4. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.

B. At no point beyond a lot line of any lot in a nonresidential district shall the sound pressure level resulting from any use on that lot exceed the maximum permitted decibel levels for the designated octave bands as set forth in Tables I and II of this Section.

TABLE I. PREFERRED FREQUENCIES	
Center Frequency Cycles Per Second	Maximum Permitted Sound Pressure Level, Decibels
31.5	76
63	71
125	65
250	57
500	50
1,000	45
2,000	39
4,000	34
8,000	32
TABLE II. PRE-1960 OCTAVE BANDS	
Octave Band, Cycles Per Second	Maximum Permitted Sound Pressure Level, Decibels
20 - 75	72
75 - 150	67
150 - 300	59
300 - 600	52
600 - 1,200	46
1,200 - 2,400	40
2,400 - 4,800	34
4,800 - 10 kc	32

Impact noises, as measured on the impact noise analyzer shall not exceed eighty (80) decibels at any point beyond a lot line of any lot in a nonresidential district.

Between the hours of seven o'clock (7:00) P.M. and seven o'clock (7:00) A.M., the decibel values tabulated above shall be reduced by six (6) decibels when measured in a residential district. (1976 Code §22-19-2)

9-8-3: EARTHBORNE VIBRATIONS:

A. In any nonresidential district, no use shall cause or create earthborne vibrations in excess of the following displacement values:

Measurements shall be made at or beyond the adjacent lot line or the nearest residence district boundary line, as described below. Vibration displacement shall be measured with an instrument or complement of instruments capable of simultaneously measuring in three (3) mutually perpendicular directions.

The maximum permitted displacement shall be determined in each district by the following formula:

$$D = \frac{K}{f}$$

where D = displacement in inches.

K = a constant to be determined by reference to the tables below.

f = the frequency of the vibration transmitted through the ground, cycles per second.

B. The maximum earth displacement permitted at the points described below shall be determined by use of the above formula and the appropriate K constant shown in Table I.

TABLE I. VALUES OF K TO BE USED
IN VIBRATION FORMULA

Location	K
On or beyond any adjacent lot line:	
1. Continuous	0.008
2. Impulsive	0.015
3. Less than 8 pulses per 24-hour period	0.037
On or beyond any residence district boundary line:	
1. Continuous	0.003
2. Impulsive	0.006
3. Less than 8 pulses per 24-hour period	0.015

(1976 Code §22-19-3)

9-8-4: SMOKE AND PARTICULATE MATTER:

A. The emission of smoke or particulate matter in such manner or quantity as to endanger or be detrimental to the public health, safety, comfort or welfare is hereby declared to be a public nuisance and shall not be permitted in any nonresidential district.

For the purpose of grading the density or equivalent opacity of smoke, the Ringelmann Chart described in the U.S. Bureau of Mines Information Circular 6888 shall be employed. The emission of smoke or particulate matter of a density equivalent opacity greater than No. 2 on the Ringelmann Chart is prohibited at all times except as otherwise provided hereinafter.

Dust and other types of air pollution borne by the wind from such sources as storage areas, yards, roads and the like within lot boundaries shall be kept to a minimum by appropriate landscaping, paving, oiling, fencing, wetting or other acceptable means.

The open burning of refuse, paint, oil, debris and any other combustible material is prohibited in all nonresidential districts. No operation shall result in the emission into the open air from any process or control equipment or in the measurement at any convenient measuring point in a breeching or stack of particulate matter in the gases that exceeds sixty one-hundredths (0.60) pound per one thousand (1,000) pounds of gases during any one hour.

Particulate matter loadings in pounds per acre described below shall be determined by selecting a continuous four (4) hour period which will result in the highest emission rate.

B. The emission of smoke having a density or equivalent opacity in excess of Ringelmann No. 1 is prohibited. However, for two (2) minutes in any four (4) hour period, smoke up to and including Ringelmann No. 2 shall be permitted.

The rate of emission of particulate matter from all vents and stacks within the boundaries of any lot shall not exceed two-tenths (0.2) pound per acre of lot area during any one hour. (1976 Code §22-19-4)

9-8-5: TOXIC MATTER:

The release of airborne toxic matter (including radioactive matter) shall not exceed one-thirtieth ($1/30$) of the maximum permissible concentration allowed an industrial worker when measured at any point beyond the lot line, either at ground level or habitable elevation, whichever is more restrictive. Concentration shall be measured and calculated as the highest average that will occur over a continuous twenty four (24) hour period.

If toxic substance is not contained in the most recent listing of threshold limit values published by the American Conference of Governmental Industrial Hygienists, the applicant shall satisfy the Village that the proposed levels will be safe to the general population. (1976 Code §22-19-5)

9-8-6: ODOROUS MATTER:

The release of materials capable of becoming odorous, either by bacterial decomposition or chemical reaction, shall meet the standard hereinafter set forth.

All Nonresidential Districts: When odorous matter is released from any operation, activity or use in a nonresidential district, the concentration of such odorous materials shall not exceed the odor threshold when measured beyond the lot line, either at ground level or habitable elevation. (1976 Code §22-19-6)

9-8-7: FIRE AND EXPLOSION HAZARDS:

A. In all nonresidential districts, the storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.

The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted, provided either of the following conditions is met:

1. Said material or products shall be stored, utilized or manufactured within completely enclosed buildings having incombustible exterior walls and protected with an automatic fire extinguishing system.
2. Said material, if sold outdoors, will be no less than fifty feet (50') to the nearest lot line.

B. The storage, utilization or manufacture of flammable liquids shall be permitted in accordance with the following table, exclusive of storage of finished products in original, sealed containers, which shall be unrestricted. Flammable liquid and gas storage tanks shall not be less than fifty feet (50') from all lot lines.

TOTAL CAPACITY OF
FLAMMABLE MATERIALS
PERMITTED (IN GALLONS)

	Above-ground	Under-ground
Materials having a closed cup flash-point over 187° but less than 300° Fahrenheit	20,000	100,000
From and including 105° to and including 187° Fahrenheit	10,000	100,000
Materials having a closed cup flash-point of less than 105° Fahrenheit	3,000	100,000

When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet at standard temperature and pressure shall not exceed thirty (30) times the quantities listed above. (1976 Code §22-19-7)

9-8-8: LIGHTING:

A. Photometric Plan Required: A photometric plan shall be required for all land development applications where outdoor lighting is required or proposed, except for single-family residential developments where all streets are public rights of way. The plan must show the location, mounting height, orientation, manufacturer, model number, photograph or catalog cut, light output in initial lumens, shielding or glare reduction devices, lamp type, and

control devices for all outdoor lighting including wall mounted lighting. The plan must show the levels of illumination in foot-candles (fc) at ground level over the entire impacted area of the subject property and to all property lines.

- B. Shielding Requirement: Any luminaire used for outdoor lighting shall have a fully shielded fixture, except for those fixtures used for sports field lighting.
- C. Light Source Requirement: On property abutting a residential use, no direct light source (bulb) shall be visible at the property line at ground level. Notwithstanding the foregoing, the above regulation shall not be applicable to the light source from public streetlights, common area street lighting abutting individual lots, units or buildings within that residential development, or sports field lighting. (Ord. 2011-21, 5-12-2011)
- D. High Pressure Sodium Requirement: Any luminaire used for outdoor lighting shall use high pressure sodium, except for those luminaires used for sports field lighting and other lighting required by county, state or federal law. High pressure sodium luminaires may be substituted with an alternative luminaire not exceeding four thousand Kelvin (4000 K) for new or replacement lighting installations. New and replacement lighting sources are subject to the requirements provided in this chapter. (Ord. 2015-11, 3-5-2015)
- E. Illumination Requirements: All outdoor lighting shall be subject to the minimum security code in [title 8](#) of this code. Except as otherwise provided elsewhere in this section for sports fields, for all nonresidential uses and residential uses in developments with common area lighting, exposed sources of light shall be controlled so that direct and indirect illumination from any source shall not exceed one-tenth (0.1) foot-candle at lot lines abutting residential uses or one foot-candle at lot lines abutting nonresidential uses. In residential developments with common area lighting, the lot line foot-candle requirements shall apply only to the perimeter of the development and shall not apply to individual lots, units or buildings within the development.
- F. Entrance/Exit: The maximum allowable light level measured at the point of intersection of an entrance drive of a nonresidential use with an adjacent street shall not exceed four (4) foot-candles.
- G. Sports Fields: Lighting levels for sports fields in conjunction with parks, recreational areas and recreational establishments shall comply with the following provisions:
1. Sports field lighting may be lit only during the hours between dusk and eleven o'clock (11:00) P.M.
 2. When the sports field lights are on, light levels shall not exceed a maximum of nine (9) foot-candles measured at the lot line abutting both residential and nonresidential districts and an average of three (3) foot-candles over that portion of the lot line that is illuminated by the sports field lights abutting both residential and nonresidential districts.
 3. When the sports field lights are not on, regardless of the time of day, and for those portions of the property line not illuminated by the sports field lights, the light levels shall not exceed two-tenths (0.2) foot-candle at lot lines abutting residential uses and one foot-candle at lot lines abutting nonresidential uses.
- H. Under Canopy Lighting: All under canopy lighting must be recessed to reduce glare on surrounding properties. The lighting level under canopies shall not exceed a maximum of fifty (50) foot-candles.
- I. Exempt Outdoor Lighting: The following outdoor lighting applications are exempt from all requirements of this chapter:
1. Underwater lighting used for the illumination of swimming pools and fountains;
 2. Lighting required by municipal, county, state, or federal regulations;
 3. Public streetlights on public rights of way as required by [title 10](#) of this code;
 4. Temporary lighting used for holiday decoration;
 5. Decorative yard, landscaping, and security lighting in residential districts when the light output does not exceed one thousand one hundred (1100) lumens.
- J. Nonconforming Lighting: All lighting fixtures subject to this title shall be brought into conformity at such time as a fixture is replaced, changed or added, with the exception of routine maintenance and bulb replacement of equal light output. (Ord. 2011-21, 5-12-2011)

9-8-9: SIGHT DISTANCE TRIANGLE:

No buildings, structures or plant materials shall be erected, altered, planted or maintained between three feet (3') and eight feet (8') in height above grade within a sight distance triangle. (Ord. 99-65, 10-14-1999)

Chapter 9

NONCONFORMING LOTS, BUILDINGS, STRUCTURES AND USES

9-9-1: PURPOSE:

The purpose of this chapter is to provide for the regulations of nonconforming uses, buildings and structures, and to specify those circumstances and conditions under which those nonconforming buildings, structures and uses shall gradually be eliminated upon reaching the end of their respective normal useful life, in accordance with the authority granted by Illinois statutes. (1976 Code §22-26-1)

9-9-2: AUTHORITY TO CONTINUE NONCONFORMING BUILDINGS, STRUCTURES AND USES:

Any building, structure or use which existed lawfully at the time of the adoption of this title and at the time of the adoption of the ordinance revising the zoning map of the village, classifying all property in the village in accordance with these classifications, and which remains or becomes nonconforming by reason of the adoption of this title and the revision of the village zoning map pursuant thereto, or because of any subsequent amendment thereto, may be continued only in accordance with the regulations hereinafter set forth. (1976 Code §22-26-2)

9-9-2-1: REPAIRS AND ALTERATIONS:

Ordinary repairs and alterations may be made to a nonconforming building or structure; provided, that no structural alterations shall be made in or to such building or structure, all of which is designed or intended for a use not permitted in the district in which it is located, except those required by law, or except to make the building or structure and use thereof conform to the regulations of the district in which it is located. Ordinary repairs and alterations shall be determined by the zoning officer and shall include, among other things, the replacement of storage tanks where the safety of operation of the installation requires such. (1976 Code §22-26-3; amd. 1991 Code)

9-9-2-2: ADDITIONS AND ENLARGEMENTS:

- A. A nonconforming building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, shall not be added to or enlarged in any manner unless such nonconforming building or structure and use thereof is made to conform to all of the regulations of the district in which it is located. (1976 Code §22-26-4)
- B. A nonconforming building or structure which is nonconforming only as to bulk, may be added to or enlarged, provided such additions or enlargement conforms to all regulations of the district in which it is located. Notwithstanding the above, single-family detached residential structures which encroach upon a required setback, but which met the required setback at the time of construction, may be added to or enlarged provided that a greater degree of encroachment is not created. (1976 Code §22-26-4; amd. Ord. 94-20, 3-24-1994)
- C. Legal, nonconforming, single-family detached residential buildings or structures located in the developments described in special use permit numbers 86-3, 86-4, 86-5, 86-6, 86-12, and 86-18 provided for in ordinance 86-37 may be added to or enlarged provided such addition or enlargement conforms to all regulations of the district in which it is located. Notwithstanding the above, single-family detached residential structures that encroach upon a required setback, but which met the required setback at the time of construction, may be added to or enlarged provided that a greater degree of encroachment is not created. Such addition or enlargement is permitted without the requirement of an amendment to the special use permit described above. (Ord. 2003-17, 4-24-2003)

9-9-2-3: MOVING BUILDINGS OR STRUCTURES:

No building or structure shall be moved in whole or in part to any other location unless every portion of such building or structure and the use thereof are made to conform to all regulations of the district in which it, the moved building, is located. (1976 Code §22-26-5)

9-9-2-4: RESTORATION OF DAMAGED NONCONFORMING BUILDINGS OR STRUCTURES:

A nonconforming building, structure or portion thereof which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence will exceed fifty percent (50%) of the total cost of reconstructing the entire building or structure, shall not be restored unless said building or structure and the use thereof shall conform to all regulations of the district in which it is located. In the event that such damage or destruction is less than fifty percent (50%) of the cost of reconstruction of the entire building or structure, no repairs or construction for restoration shall be made unless such work is started within one year from the date of the partial destruction and is diligently prosecuted to completion. (1976 Code §22-26-6; amd. Ord. 2003-17, 4-24-2003; Ord. 2011-21, 5-12-2011)

9-9-2-5: DISCONTINUANCE OF NONCONFORMING BUILDINGS OR STRUCTURES:

A nonconforming building, structure or portion thereof, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, and in which the use has ceased by discontinuance or abandonment on the effective date hereof or thereafter is abandoned and remains unoccupied, or is not used for a continuous period of one year, shall not thereafter be occupied or used, except by a use which conforms to the use regulations of the district in which it is located. (1976 Code §22-26-7; amd. Ord. 2003-17, 4-24-2003)

9-9-2-6: CHANGE OF USE IN NONCONFORMING BUILDING OR STRUCTURE:

The nonconforming use of a building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, may be changed to a use permitted in the district in which the building or structure is located or the nonconforming uses of a part of such a building may be extended to the remaining parts of the building, but no change or extension of use shall extend or otherwise modify any provision made in this title for elimination of such nonconforming building or structure and the use thereof. (1976 Code §22-26-8)

9-9-2-7: AMORTIZATION:

A. The following nonconforming buildings, structures (including signs) and uses shall be subject to amortization provisions herein set forth below:

1. In residence districts, any nonconforming principal and accessory building or structure, all or substantially all of which is designed and used or intended for a permitted or special use that is allowed only in a nonresidential district. (1976 Code §22-26-9)
2. In all other districts, any nonconforming principal or accessory building or structure, all or substantially all of which is designed and used or intended for a permitted or special use that is not allowed. (1976 Code §22-26-9; amd. Ord. 2003-17, 4-24-2003)

B. All nonconforming buildings, structures and uses as set forth in subsections A1 and A2 of this section that were nonconforming prior to and remain or become nonconforming upon the effective date hereof and any amendments hereto, shall be removed and thereafter such property shall be used and enjoyed in conformance with the uses and standards permitted in the districts in which they are located within six (6) months after the applicable amortization period as follows:

Assessed Valuation - More than \$5,000.00: In accordance with the types of construction classifications set forth in the building code of the village¹:

1. Fireproof construction and noncombustible construction, forty (40) years from the date of original building permit or twenty five (25) years from effective date hereof, or amendments hereto, whichever last occurs.
2. Exterior masonry wall construction, thirty (30) years from date of original building permit or twenty (20) years from effective date hereof, or any amendments hereto, whichever last occurs.
3. Frame construction, twenty five (25) years from the date of original building permit or fifteen (15) years from effective date hereof, or any amendments hereto, whichever last occurs. (1976 Code §22-26-9)

Note: Assessed valuations referred to in subsections A1 and A2 of this section are the unequalized assessed valuations of improvements of a lot, established for real estate tax purposes for the year of 1985 by DuPage and/or Will County, Illinois. (1976 Code §22-26-9; amd. 1991 Code)

9-9-2-8: NONCONFORMING USE OF CONFORMING BUILDINGS OR STRUCTURES:

The existing nonconforming use of a part or all of a conforming building or structure may be continued subject to the following provisions:

- A. The nonconforming use of a part of such building or structure shall not be expanded or extended into an other portion of such building or structure, nor changed to any other nonconforming use.
- B. If a nonconforming use of such a building or structure is discontinued or abandoned for a period of six (6) months, it shall not be renewed, and any subsequent use of such building or structure shall conform to the use regulations of the district in which the premises are located.
- C. Any lawful nonconforming use in a conforming building or structure existing in a residence district on the effective date hereof, or any amendments hereto, but is herein allowed as a permitted or special use only in a nonresidential district, shall be entirely discontinued within twenty (20) years from the effective date hereof, or any amendments hereto. (1976 Code §22-26-10)

9-9-2-9: NONCONFORMING USE OF LAND:

- A. Continuanace of Use of Land: The nonconforming use of land not involving a building or structure in connection with which any building or structure thereon is incidental or accessory to the principal use of land, may be continued subject to the following provisions:
1. Such nonconforming use shall not be expanded or extended beyond the area it occupies.
 2. If such nonconforming use of land is discontinued or abandoned for a period of six (6) consecutive months, it shall not thereafter be renewed, and use of land shall conform to the regulations of the district in which the land is located.
 3. No nonconforming use of land shall be changed to another nonconforming use.
- B. Elimination of Nonconforming Use of Land: The nonconforming use of land shall be discontinued in accordance with the following; except, that in R-1 and R-2 Districts, the allowable term shall be reduced to fifty percent (50%):
1. Where no buildings or structures are employed in connection with such use of land, discontinued within one year from the effective date hereof, or any amendments hereto.
 2. Where the only buildings or structures or other physical improvements employed are accessory or incidental to such use of land and have an assessed valuation of not more than two thousand dollars (\$2,000.00), discontinued within two (2) years from the effective date hereof, or any amendments hereto.
 3. Where the improvements, underground or substantially at ground level, which comprise all or substantially all of the improvements employed in such use of land and which have an assessed valuation of more than two thousand dollars (\$2,000.00), discontinued within five (5) years from the effective date hereof, or any amendments hereto.
 4. Where the nonconforming use of land is accessory to the nonconforming use of a building or structure, it shall be discontinued on the same date on which nonconforming use of the building or structure is discontinued. (1976 Code §22-26-11)
- Note: Assessed valuations referred to in subsections B2 and B3 above are the unequalized assessed valuations of improvements on a lot established for real estate tax purposes for the year 1985 by DuPage and/or Will County, Illinois. (1976 Code §22-26-11; 1991 Code)

Chapter 10 OFF STREET PARKING AND LOADING

9-10-1: GENERAL PARKING AND LOADING REGULATIONS:

- A. Scope Of Regulations: The off street parking and loading provisions herein shall apply as follows:
1. For all buildings and structures erected and all uses of land established after the effective date hereof, accessory parking and loading facilities shall be provided as required by the regulations of the district in which such buildings or uses are located.
 2. When any use of any building, structure or premises shall be increased or expanded through the addition of dwelling units, gross floor area, seating capacity, or other units of measurement specified herein for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.

However, no owner of a building or structure lawfully erected or use lawfully established prior to the effective date hereof shall be required to provide such additional parking or loading facilities unless and until the uses established increase the parking requirements by fifteen percent (15%) or more as measured by the requirements existing prior to the effective date hereof, in which event, parking or loading facilities as required herein shall be provided.
 3. Whenever the existing use of a building or structure shall hereinafter be changed to a new use, parking or loading facilities shall be provided as required for such new use under this chapter.
- B. Existing Parking And Loading Facility: Accessory off street parking or loading facilities that were in existence prior to the effective date hereof or were provided voluntarily after such effective date, shall not thereafter be reduced below, or, if already less than, shall not further be reduced below the requirements of this title for a similar new building or use.
- C. Permissive Parking And Loading Facilities: Nothing in this title shall be deemed to prevent the voluntary establishment of off street parking or loading facilities to secure any existing use of land or buildings; provided, that all regulations governing the location, design and improvement of such facilities are adhered to.
- D. Damage And Destruction: Any conforming or legal nonconforming building or use which was in existence prior to the effective date hereof, which subsequent thereto is damaged or destroyed by fire, collapse, explosion or other cause, and which is reconstructed, reestablished or repaired, shall be provided with off street parking and loading facilities equivalent to any maintained at the time of such damage or destruction. However, in the event the principal building or structure is damaged or destroyed by any means to the extent of fifty percent (50%) of its replacement value, it shall then be necessary to restore, maintain or provide parking and loading facilities as required by this chapter.

- E. Submission Of Site Plan: Any application for a building permit or for a certificate of occupancy where no building permit is required shall include therewith a site plan, drawn to a minimum scale of one inch equals fifty feet (1" = 50'), and fully dimensionalized, showing any parking or loading facilities, including driveways, to be provided in compliance with the provisions of this title and this code. Such site plan shall be submitted to the village for approval and shall indicate ingress and egress to the area, and traffic patterns in adjacent street, and a landscape plan; provided, however, that traffic patterns in adjacent streets and a landscape plan shall not be required for dwellings containing four (4) or less dwelling units. (1976 Code §22-20-1)

9-10-2: ADDITIONAL PARKING REGULATIONS AND REQUIREMENTS:

- A. Location: In the RBC regional business center district and the ORI office, research and light industrial district, required parking spaces shall be located on the lot on which the building or use served by such facilities is located unless combined into a joint parking facility. Application for the approval of a joint parking facility shall be made to the plan commission. Joint parking facilities may only be permitted upon the recommendation of the plan commission and approval of the village board.

In the RBC regional business center district and the ORI office, research and light industrial district, parking spaces are permitted in all required building setback areas in conformance with requirements set forth in subsections [9-6E-4H](#) and [9-7A-4G](#) of this title. (Ord. 2007-16, 4-5-2007)

- B. Joint Parking Facilities: Off street parking spaces required for any building or use may be located off the premises served, but not across an arterial street when combined into a joint parking facility serving two (2) or more separate buildings or uses. Joint parking facilities may be privately or publicly owned. The nearest point of a joint parking facility shall lie within four hundred feet (400') of the nearest point of the premises served. The plan commission may recommend to the mayor and village board the total amount of parking spaces required for all buildings and uses to be served by such joint parking facility.

The applicant shall provide such evidence as is acceptable to the village's legal counsel evidencing the applicant's right to utilize any joint parking facility.

If the village provides publicly owned parking areas, the village board may designate whether or not any such parking area shall serve specific uses as a joint parking facility fulfilling any portion of such use's parking requirements. (1976 Code §22-20-2)

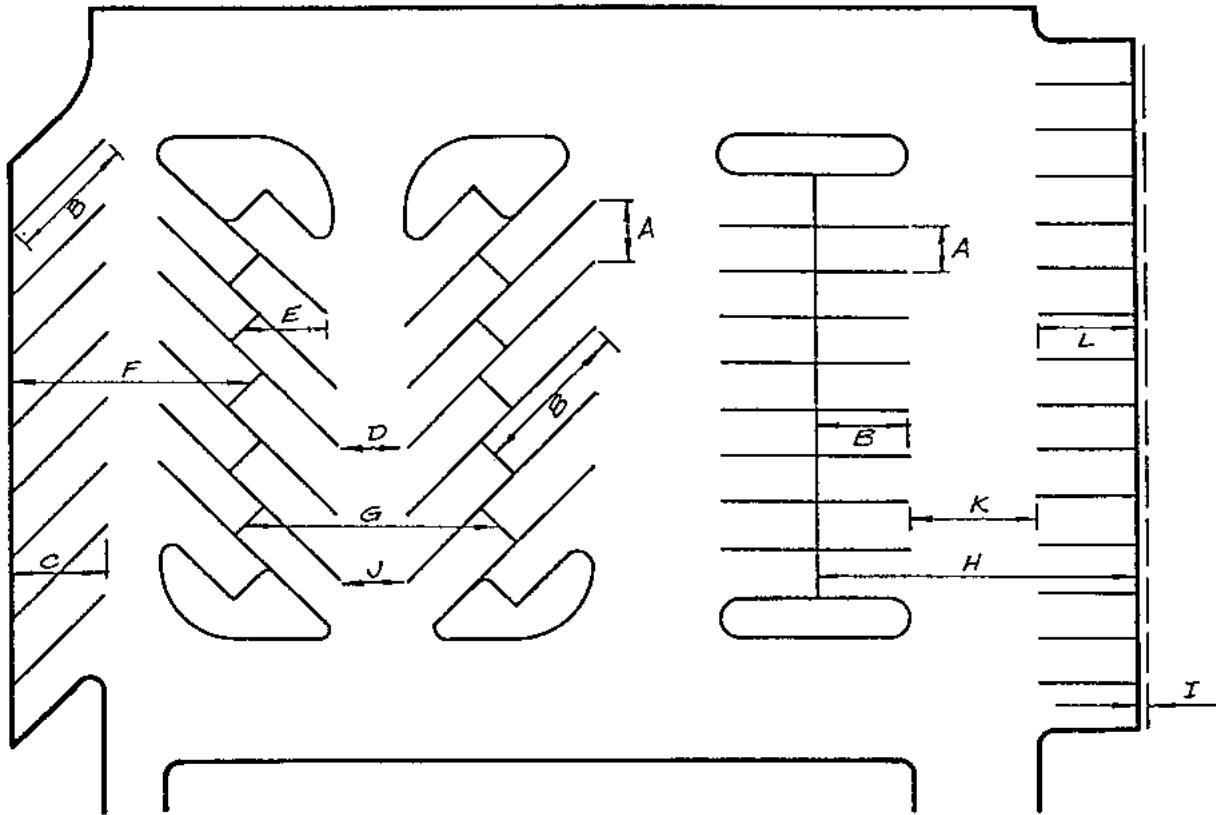
- C. Mixed Uses: In the RBC regional business center district and the ORI office, research and light industrial district when two (2) or more uses are located on the same lot or within the same building, parking areas equal in number to the sums of the separate requirements for each such use shall be provided. No parking space or portion thereof shall serve as a required space for more than one use unless combined into a joint parking facility. In mixed use developments, uses with different peak hour demand may share the same parking spaces. A reduction of up to twenty five percent (25%) of the total required parking for the individual uses may be allowed for a shared use situation. The petitioners must complete and submit to the plan commission an analysis and substantial projection of peak hour parking demand for the entire development to justify the sharing of parking spaces for separate uses. Such reduction with respect to mixed uses shall only be permitted upon recommendation of the plan commission and approval of the village board.

For SDAs in the RBC regional business center zoning district and the ORI office, research and light industrial zoning district with more than one use, a reduction of up to thirty percent (30%) of the total required parking spaces for individual uses is allowed if shared access to such spaces is demonstrated by easement or covenant of record, and the village zoning officer approves of such reduction. The area required to accommodate the number of parking spaces required without the reduction shall be reserved as open space. If, at any point, the village zoning officer determines that those spaces are necessary, the property owner is required to develop those parking spaces. (Ord. 2007-16, 4-5-2007)

- D. Computation: When the required number of off street parking spaces results in a fractional space, any fraction of one-half ($\frac{1}{2}$) or less may be disregarded while a fraction greater than one-half ($\frac{1}{2}$) shall be counted as one parking space. (Ord. 2009-31, 7-16-2009)
- E. Access: Each required off street parking space shall open directly upon a drive aisle of such width and design so as to provide safe and efficient means of vehicular access to such parking space and shall conform to the minimum standards as established by the subdivision control regulations¹. All off street parking facilities shall be designed with appropriate means of vehicular access to a dedicated street in a manner which will least interfere with traffic movements. In addition, every parking space located adjacent to a pedestrian doorway shall provide a minimum clearance of five feet (5') from the edge of any parking space to the outside of the closed pedestrian doorway. (1976 Code §22-20-2; amd. Ord. 99-65, 10-14-1999)
- F. Traffic Control Gates: Traffic control gates shall be permitted only in the RBC regional business center district and in accordance with the following regulations:
1. Traffic control gates shall be permitted only as a means of closing off truck maneuvering, storage and dock areas.
 2. Traffic control gates shall be located no closer to an adjacent street than the facade of the principal building. (Ord. 2007-16, 4-5-2007)
- G. Design And Construction: The design and construction of off street parking areas and their appurtenances shall conform in all respects with the standard specifications adopted by the village and found in the village's subdivision control ordinance².
1. Size And Geometrics: The size and configuration of off street parking facilities shall be in accordance with the standards as shown on table 1 of this section. (1976 Code §22-20-2)

2. Driveway, Drive Aisle And Pavement: Driveway, drive aisle and pavement size, configuration and type of construction shall be in accordance with table 2 and table 3 of this section. (Ord. 99-65, 10-14-1999)

TABLE NO. 1
PARKING LAYOUT DIMENSIONS FOR
9 FOOT STALLS AT VARIOUS ANGLES



	Degree Of Angle Of Space To Drive Aisle	45°	60°	90°
A.	Stall width, parallel to drive aisle	12.7	10.4	9.0
B.	Stall length of line	27.0	23.2	18.0
C.	Stall depth to wall	19.1	20.1	18.0
D.	Drive aisle width (between stall lines)	13.0	18.0	24.0
E.	Stall depth, interlock	15.9	17.8	18.0
F.	Module, wall to interlock (C+D+E)	48.0	55.9	60.0
G.	Module, interlocking (D+2E)	44.8	53.6	60.0
H.	Module, interlock to curb face (D+E+L)	46.6	54.2	58.0
I.	Bumper overhang (measured 90 degrees to curb)	1.4	1.7	2.0
J.	One-way drive aisle	13.0	18.0	24.0
K.	Two-way drive aisle	24.0	24.0	24.0
L.	Stall depth to curb (C-I)	17.7	18.4	16.0

Notes:

- 1) Parking lots shall be bordered with IDOT type B6:12 curb and gutter.
- 2) Parking spaces located in parking structures and parking spaces designated for employee use only may be not less than 8¹/₂ feet wide for 90 degree parking.

- 3) If a 2 foot bumper overhang is to be utilized, the parking space length can be reduced to 16 feet for 90 degree parking.
 4) Parallel parking stalls shall measure 10 feet by 23 feet with a 12 foot drive aisle.

(Ord. 89-66, 12-14-1989; amd. Ord. 94-20, 3-24-1994; Ord. 99-65, 10-14-1999; Ord. 2003-17, 4-24-2003)

TABLE NO. 2 TWO-WAY DRIVEWAY DIMENSIONS ¹						
Type Of Development	Width On Private Property At Street Right-Of-Way Lines		Width Measured At Street Curb Line		Curb ² Required	Minimum Ingress And Egress Curb Radius
	Minimum	Maximum	Minimum	Maximum		
Single-family residential uses	10 ft.	22 ft. or 30% of lot width (up to 30 ft.) whichever is greater ⁴	16 ft.	28 ft. or 30% of lot width plus 6 ft. (up to 36 ft.) whichever is greater ⁴	No	n/a
Multi-family residential uses and nonresidential uses	24 ft.	35 ft.	n/a		Yes	25 ft.

Notes:

1) One-way driveway is permitted having a minimum width of 15 feet and minimum inside turning radius of 25 feet. One-way driveway shall increase to 22 feet at the back of street curbs.

2) Curb shall be IDOT type B6:12 curb and gutter.

3) Drive-through vehicle reservoir/stacking lanes shall have a minimum width of 10 feet.

4) Notwithstanding any provision contained herein to the contrary, existing driveways constructed prior to May 8, 1986, which are not in conformance with the driveway dimensions for single-family residential uses as set forth in the table above, may be repaired or reconstructed to a width which is no greater than the width of the existing driveway, or 30 feet at the right-of-way and 36 feet at the street curb, whichever is less.

5) The minimum width of a driveway at any point shall not be less than 10 feet for a single-family residential use.

(Ord. 2017-51, 9-21-2017)

TABLE NO. 3
MINIMUM PAVEMENT CONSTRUCTION REQUIREMENTS

Type Of Development	Parkway Flexible	Rigid	Private Property Flexible	Rigid
Residentially zoned districts containing 4 or less units	3" bituminous concrete 8" crushed stone	6" Portland cement concrete 3" crushed stone	2" bituminous concrete 8" crushed stone	5" Portland cement concrete 3" crushed stone
Residentially zoned districts containing more than 4 units	3" bituminous concrete 8" crushed stone	6" Portland cement concrete 3" crushed stone	3" bituminous concrete 8" crushed stone	6" Portland cement concrete 3" crushed stone
Business, office and light industrial zoned districts	3" bituminous concrete 10" crushed stone	7" Portland cement concrete 3" crushed stone	3" bituminous concrete 10" crushed stone	8" Portland cement concrete 3" crushed stone
Manufacturing	3" bituminous concrete 10" crushed stone	8" Portland cement concrete 3" crushed stone	3" bituminous concrete 10" crushed stone	8" Portland cement concrete 3" crushed stone

Notes:

1) 2 inch bituminous concrete shall be surface course class I.

2) 3 inch bituminous concrete shall be 2 inches of binder coarse and 1 inch surface coarse class I.

3) Crushed stone shall be CA-6 grade compacted in not more than 4 inch thick layer.

4) Reserved.

5) Brick pavers may be used for driveway surfaces in lieu of Portland cement or bituminous asphalt materials in accordance with the following design standards:

Brick paver depth = 8 centimeters.
Base = 1 inch sand and 8 inches crushed stone.

(1976 Code §22-20-2; amd. Ord. 92-06, 3-12-1992; Ord. 94-20, 3-24-1994; Ord. 2005-47, 8-18-2005)

3. Construction Specifications: All work shall be done in accordance with the applicable provisions of the "Standard Specifications For Road And Bridge Construction", adopted by the Illinois department of transportation, October 1, 1979, as amended. All bituminous concrete shall consist of bituminous concrete surface class I modified or bituminous concrete binder course class I. All topsoil shall be removed prior to the construction of the pavement. All fill shall consist of granular material or clay and shall be compacted to a density of at least ninety five percent (95%) of the ASTM modified proctor. (1976 Code §22-20-2)
4. Drainage: All off street parking areas constructed for the purposes of parking five (5) or more vehicles shall be drained utilizing underground storm sewers, barrier curb and gutter and other necessary appurtenances. The design of all storm sewer facilities and curb and gutter shall comply with the village standards found in the subdivision control ordinance³. All storm water detention shall be accomplished in accordance with [title 8, chapter 1, article L](#) of this code and section [9-3-6](#) of this title. (Ord. 92-06, 3-12-1992)
5. Slopes: For all parking lots, drive aisles and driveways, whether constructed on public parkways or private property, the minimum and maximum allowable vertical slopes shall be one percent (1%) and five percent (5%) respectively, excluding single-family homes which may have a maximum allowable vertical slope for driveways of eight percent (8%) and parking deck ramps, which may have a maximum allowable vertical slope of twelve percent (12%). (Ord. 2005-47, 8-18-2005)
6. Lighting: All lighting shall conform with all provisions of the minimum security ordinance as adopted by the village⁴. In addition, all illumination shall be cut off in such a manner as to eliminate any spillover or reflection of direct rays into adjacent residential areas. All proposed illumination systems shall be reviewed and approved by the zoning officer. (1976 Code §22-20-2)
7. Parking Space Designation: Parking spaces shall be designated outlining each parking space and direction of traffic in drive aisles or driveways to and from public rights of way. (Ord. 99-65, 10-14-1999)
8. Preparation Of Plans: All plans provided in conjunction with the construction of all off street parking lots shall be prepared by an Illinois registered professional engineer or registered architect and approved by the zoning officer. (1976 Code §22-20-2)

H. Maintenance Requirements: The owner and/or occupant of business, commercial, office, research, industrial uses or multiple-family uses of six (6) dwelling units or greater shall be responsible for the maintenance of all driveways and parking lots serving such use including such portions located in public rights of way. All pavement that represents a hazard to vehicular or pedestrian travel shall be repaired.

Hazards shall be defined as including, but not limited to, one or more of the following:

1. A pothole three inches (3") or more in depth covering one square yard or more in area. Potholes must be repaired within the time frame indicated on the notice of violation.

During winter months a temporary patch must be provided and maintained until permanent repairs can be performed. Materials used for cold patching must be approved by the zoning officer.
2. A rut two inches (2") or more in depth.
3. A fault with a one inch (1") or greater difference in elevation.
4. A crack one-half inch ($1/2$ ") or greater in width.
5. Settlement or sinking one inch (1") or greater in depth.
6. Disintegration covering a one square yard or greater area or any other condition that is determined by the zoning officer to be a hazard.

The village shall notify the owner and/or occupant of any violations of this subsection. Such notification shall indicate the nature of the hazard and an amount of time given to correct same. Time to comply shall not exceed a maximum of thirty (30) days during the construction season. Upon receipt of said notice, such owner and/or occupant shall notify the zoning officer in writing of his plans for corrective action. The owner and/or occupant shall identify the areas of pavement to be removed and replaced by marking with painted lines or arrows. An inspection shall be performed by the zoning officer of areas to be replaced prior to commencing major repairs. When such a preresearch inspection is required, it will be so noted on the notice provided for hereinabove. A striping plan will be required whenever a parking lot is to be overlaid or restriped. (Ord. 92-06, 3-12-1992)

I. Residential Boundary Line: Trucks having a capacity of twelve thousand (12,000) pounds' gross vehicle weight or greater used in conjunction with the operation of any use permitted in business districts shall not be parked or stored outdoors within one hundred fifty feet (150') of a residential district boundary line between eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M.

J. Commercial Vehicles: Where permitted, all commercial vehicles shall be parked completely within the striped lines designating the approved parking space. Trucks and trailers shall be parked only within docks, striped loading areas, or such spaces specifically striped and designated as truck parking on an approved site plan. (Ord. 2005-47, 8-18-2005)

K. Parking And Storage Of Commercial Vehicles By District:

1. In residential districts:
 - a. Commercial vehicles bearing a designation of class B under provisions of paragraph 5/3-815 of the Illinois vehicle code shall be permitted to be parked, provided that they meet the applicable parking and storage provisions contained elsewhere in this title.

- b. The outdoor storage or parking of any vehicles requiring a state vehicle license other than a class B (except recreational vehicles), any vehicle in excess of eight thousand (8,000) pounds as regulated by the state, or buses designed for more than sixteen (16) occupants, is prohibited within all residential districts.

The exception to this section includes vehicles making local deliveries between the hours of seven o'clock (7:00) A.M. and nine o'clock (9:00) P.M. for the purpose of relocation, deliveries, repairs, construction, maintenance, or service calls.

- c. Outdoor storage or parking shall be limited to one unoccupied taxicab, limousine, or other vehicle used to transport individuals for hire. This vehicle restriction shall apply per dwelling unit, regardless of gross vehicle weight (GVW), state license designation, or more than one van or truck having a first division or class B state vehicle license which is used for business or commercial purposes.
- d. Off street parking shall not be located in any front yard, except that off street parking accessory to single-family or multiple-family dwelling may be located in any driveway (except as otherwise provided in this code) improved as hereinafter set forth.
- e. Off street parking shall not be located in any side or rear yards; except, that off street parking accessory to single-family and multiple-family dwellings may be located in an enclosed garage or in any driveway (except as otherwise provided in this code) improved as hereinafter set forth. (Ord. 2015-11, 3-5-2015)

2. In business and industrial districts:

- a. Off street storage of commercial vehicles shall not be located in any front yard.
- b. Off street storage of commercial vehicles shall only be located in side or rear yards, and subject to screening requirements as provided for elsewhere in this title.
- c. For the purposes of the ORI office, research and light industrial district and the RBC regional business center district, a commercial vehicle shall be considered to be "stored" if it remains on a parcel for more than seventy two (72) consecutive hours.
- d. For the B-1 neighborhood shopping district, B-2 community shopping district, B-3 highway and service business district, OSB office and service business district, and M-1 manufacturing district, the following standards shall apply:
- (1) Commercial vehicles having a capacity of less than twelve thousand (12,000) pounds' gross vehicle weight used in conjunction with the operation of any permitted use may only be parked and/or stored on the property where the use permitted is located and in accordance with the regulation contained elsewhere in this title.
- (2) Commercial vehicles having a capacity of twelve thousand (12,000) pounds' gross vehicle weight or greater shall not be stored, parked, or otherwise permitted to stand in any business district except when engaged in actual loading/unloading operations, unless provided for elsewhere within this title.
- e. For the RBC regional business center district, ORI office, research and light industrial district, and the M-1 manufacturing district commercial vehicles having a capacity of more than twelve thousand (12,000) pounds' gross vehicle weight shall be permitted to be parked and/or stored, provided that the parking and/or storage of such vehicles meets the applicable provisions set forth elsewhere in this chapter and to the extent that the parking facilities are screened in accordance with the provisions set forth elsewhere in this title. (Ord. 2007-16, 4-5-2007)

L. Passenger Vehicle Parking In Yards:

1. Front Yards: Off street parking of a passenger vehicle in residential districts shall not be located in any front yard; except, that off street parking accessory to single-family or multiple-family dwellings may be located in any driveway (except as otherwise provided in this code) improved in accordance with the standards provided in this code.
2. Side And Rear Yards: Off street parking of a passenger vehicle in residential districts shall not be located in any side or rear yard; except, that off street parking accessory to single-family or multiple-family dwellings may be located in an enclosed garage or in any driveway (except as otherwise provided in this code) improved in accordance with the standards provided in this code. (Ord. 2011-21, 5-12-2011)

9-10-2-1: SCHEDULE OF PARKING REQUIREMENTS:

For the following uses, accessory off street parking spaces shall be provided as required hereinafter:

A. Residential and dwelling uses, as follows:

Hotels, motels: One parking space for each room used for lodging; one parking space for each two (2) employees and one parking space for each one hundred (100) square feet of retail sales and dining area.

Multiple-family dwellings: One and one-half (1¹/₂) parking spaces for each dwelling unit. Not less than one required parking space in a completely enclosed building.

Single-family dwellings: Two (2) parking spaces for each dwelling unit. Not less than one required parking space in a completely enclosed building. (1976 Code §22-20-3)

B. Retail, industrial and service uses, as follows:

Automobile service stations: One parking space for one hundred twenty five (125) square feet of net floor area.

Banks and other financial institutions: One parking space for each two hundred fifty (250) square feet of net floor area.

Bowling alleys and other amusement establishments: Four (4) parking spaces for each alley or one parking space for each two hundred (200) square feet of net floor area, whichever formula results in the greater number of required parking spaces as may be required herein for affiliated uses (restaurants and the like) as are set forth herein for such uses.

Car washes: Fifteen (15) reservoir spaces for each wash rack, plus two (2) parking spaces per rack for employees.

Cargo container facilities: One parking space per employee, but not less than six (6) spaces, plus one parking space per five hundred (500) square feet of gross floor area.

Drive-in facilities: Ten (10) reservoir/stacking parking spaces or five (5) reservoir/stacking parking spaces per drive-in window, whichever formula results in the greater number of required spaces.

Establishments dispensing food or beverages for consumption on premises: One parking space for each two hundred (200) square feet of net floor area for establishments within a multi-tenant building; twelve (12) parking spaces for each one thousand (1,000) square feet of net floor area (excluding restrooms, storage areas and utility rooms) for establishments in a freestanding single use building.

Funeral parlors: One parking space for each two hundred (200) square feet of net floor area or twelve (12) parking spaces for each chapel or parlor, whichever formula results in the greater number of required parking spaces.

Furniture and appliance stores, household equipment or furniture repair shops: One parking space for each three hundred (300) square feet of net floor area.

Industrial uses: One parking space for each six hundred (600) square feet of net floor area or two (2) parking spaces for each three (3) employees, whichever formula results in the greater number of required spaces.

Mixed industry-business uses: One parking space for each three hundred (300) square feet of net floor area.

Motor vehicles and machinery sales: One parking space for each three hundred (300) square feet of net floor area.

Offices - business, corporate, professional, governmental: For buildings with less than fifty thousand (50,000) square feet of net floor area, four (4) parking spaces for each one thousand (1,000) square feet of net floor area, for buildings with fifty thousand (50,000) square feet or more of net floor area, three and three-tenths (3.3) parking spaces for each one thousand (1,000) square feet of net floor area.

Retail stores: One parking space for each two hundred (200) square feet of net floor area.

Self-storage facility and miniwarehouses: 0.179 parking space per one thousand (1,000) square feet of net floor area.

Theaters (indoor): For theater complexes with less than ten (10) screens, one parking space for each two and one-half (2¹/₂) seats based on rated design capacity; and for theater complexes with ten (10) or more screens, one parking space for each three (3) seats based on rated design capacity.

Warehouse and storage buildings: For buildings with less than fifty thousand (50,000) square feet of net floor area, one parking space for each one thousand (1,000) square feet of net floor area; for buildings with fifty thousand (50,000) to one hundred thousand (100,000) square feet, one parking space for each one thousand five hundred (1,500) square feet of net floor area; for buildings in excess of one hundred thousand (100,000) square feet of net floor area, one parking space for each two thousand (2,000) square feet of net floor area.

Additional requirements: In addition to the above requirements, all businesses shall provide one parking space for each vehicle used in the conduct of the business. (1976 Code §22-20-3; amd. Ord. 89-66, 12-14-1989; Ord. 94-20, 3-24-1994; Ord. 2000-47, 8-24-2000; Ord. 2009-31, 7-16-2009; Ord. 2014-36, 6-12-2014)

C. Community service uses, as follows:

Animal hospitals and kennels: One parking space for each two hundred fifty (250) square feet of net floor area.

Hospitals, convalescent homes, institutions for the aged or infirm, nursing homes and sanatoriums: One and one-half (1¹/₂) parking spaces for each one thousand (1,000) square feet of net floor area, plus one parking space for each two (2) employees.

Libraries, art galleries and museums - public: One parking space for each five hundred (500) square feet of net floor area.

Medical and dental offices, clinics and health centers: One parking space for each two hundred (200) square feet of net floor area.

Municipally or privately owned recreation buildings or community centers: One parking space for each two hundred fifty (250) square feet of net floor area, plus spaces adequate in number as determined by the plan commission to serve the public.

Public utility and public service uses: One parking space for each five hundred (500) square feet of net floor area plus one parking space for each vehicle used in the conduct of the establishment.

D. Schools, public and private, as follows:

Colleges, universities and business, professional and trade schools: One parking space for each two (2) employees, plus one parking space for each four (4) students based on rated design capacity.

Daycare centers: One parking space for each five hundred (500) square feet of net floor area, plus one parking space for each employee and for each bus or vehicle used in the conduct of the center.

Elementary or junior high schools: Two (2) parking spaces for each classroom, plus one parking space for each vehicle used in the conduct of the

school or one parking space for each three (3) seats in the auditorium or gymnasium, whichever formula results in the greater number of spaces.

High schools: Ten (10) parking spaces for each classroom, plus one parking space for each vehicle used in the conduct of the school and one parking space for each three (3) seats in an auditorium or gymnasium.

Nursery schools: One parking space for each five hundred (500) square feet of net floor area, plus one parking space for each bus or other vehicle used in the conduct of the school. (1976 Code §22-20-3; amd. Ord. 94-20, 3-24-1994)

E. Places of assembly, as follows:

Arenas, community centers, auditoriums or stadiums: One parking space for each two hundred (200) square feet of net floor area or one parking space for each three (3) seats based on design capacity, whichever is greater.

Cultural institutions: One parking space for each five hundred (500) square feet of net floor area. (1976 Code §22-20-3; amd. Ord. 94-20, 3-24-1994; Ord. 2004-49, 7-15-2004)

F. Miscellaneous uses, as follows:

For the following uses, parking spaces in adequate numbers as determined by the plan commission, to serve persons employed or residing on the premises as well as the visiting public:

Airports or aircraft landing fields; heliports.
 Convents and monasteries.
 Crematories and mausoleums.
 Fraternal or religious institutions, including churches.
 Rectories and parish houses.
 Swimming pools.

Fraternities, sororities and dormitories: One parking space for each bed.

Mixed uses: For mixed use developments that are unspecified at the time of issuance of building permits, parking on the basis of one space per two hundred (200) square feet of net floor area.

Other uses: For uses not listed heretofore in this schedule of parking requirements, parking on the same basis as required for the most similar use listed or as determined by the plan commission. (1976 Code §22-20-3; amd. Ord. 94-20, 3-24-1994)

9-10-3: ADDITIONAL LOADING REGULATIONS AND REQUIREMENTS:

There shall be provided off street loading berths meeting not less than the minimum requirements set forth in this section in connection with any structure, the use of which may require the receipt or distribution of goods, materials, equipment or merchandise by trucks or similar vehicles in accordance with the following: (1976 Code §22-20-4)

A. Location: All required loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over eight thousand (8,000) pounds' gross vehicular weight shall be closer than fifty feet (50') to any property in a residential district unless completely enclosed by building walls or a uniformly painted solid fence or wall or any combination thereof, not less than six feet (6') in height. No permitted or required loading berth shall be located within twenty five feet (25') of the nearest point of intersection of any two (2) dedicated streets.

In the RBC regional business center district, and the ORI office, research and light industrial district, all loading docks in the fronts of buildings (as indicated on site plans submitted with building permit applications) shall be fully enclosed. (Ord. 2007-16, 4-5-2007)

B. Access: Each required off street loading berth shall be designed with appropriate means of vehicular access to a street in a manner which will least interfere with traffic movements.

C. Structural Design: All off street loading berths shall be improved in accordance with the standards established by the village which may be found both within this title and within the village subdivision control ordinance⁵.

D. Repair And Service: No vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any zoning district.

E. Size And Number Of Loading Spaces:

1. Residence Districts And Business Districts: The minimum number of off street loading spaces necessary to nonresidential uses in residence districts and business districts shall be: One loading space for buildings containing ten thousand (10,000) to one hundred thousand (100,000) square feet of gross floor area, plus one additional loading space for each additional one hundred thousand (100,000) square feet of gross floor area or fraction thereof. The minimum required size of such loading spaces shall be ten feet (10') in width and twenty five feet (25') in length, exclusive of aisle and maneuvering space, and have a vertical clearance of not less than twelve feet (12').

2. Industrial Districts: The minimum number and size of off street loading spaces accessory to uses in industrial districts shall be in accordance with the following schedules:

Floor Area Of Establishments		Required Number	Minimum Size	Minimum Vertical Clearance
5,000 -	10,000	1	10' x 35'	12'
10,000 -	25,000	2	10' x 35'	12'
25,000 -	40,000	2	12' x 50' ea.	14'
40,000 -	100,000	3	12' x 50' ea.	14'

For each additional one hundred thousand (100,000) square feet of gross floor area, or fraction thereof over one hundred thousand (100,000) square feet of gross floor area, one additional loading space. Such additional space shall be at least thirteen feet (13') in length and have a vertical clearance of not less than fourteen feet (14'). Loading spaces on lots located on the main thoroughfares shall be so situated as to enable the vehicles to back into the loading dock from areas other than the main thoroughfare. (1976 Code §22-20-4)

3. Office Buildings: Notwithstanding anything of the above to the contrary, in the RBC regional business center district and ORI office, research and light industrial district, no office building shall be required to have more than two (2) off street loading berths. (Ord. 2007-16, 4-5-2007)

9-10-4: LANDBANKED PARKING:

- A. Landbanked Parking Authorized: Notwithstanding any other provision of this title, the board of trustees may, in its sole discretion, authorize not more than fifty percent (50%) of the off street parking spaces required by this title to be landbanked. These landbanked parking spaces shall be left as lawn or a landscaped area which can readily be converted into parking facilities. Landbanked parking areas shall not count toward the minimum landscaped area required on the site. (Ord. 2001-02, 1-25-2001; amd. Ord. 2017-51, 9-21-2017)
- B. Landbanked Parking Calculations: The calculation of maximum landbanked parking which may be permitted shall be as follows:
1. All Buildings: The calculation of landbanked parking shall be based on the expected number of employees and guests. Prior to the issuance of any building permits, the owner shall submit in writing the highest expected number of employees and guests that may be on the property at one time. This may be during certain peak hours of operation or during a shift change, whichever produces the highest number of people on the site as determined by the Village. A minimum of one (1) space shall be provided for every person in the building during such peak hour of operation. (Ord. 2001-02, 1-25-2001)
 2. Speculative Buildings: The calculation of landbanked parking for buildings without identified tenants at the time of construction shall be estimated. Prior to the issuance of any building permit, the owner or prospective tenant shall provide the Community Development Department with a detailed estimate of parking requirements for the site, subject to approval by the Village. Prior to the issuance of an interior building permit, the tenant must submit in writing the highest expected number of employees and guests for the proposed use that may be on the property at one time so the landbanked parking can be reevaluated. This may be during certain peak hours of operation or during a shift change, whichever produces the highest number of people on the site, as determined by the Village. A minimum of one (1) space shall be provided for every person in the building during such peak hours of operation. (Ord. 2001-02, 1-25-2001; amd. Ord. 2010-29, 5-20-2010)
- C. Landbanked Parking Plans Required: At the time of SDA review for the property in question, the required landscape, site, engineering and photometric plans shall correctly label the proposed landbanked parking. In addition, all plans shall include the landscape plantings and landscape islands for all off street parking areas as required by [chapter 13](#) of this title.
- D. Landbanked Parking Agreement: The property owner shall submit a completed landbanked parking agreement. This agreement shall be in a form acceptable to the Village Attorney, approved by the Village Board of Trustees and recorded with the Recorder of Deeds of the County in which the property is located.
- E. Termination Of Landbanked Parking: As stated in the landbanked parking agreement (upon written notice by the Zoning Officer), the owner of the property with an approved landbanked parking agreement shall construct the required spaces within sixty (60) days. The Zoning Officer may use the following events to determine if the landbanked parking should be constructed:
1. Upon inspection and determination by the Zoning Officer that utilization of constructed parking spaces has averaged more than ninety percent (90%) of the parking spaces provided (exclusive of handicapped spaces), and/or that overflow parking on streets, lawns or adjacent lots resulted on two (2) or more occasions within any one year time period after the issuance of a final certificate of occupancy for the property in question; or
 2. The building(s) or use(s) upon the property in question is (are) changed or expanded and the Zoning Officer, upon review and reconsideration of the parking demand, determines that some or all of the landbanked parking spaces are required to meet the new predicted parking demand for the property in question. Additional required spaces (over and above the number of spaces landbanked) and/or a new landbanked parking agreement may be required by the expansion or change in use. (Ord. 2001-02, 1-25-2001)

Chapter 11

SIGNS¹

9-11-1: PURPOSE AND INTENT:

The purpose of this chapter is to preserve, protect and promote the public health, safety and welfare by regulating outdoor advertising and signs of all types. It is intended to enhance the physical appearance of the village, make it a more enjoyable and pleasing community, and create an attractive economic and business climate. Also, it is intended to reduce the sign or advertising distractions which may increase traffic accidents, eliminate hazards caused by signs overhanging or projecting over public rights of way, relieve pedestrian and traffic congestion, provide more open space and avoid the "cancelling out" effect of adjacent signs. Signs not expressly permitted or exempted under this code are prohibited. (1976 Code §22-21-1; amd. Ord. 2005-47, 8-18-2005)

9-11-2: CONSTRUCTION PERMIT REQUIREMENTS²:

- A. Construction Permit Required: Except as otherwise provided herein, no sign shall be located, constructed, erected, structurally altered, relocated or enlarged without the owner thereof first having obtained a sign permit.
- B. Application For Permit: Application shall be made upon forms provided by the village and shall include the following information:
1. Name, address, telephone number and signature of the applicant, and if the applicant is someone other than the owner of the property upon which the sign is located or to be constructed, the name, address, telephone number and signature of the owner of said property. The application shall further identify the owner of the sign and the name of the person erecting, constructing, altering or relocating the sign.
 2. The location by street number and any common name applied to any building, structure or premises to or upon which the sign is to be attached or erected.
 3. The position of the sign in relation to nearby buildings, structures or premises to or upon which the sign is to be attached or secured, together with a landscape plan, if required.
 4. Such number of copies of the plans and specifications, description of the method of construction, location and support, sealed by a registered architect, structural engineer, professional engineer or prepared by a sign manufacturer, including such measurement of dimensions as the zoning officer may reasonably request.
 5. Sketch showing sign faces, exposed surfaces and proposed message thereof, accurately represented in scale as to size, proportion and color.
 6. The zoning classification of the property on which the sign will be erected.
 7. Such other information as the zoning officer may reasonably require.
- C. Permit Fee: Each application shall be accompanied by the payment of a sign construction permit fee in accordance with the schedule set forth in subsection [3-1A-3B12](#) of this code. (1976 Code §22-21-2)
- D. Insurance: Prior to the issuance of a sign construction permit, an applicant shall submit a policy of liability insurance or certificate evidencing the existence of same, demonstrating that the applicant has obtained insurance coverage for property damage and personal injury which might be proximately caused by the construction, maintenance or use of any such sign. The insurance company issuing such policy or certificate shall be an insurance company authorized to transact business in the state of Illinois. Said insurance coverage shall minimally provide twenty thousand dollars (\$20,000.00) for any one occurrence of property damage and fifty thousand dollars (\$50,000.00) for any one occurrence of personal injury. (1976 Code §22-21-8)
- E. Issuance Or Denial Of Permit: All required sign permits shall be issued by the zoning officer. The zoning officer shall examine all plans and specifications, the premises upon which a sign is to be erected, constructed, altered or relocated, the sign or other advertising structure and other relevant data or material. Should the zoning officer conclude that the proposed sign is in compliance with all requirements of this code, he shall issue a permit. If the zoning officer determines that the proposed sign is not in compliance with all requirements of this code, he shall deny the application and give written notice thereof to the applicant, together with a brief statement of the reason for denial.
- F. Term Of Permit; Time For Completion Of Sign: Sign permits shall be valid for a period of ninety (90) days from the date of issuance. If the work authorized under the permit has not been completed within said ninety (90) day period, the permit shall become null and void and the applicant thereon shall be required to apply for a new permit.
- G. Suspension Or Revocation Of Permit: The zoning officer may, in writing, suspend or revoke any permit issued under provisions of this section if he shall determine that the holder thereof failed to comply with any provisions of this chapter. All construction shall cease and the work done will be removed or changed to comply with all provisions of this code and the plans and specifications therefor approved by the zoning officer. (Ord. 88-37, §4)

9-11-3: PROHIBITED SIGNS:

The following signs are specifically prohibited:

- A. Commercial billboards and poster boards when located upon vacant premises or when displaying information not related to the conduct of a business or other enterprise located on the same premises as said billboard or poster board.
- B. Flashing signs.
- C. Projecting signs.
- D. Portable signs.
- E. Festoon lights.
- F. Commercial signs not indicating bona fide business conducted or a product sold on the premises, except as otherwise permitted in subsection [9-11-5C](#) of this chapter.
- G. Manual, changeable copy signs, excluding the moving image and/or text of electronic message board signs as permitted elsewhere in this title.
- H. Signs which contain statements, words, pictures or other depictions of an obscene, indecent or immoral character and which offend the public morals or decency.
- I. Signs which impede, impair, obstruct or otherwise conflict with traffic signals, vehicular or pedestrian travel, access to fire hydrants and fire lanes and exits, and other signs which reasonably impede or impair the public health, safety and welfare.
- J. Signs on vehicles, boats or trailers in place other than one sign not larger than two feet by two feet (2' x 2') advertising said vehicle, boat and/or trailer for sale or rent. This shall not be interpreted to prohibit lettering on motor vehicles or advertisements on buses or taxicabs.
- K. Sign over or across any public right of way, except as otherwise permitted in subsection [9-11-5C](#) of this chapter.
- L. Roof signs. (Ord. 2011-21, 5-12-2011)

9-11-4: GENERAL STANDARDS:

- A. Location: No sign shall be constructed or maintained in a location prohibited by this code. No sign shall be constructed or maintained so as to prevent free ingress and egress from any door.
- B. Imitating Or Obstructing Traffic Signs³: In order to promote and secure traffic safety, no sign shall be erected or maintained in such a manner as to interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device. The zoning officer shall review each application for a sign construction permit to assure that no sign be permitted which will adversely affect the public safety. Accordingly, no sign, marquee, canopy or awning shall make use of the words "stop", "go", "look", "slow", "danger" or a similar word, phrase, symbol or a character or employ any red, yellow, green or other colored lamp in such a manner as to interfere with, mislead or confuse traffic.
- C. Violation Of State Highway Advertising Provisions: No sign permitted pursuant to this code shall be constructed or maintained in any way which would violate the Illinois highway advertising control act of 1971, as amended⁴.

- D. Signs Projecting Above Rooftops: No sign shall be constructed or maintained so as to project above the top edge of a roof or the top of a parapet, whichever forms the top line of a building silhouette.
- E. Attaching Signs To Utility Poles, Trees, Etc.: No sign shall be attached to a utility pole, tree, standpipe, gutter, drain or fire escape, nor shall any sign be constructed or maintained so as to impair access to a roof.
- F. Signs Obstructing Public Ways: Except as otherwise herein provided, no sign shall be located, constructed or maintained upon, over or project into any public right of way or easement. Any sign located upon, over or into a public right of way is subject to immediate removal without notice that may be otherwise required by this chapter. (1976 Code §22-21-8)

9-11-5: LOCATION:

Signs shall be located on the same premises as the principal use served and in yards or attached to buildings as follows: (1976 Code §22-21-10)

- A. All residential districts: Permitted signs may be located anywhere on the property but not closer than three feet (3') to any lot line. Signs may not be located within any sight distance triangle if any portion of the sign (exclusive of any supporting structure less than 2 feet in width) is between three feet (3') in height above grade and eight feet (8') in height above grade. (Ord. 2011-21, 5-12-2011)
- B. All nonresidential districts:
1. No sign shall project into the public right of way nor shall a sign attached to a building extend more than twelve inches (12") from the face of the building.
 2. Wall signs shall be no higher than the height of the building and no lower than five feet (5') above average surrounding grade; provided, however, that no such sign shall be lower than ten feet (10') above average surrounding grade when located above any entrance, sidewalk, walkway or any other area available for pedestrian traffic.
 3. Wall signs may be located on a wall screening rooftop mechanical equipment, but cannot cover a window. (Ord. 94-20, 3-24-1994)
 4. A ground sign may be located in any required yard, but shall not extend over any lot line. A ground sign shall not be erected, altered, or maintained within any sight distance triangle if any portion of the sign (exclusive of any supporting structure less than 2 feet in width) is between three feet (3') in height above grade and eight feet (8') in height above grade.
- C. All districts: Notwithstanding anything herein to the contrary, off premises signs shall be permitted provided they are located on a bus shelter owned and maintained by a corporation created pursuant to the regional transportation authority act⁵, which bus shelter is located on a public right of way that is under the jurisdiction and control of the village, and subject to the following:
1. The area of advertising signage shall not exceed forty eight (48) square feet, twenty four (24) square feet on a single side; and be restricted to one of the four (4) sides of the shelter. The display shall not totally obstruct the view into the shelter from the outside; i.e., a visible gap is provided at the bottom and the top to permit a view of persons using the bus shelter.
 2. A lease agreement for the bus shelter must be in place between the village and a corporation formed pursuant to the regional transportation authority act⁶. (Ord. 2011-21, 5-12-2011)

9-11-6: CONSTRUCTION AND MAINTENANCE:

All signs shall be constructed and maintained as hereinafter provided:

- A. Compliance With Building Code: All signs shall be constructed of approved materials and maintained, repaired and altered in compliance with the requirements of the building code of the village⁷.
- B. Compliance With Electrical Code: All signs employing or containing any electrical wiring and/or connections shall comply with the electrical code of the village⁸. (Ord. 88-37, §4)
- All illuminated surfaces of a sign shall be maintained to properly function as set forth in the approved sign permit. Burned out lights and bulbs shall be replaced within seven (7) days. (Ord. 92-06, 3-12-1992)
- C. Metal Signs: The face and background of all metal signs shall be constructed of metal not thinner than #28 B&S gauge. A metal faced sign may utilize a wood frame and may contain letters, figures, characters, borders or moldings made of wood. Any wooden border shall not exceed three inches (3") in

width.

- D. Wind Pressure And Dead Load Requirements: Every sign shall be designed and constructed to withstand a wind pressure of thirty (30) pounds per square foot and to receive dead loads as required by the Woodridge building code⁹ or other applicable ordinances or regulations.
- E. Glass Requirements: Glass forming any part of a sign shall be heavy safety glass having a minimum thickness of one-fourth inch ($\frac{1}{4}$ "). Any single piece or pane of glass exceeding three (3) square feet in area shall be wired glass or plexiglas.
- F. Painting And Maintenance: Owners shall paint and maintain all parts and supports of each sign owned by them as necessary to prevent rusting, rotting or deterioration or the endangering of public health or safety. (Ord. 88-37, §4)

9-11-7: SIGN SURFACE AREA, HEIGHT AND NUMBER LIMITATIONS:

Refer to section [9-11-16](#) of this chapter for the criteria that shall be used in measuring a sign or building facade in order to determine compliance with this chapter. (Ord. 2015-72, 12-17-2015)

A. All Residential Districts:

1. No sign shall be permitted in any residential district except as otherwise provided in this code or as hereinafter provided in subsection A2 of this section. (1976 Code §22-21-11)
2. A single development consisting of one or more multiple-family dwellings containing, in the aggregate, at least thirty (30) dwelling units, shall be permitted a single sign not exceeding thirty two (32) square feet in sign surface area. Said sign shall indicate only the name of the development, address, and the name and telephone number of the management thereof. Any such multiple-family development located on a lot or parcel situated at a corner of two (2) intersecting streets shall be permitted two (2) such signs containing the information as set forth above, each containing not more than thirty two (32) square feet in sign surface area, one facing each adjacent street. (Ord. 2001-02, 1-25-2001)
3. No sign on an improved lot or parcel shall be mounted at a height which causes the top of the sign to exceed six feet (6') above average surrounding grade. No sign on an unimproved or vacant lot or parcel shall be mounted at a height which causes the top of the sign to exceed eight feet (8') above average surrounding grade. (1976 Code §22-21-11)
4. Residential development entrance signs shall be permitted for single-family attached or detached developments containing fifteen (15) or more dwelling units. Residential development entrance signs shall only indicate the name of the development. A maximum of two (2) signs shall be permitted at each entrance to the development. The maximum sign surface area at each street entrance into the development shall not exceed thirty two (32) square feet, with a maximum sign surface area for the total development of sixty four (64) square feet. Residential development entrance signs may be mounted on an architectural entrance feature. (Ord. 94-20, 3-24-1994; amd. Ord. 2001-02, 1-25-2001; Ord. 2014-10, 2-27-2014)
5. For nonresidential uses in residential districts:
 - a. Ground Signs: A single ground sign not exceeding sixty (60) square feet in sign surface area shall be permitted.
 - b. Wall Signs: One wall sign shall be permitted on each side of the building that faces an abutting street. The maximum sign surface area for a wall sign on each side of the building facing an abutting street shall be three percent (3%) of the surface area of the side of the building (inclusive of the area taken up by windows) up to a maximum of fifty (50) square feet. (Ord. 98-53, 9-24-1998)
 - c. Electronic Message Board: In lieu of the heretofore permitted ground sign, a single electronic message board may be installed, subject to the requirements provided in subsection C of this section. (Ord. 2013-53, 10-24-2013)

B. All Nonresidential Districts: Every "business" as defined herein shall be permitted to erect signs indicating only the business name and address and the major enterprise, or the principal product offered for sale on the premises.

1. For the B-1 Neighborhood Shopping District, B-2 Community Shopping District, B-3 Highway and Service Business District, OSB Office and Service Business District, and M-1 Manufacturing District, the following standards shall apply: (Ord. 2007-16, 4-5-2007)
 - a. Permitted Wall And Window Identification Signs: The maximum sign surface area permitted under this section for wall and window identification signs shall be permitted for a maximum of two (2) facades that abut either a public street or private drive aisle (not including a facade that faces a residential use) as follows: (Ord. 2013-53, 10-24-2013)
 - (1) Office buildings (buildings which are principally occupied by office uses):
 - (A) Single Tenant: The maximum sign surface area for wall and window identification signs on each side of the building facing an abutting street shall be five percent (5%) of the surface area of the side of the building (inclusive of the area taken up by windows) up to a maximum of two hundred (200) square feet. (Ord. 2007-16, 4-5-2007)
 - (B) Multi-Tenant: Where a principal building is occupied by two (2) or more tenants, the maximum sign surface area per tenant for wall and window identification signs shall be five percent (5%) of the surface area of the side of the building (inclusive of the area taken up by windows)

up to a maximum of two hundred (200) square feet. Wall signs may be located anywhere on an exterior building wall, including on a wall screening rooftop mechanical equipment. No roof signs are permitted. (Ord. 2007-16, 4-5-2007; amd. Ord. 2011-21, 5-12-2011)

(2) Industrial buildings (buildings which are principally occupied by industrial, manufacturing, fabricating, processing, warehousing and/or distribution uses): (Ord. 2007-16, 4-5-2007)

(A) Single Tenant: The maximum sign surface area for wall and window identification signs shall be five percent (5%) of the surface area of the side of the building (inclusive of the area taken up by windows) up to a maximum of three hundred (300) square feet.

(B) Multi-Tenant: Where a principal building is occupied by two (2) or more tenants, the maximum sign surface area per tenant for wall and window signs shall be five percent (5%) of the surface area of the side of the building (inclusive of the area taken up by windows) up to a maximum of three hundred (300) square feet. Wall signs may be located anywhere on an exterior building wall, including on a wall screening rooftop mechanical equipment. No roof signs are permitted. (Ord. 2007-16, 4-5-2007; amd. Ord. 2011-21, 5-12-2011)

(3) Retail commercial buildings (buildings which are principally occupied by retail commercial uses):

(A) Single Tenant: The maximum sign surface area may not exceed two and one-half ($2\frac{1}{2}$) square feet of sign surface area for each linear foot the tenant occupies in the building or structure at the premises, or two hundred fifty feet (250'), whichever is greater.

(B) Multi-Tenant: Where a principal building is occupied by two (2) or more tenants, the maximum sign surface area per tenant may not exceed two and one-half ($2\frac{1}{2}$) square feet of sign surface area for each linear front foot the tenant occupies in the building or structure at the premises up to a maximum five hundred (500) square feet. Wall signs shall consist of individual or grouped letters and symbols which are backlit or individually lighted. (Ord. 2013-53, 10-24-2013)

b. Ground Signs:

(1) Number: There shall be no more than one (1) ground sign per lot, except as otherwise provided for in this section.

(2) Maximum Sign Surface Area And Height:

(A) Pylon ground signs shall not exceed a sign surface area of one hundred twenty (120) square feet and shall not exceed a maximum height of sixteen feet (16') above the average surrounding grade, however, no sign face shall be lower than eight feet (8') above the average surrounding grade. (Ord. 2007-16, 4-5-2007)

(B) Monument ground signs shall not exceed a sign surface area of one hundred sixty (160) square feet and shall not exceed a maximum height of twelve feet (12') above average surrounding grade. The sign surface area portion of a monument ground sign shall not be less than three feet (3') above the average surrounding grade. (Ord. 2007-16, 4-5-2007; amd. Ord. 2017-51, 9-21-2017)

(3) Multi-Tenant Ground Signs: Multi-tenant ground signs shall be permitted for all commercial developments containing two (2) or more tenants. Multi-tenant ground signs shall be either pylon or monument signs.

(A) Number Of Panels: No multi-tenant ground sign (monument or pylon type) shall have more than eight (8) panels per side on the sign surface area identifying the businesses located therein. The panel identifying the development is excluded from this count.

(B) Sign Content: Multi-tenant signs shall not contain any advertisement other than the identity of the development and the businesses located therein. (Ord. 2007-16, 4-5-2007)

c. Shopping Center Identification Signs: Shopping center identification ground signs shall be permitted in shopping center developments containing two (2) or more businesses. Shopping center identification ground signs may be either pylon or monument type ground signs and shall be allowed in addition to the allowable outlot signage as permitted herein.

(1) Number: There shall be no more than one shopping center identification ground sign for each shopping center development, except that where the development is located at the corner of two (2) intersecting streets, two (2) signs shall be permitted; one facing each abutting street.

(2) Sign Surface Area: The sign surface area of such ground sign (pylon or monument type) for shopping centers less than twenty (20) acres shall not exceed one hundred sixty (160) square feet. The maximum sign surface area for two (2) shopping center identification ground signs on a corner lot shall not exceed three hundred twenty (320) square feet. The sign surface area of ground signs (pylon or monument type) for shopping centers more than twenty (20) acres shall not exceed six hundred fifty (650) square feet. The maximum sign surface area for two (2) shopping center identification ground signs on a corner lot shall not exceed one thousand two hundred eighty (1,280) square feet.

(3) Height: Shopping center identification ground signs (pylon or monument type) shall not exceed a maximum height of sixteen feet (16') above the average surrounding grade for shopping centers less than twenty (20) acres. For pylon type signs no sign face shall be lower than eight feet (8') above surrounding grade. Shopping center identification ground signs (pylon or monument type) for shopping centers more than twenty (20) acres shall not exceed a maximum height of twenty five feet (25') above the average surrounding grade.

(4) Sign Content: Shopping center identification ground signs shall not contain any advertisement other than the identity of the shopping center and the businesses located therein.

(5) Number Of Panels: No shopping center identification sign shall have more than eight (8) panels per side on the sign surface area identifying the businesses located therein. The panel identifying the development is excluded from this count.

(6) Outlot Ground Signs: In addition to the shopping center identification ground signs permitted herein, outlot ground signs shall be permitted on any shopping center outlot created as a building site for one principal building or use. An outlot ground sign shall not exceed a height of six feet (6') and shall not exceed a total sign surface area of eighty (80) square feet. (Ord. 2013-53, 10-24-2013)

- d. Gasoline Service Station Signs: In addition to the signage permitted herein, establishments whose principal business is the sale of gasoline and the repair of motor vehicles shall be permitted signs, as required by law, indicating the price of gasoline available on the premises. Said signs shall be limited so as to not exceed a maximum of sixty (60) square feet of sign surface area for any one premises. Notwithstanding any provision contained in this title to the contrary, electronic message boards shall be permitted, provided the electronic components are used solely for the purpose of displaying the price of gasoline. (Ord. 2009-31, 7-16-2009)
- e. Wall Signs: Wall signs shall be no higher than the height of the building and no lower than five feet (5') above average surrounding grade; provided, however, that no such sign shall be lower than ten feet (10') above average surrounding grade when located above any entrance, sidewalk, walkway or any other area available for pedestrian traffic.
- f. Office/Industrial Development Entrance Signs: Two (2) signs shall be permitted at each entrance. Each sign may indicate only the name of the development, the management or developer thereof, and/or the address or location of the development. Such signs shall not exceed one hundred (100) square feet of sign surface area and a maximum height of twelve feet (12') above average surrounding grade and may be a part of, or mounted on, an architectural entrance feature.
- g. Drive-Through Menu Board: Up to three (3) menu boards for a business with a drive-in or drive-through establishment shall be permitted with a maximum area of seventy five (75) square feet. (Ord. 2013-53, 10-24-2013)
2. For the RBC regional business center district, the following standards shall apply:
- a. Directional, Miscellaneous Signs: Directional, address and identification signs, whether wall or ground mounted, with sign surface areas less than six (6) square feet are allowed without restriction. (Ord. 2007-16, 4-5-2007)
- b. Movie Theater Buildings:
- (1) Ground signs shall be permitted in accordance with the provisions set forth in subsection B2d(3) of this section.
 - (2) The provisions of this subsection B with respect to the amount of signage located on the exterior walls of large retail buildings are modified to allow the maximum sign surface area of one sign permitted on one of the exterior walls of a movie theater to be up to a maximum of four hundred fifty (450) square feet, and up to a maximum of the lesser of five hundred fifty (550) square feet or five percent (5%) of the area of the wall for two (2) signs. The provisions are further modified to permit a maximum of five (5) total signs per building.
 - (3) Electronic message boards may be incorporated into a permitted ground sign in accordance with the provisions set forth in subsection C of this section. (Ord. 2013-53, 10-24-2013)
- c. Gasoline Service Station Signs: In addition to the signage permitted herein, establishments whose principal business is the sale of gasoline and the repair of motor vehicles shall be permitted signs, as required by law, indicating the price of gasoline available on the premises. Said signs shall be limited so as to not exceed a maximum of sixty (60) square feet of sign surface area for any one premises. Notwithstanding any provision contained in this title to the contrary, electronic message boards shall be permitted, provided the electronic components are used solely for the purpose of displaying the price of gasoline. (Ord. 2009-31, 7-16-2009)
- d. Nonretail Buildings And Large Retail Buildings: The following standards apply to buildings which are not principally occupied by retail or restaurant uses and to "large retail buildings" (defined for the purposes of this section as retail buildings with gross floor area in excess of 75,000 square feet which are occupied by a single principal use but may also contain uses which are accessory or related to the principal use):
- (1) Wall And Window Identification Signs, Single Tenant: The maximum sign surface area permitted is five percent (5%) of the area of the wall up to a maximum of three hundred fifty (350) square feet for one sign and up to a maximum of seven hundred fifty (750) square feet for two (2) or more signs. Notwithstanding the above, no sign shall exceed five hundred (500) square feet in area. Wall signs may be located anywhere on an exterior building wall; no roof signs are permitted. Wall signs shall consist of individual letters and symbols which are backlighted or individually lighted.
 - (2) Wall And Window Identification Signs, Multi-Tenant: Where a principal building is occupied by two (2) or more tenants, the maximum sign surface per tenant may not exceed two and one-half ($2\frac{1}{2}$) square feet of sign surface area for each linear front foot the tenant occupies in the building or structure at the premises up to a maximum of one hundred fifty (150) square feet. Wall signs shall consist of individual or grouped letters and symbols which are backlighted or individually lighted.
 - (3) Ground Signs: A maximum of one ground mounted sign for each side of a building which has street frontage is permitted. A maximum of one ground mounted sign is permitted for a building without street frontage. A ground sign shall have no more than two (2) sign surfaces and shall have a total of no more than one hundred sixty (160) square feet of sign surface area. Sign surfaces shall contain no more than eight (8) business names in addition to building identifications. Ground signs shall be set back a minimum of five feet (5') from road right of way lines and shall have a maximum height of ten feet (10') from the top of the nearest roadway curb, but in any circumstance, a five foot (5') high sign shall be permitted.
- e. Retail Buildings:
- (1) Ground Signs: Ground signs for buildings which are principally occupied by retail or restaurant uses, including shopping center identification signs, shall have a maximum height of ten feet (10') from the top of the nearest roadway curb. The permitted sign surface area for such signs shall be two (2) square feet for each two and one-half feet ($2\frac{1}{2}$) of linear building frontage up to a maximum of eighty (80) square feet for a sign with two (2) sign surfaces and forty (40) square feet for a sign with one sign surface. A sign surface shall contain no more than eight (8) business names. Freestanding retail and restaurant buildings within a shopping center complex shall not have a ground sign separate from that of the shopping center.
 - (2) Wall And Window Identification Signs, Single Tenant: The maximum sign surface area permitted shall not exceed two hundred fifty (250) square feet.
 - (3) Wall And Window Identification Signs, Multi-Tenant: Where a principal building is occupied by two (2) or more tenants, the maximum sign surface per tenant may not exceed two and one-half ($2\frac{1}{2}$) square feet of sign surface area for each linear front foot the tenant occupies in the building or structure at the premises up to a maximum of two hundred fifty (250) square feet. Wall signs shall consist of individual or grouped letters and symbols which are backlighted or individually lighted.
- f. Development Signs: Signs identifying a development area under common ownership, control or designation are permitted as additional signs within the RBC district, subject to the following restrictions:

- (1) Expressway Signs: One development area sign with a maximum of two (2) sign surfaces may be located on a premises adjacent to an interstate highway or tollway for each three hundred twenty (320) acres within a development area; each sign surface area shall not exceed eight hundred (800) square feet.
- (2) Corner Entryway Signs: No more than one corner entryway sign may be located on each corner of an intersection of public roads within and on the perimeter of a development area. Each corner entryway sign shall have no more than one sign surface which shall not exceed two hundred (200) square feet. A corner entryway sign shall have a maximum height of ten feet (10') from the top of the nearest roadway curb, but in any circumstance, a five foot (5') high sign shall be permitted. All corner entryway signs shall be located behind a line drawn between points on the nearest roadway right of way lines which are twenty five feet (25') away from the intersection of those lines. A corner entryway sign shall not be allowed if a permit has been issued for the erection of a median entryway sign in an adjacent landscaped center median in accordance with subsection B2f(3) of this section. (Ord. 2007-16, 4-5-2007)
- (3) Median Entryway Signs: Notwithstanding the provisions set forth in subsection [9-11-5B](#) of this chapter, the director of community development may, upon his sole and exclusive discretion as the zoning official, issue a sign permit for the erection of one median entryway sign at each street entrance to the development area where an improved landscaped center median is provided. In the exercise of determining whether or not a permit may be issued for a median entryway sign, the director of community development shall evaluate the conformance of the proposed sign to the applicable design, landscaping, illumination and construction standards set forth in this chapter as well as other standards set forth in this section. A median entryway sign shall not be allowed if a permit has been issued for the erection of a corner entryway sign on any of the adjacent corner properties, in accordance with subsection B2f(2) of this section. The director of community development shall not issue a permit for a median entryway sign unless the following standards are satisfied: (Ord. 2007-16, 4-5-2007; amd. Ord. 2010-29, 5-20-2010)
- (A) The width of the landscaped center median upon which the sign may be placed shall be not less than twenty feet (20') in width.
- (B) The sign may not exceed a total sign surface area of three hundred (300) square feet.
- (C) The sign may not exceed a height of fifteen feet (15') from the top of the nearest roadway curb, but in any circumstances at least a seven foot (7') high sign shall be permitted.
- (D) The sign may not be located less than thirty five feet (35') from the end of the median at the street intersection. (Ord. 2007-16, 4-5-2007)

Prior to the issuance of a sign permit for a median entryway sign, the applicant shall submit to the director of community development a signed maintenance agreement, prepared in a form acceptable to the director, which obligates the applicant and his successors or assigns to maintain the sign in accordance with subsection [9-11-2D](#), and sections [9-11-4](#), [9-11-6](#) and [9-11-13](#) of this chapter. In addition, the maintenance agreement shall indemnify, defend and hold the village harmless from any losses, claims, demands, actions or costs which the village may incur as a result of the construction, placement or maintenance of a median entryway sign. The village shall have the right to demand that the applicant and his successors or assigns cure any code violations pertaining to a median entryway sign within thirty (30) days of written notification of the violation. Failure to cure the violation within thirty (30) days shall give the village the right but not the obligation to order removal of the median entryway sign. (Ord. 2007-16, 4-5-2007; amd. Ord. 2010-29, 5-20-2010)

3. For the ORI office, research and light industrial district, the following standards shall apply:

- a. Directional And Address Signs: Internal directional and address ground mounted signs with sign surface areas less than sixteen (16) square feet are permitted.
- b. Wall And Window Identification Signs, Single Tenant: The maximum sign surface area permitted on each exterior wall of a building is five percent (5%) of the area of the wall up to a maximum of three hundred fifty (350) square feet for one sign. Wall signs may be located anywhere on an exterior building wall, including a wall screening rooftop mechanical equipment; no roof signs are permitted. Wall signs shall consist of individual or grouped letters and symbols which are backlighted or individually lighted.
- c. Wall And Window Identification Signs, Multi-Tenant: Where a principal building is occupied by two (2) or more tenants, the maximum sign surface per tenant may not exceed two and one-half (2¹/₂) square feet of sign surface area for each linear front foot the tenant occupies in the building or structure at the premises up to a maximum of one hundred fifty (150) square feet. Wall signs shall consist of individual or grouped letters and symbols which are backlighted or individually lighted.
- d. Ground Signs: A maximum of one ground sign for each principal building. A ground sign shall have no more than two (2) sign surfaces and shall have a total of no more than one hundred twenty (120) square feet of sign surface area. Sign surface shall contain no more than eight (8) tenant names per side, in addition to building identifications. Ground signs shall be set back a minimum of five feet (5') from road right of way lines and shall have maximum height of ten feet (10') from the top of the nearest roadway curb but in any circumstance a five foot (5') high sign shall be permitted. (Ord. 2007-16, 4-5-2007)
- e. Development Entrance Signs: Development entrances signs are permitted for developments with a minimum acreage of twenty (20) acres. A maximum of two (2) entrance signs shall be permitted at each development entrance, each sign with a maximum sign surface area not to exceed two hundred (200) square feet and a maximum height not to exceed ten feet (10'). All entryway signs shall be located behind a line drawn between points on the nearest roadway right of way lines which are twenty five feet (25') away from the intersection of those lines. Signs shall have a minimum five foot (5') setback from all property boundaries.

C. Electronic Message Board Signs: In addition to the signage permitted herein, and notwithstanding any provisions contained in this title to the contrary, electronic message boards may be permitted as part of a permitted monument or pylon ground sign, provided they are in accordance with the following provisions:

1. A single electronic message board may be installed for:
- a. Properties zoned residential, provided that they serve nonresidential uses and receive a special use permit.
- b. Properties zoned B-1, B-2 or B-3 provided that they are located on a principal or minor arterial roadway as designated by the village comprehensive plan.

- c. Golf courses.
2. The sign is located a minimum of one hundred feet (100') from residential uses.
3. A maximum of one electronic message board is permitted per shopping center or lot for a stand alone business. For the purposes of this section shopping centers shall include shopping center outlots and will not be permitted additional electronic message board signs, because of the presence of an outlot.
4. The electronic message board portion shall not exceed fifty percent (50%) of the permitted sign surface area on each side.
5. Each electronic message or image shall be displayed for a minimum time period of ten (10) seconds, before changing. Changes between shall be constant in intensity and color and shall not consist of flashing, animated, chasing or scintillating lights.
6. It must meet all applicable height and sign face area restrictions set forth in subsections A and B of this section. (Ord. 2013-53, 10-24-2013)

9-11-8: LANDSCAPING REQUIREMENTS:

Every permit application for a freestanding or ground sign shall be accompanied by a landscape plan meeting the standards hereinafter specified: (1976 Code §22-21-13)

- A. For every one square foot of sign surface area, there shall be provided one and one-half ($1\frac{1}{2}$) square feet of landscape area. Under no circumstances shall the landscape area be less than one hundred fifty (150) square feet. (Ord. 2001-02, 1-25-2001)
- B. Sodded or seeded areas shall not qualify as such a landscaped area. (1976 Code §22-21-13)
- C. Using the plant point system detailed in subsection [9-13-12A3a\(3\)](#) of this title, the number of points of landscaping provided shall equal the number of square feet of required landscape area. This required landscaping shall be comprised of shrubs. Shade trees, ornamental trees, evergreen trees, perennial and annual flowers, ornamental grasses, and ground cover may be planted in the required landscape area, but do not count toward the point total.
- D. In addition to the plantings herein described, the landscaped area shall also include ground protection such as, but not limited to, ground cover plants, landscaping bark or landscape timbers. (Ord. 2001-02, 1-25-2001)
- E. It shall be the duty of each person owning any lot or parcel improved or to be improved with the landscaping required herein to maintain said landscaping including, but not by way of limitation, the replacement of any dead or diseased vegetation, the trimming of any overgrown vegetation and the maintenance of any ground cover or protection provided in accordance with the terms hereof. (1976 Code §22-21-13)

9-11-9: ILLUMINATION STANDARDS:

- A. Signs in direct line of vision of motorists approaching any traffic signal shall not have red, green or amber illumination.
- B. Neither the direct nor reflected light from primary light sources shall create traffic hazard for or confuse operators of motor vehicles on public thoroughfares. (1976 Code §22-21-12)
- C. No sign shall have blinking, flashing, pulsating or fluttering lights. Beacon lights are not permitted. (Ord. 2005-47, 8-18-2005)
- D. No exposed reflective type bulb or incandescent lamp which exceeds fifteen (15) watts shall be used on the exterior surface of a sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property.
- E. All sources of light, whether by direct exposure, surface reflections or transmissions, having an intrinsic brightness greater than thirty (30) foot-lamberts shall be shielded so that the source of light cannot be seen at any point within a residence district.
- F. Any luminous source of light, whether direct exposure, surface reflection or transmission, whose total area is larger than one square foot and which can be seen from any point within a residence district, shall not exceed a brightness value of one hundred fifty (150) foot-lamberts. (1976 Code §22-21-12)

- G. No source of light shall be permitted to cause illumination in excess of two-tenths (0.2) foot-candle at lot lines abutting residential districts or one foot-candle at lot lines abutting nonresidential districts. (Ord. 99-65, 10-14-1999)
- H. The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be objectionable to surrounding areas. (1976 Code §22-21-12)
- I. Wall signs may be backlighted. If a wall sign consists of individual letters and/or symbols, each letter or symbol may be backlighted or individually lighted in accordance with the provisions of this section. (Ord. 92-06, 3-12-1992)

9-11-10: TEMPORARY SIGNS:

Excluding promotional signage as identified in subsection E of this section, the following signs shall be permitted anywhere in the Village and shall not require a permit; provided, however, that such signs comply with the regulations contained in sections [9-11-4](#) through [9-11-7](#) of this chapter. (Ord. 2011-21, 5-12-2011)

A. Construction Signs:

1. For residential properties: Not more than two (2) construction signs with a sign surface area not to exceed thirty two (32) square feet per each sign; and not to exceed twelve feet (12') in height. These signs may identify the architects, engineers, contractors, or other individuals or firms involved in the construction and announce the character of the building enterprise or the purpose for which the building is intended but not include the advertisement of any product. The signs shall be confined to the site of construction and located in a manner acceptable to the Zoning Officer. Construction signs shall be removed within fourteen (14) days after the issuance of an occupancy permit.
2. For nonresidential properties: Not more than two (2) construction signs with a sign surface area not to exceed one hundred (100) square feet per each sign; and not to exceed sixteen feet (16') in height. These signs may identify the architects, engineers, contractors, or other individuals or firms involved in the construction and announce the character of the building enterprise or the purpose for which the building is intended but not include the advertisement of any product. The signs shall be confined to the site of construction and located in a manner acceptable to the Zoning Officer. Construction signs shall be removed within fourteen (14) days after the issuance of an occupancy permit. (Ord. 2015-72, 12-17-2015)

B. Real Estate Signs:

1. On Premises Real Estate Signs:

a. For residential properties:

- (1) One (1) "For Sale" sign may be placed on the property facing each street that abuts the property. Signs may not exceed six (6) square feet of surface area per sign face.
- (2) "For Sale" signs or "Sold" signs must be removed from the property within seven (7) days after the sale of the property is closed or a lease is signed.
- (3) One (1) "Open House" sign may be placed on the property between nine o'clock (9:00) A.M. and six o'clock (6:00) P.M. on the day the house is open to the public for inspection.
- (4) No attention getting devices, e.g., balloons, banners, flashing lights, etc., may be placed on the property. (Ord. 2016-2, 1-21-2016)

b. For nonresidential properties:

- (1) For the B-1 Neighborhood Shopping District, B-2 Community Shopping District, B-3 Highway and Service Business District, and OSB Office and Service Business District, signs advertising the availability of a site for sale or lease, or announcing the forthcoming construction of such a building, are limited to one (1) such sign containing not more than thirty two (32) square feet of surface area per sign face. A maximum of one (1) sign facing each abutting street is permitted. These signs must be removed within seven (7) days after a sale is closed or a lease is signed or after the issuance of a certificate of occupancy.
- (2) For the ORI Office, Research and Light Industrial District and the M-1 Manufacturing District, total signage may not exceed three hundred (300) square feet of surface area. Each sign face shall have a maximum surface area of one hundred fifty (150) square feet. Each sign shall have maximum height of twelve feet (12'). A maximum of two (2) signs facing each abutting street is permitted.
- (3) For the RBC Regional Business Center District, signs may not exceed two hundred fifty (250) square feet. Real estate signs on premises adjacent to any other roadway may have a maximum of two (2) sign surfaces with a maximum area of two hundred (200) square feet for each sign surface. A maximum of two (2) signs facing each abutting street is permitted. (Ord. 2017-41, 8-17-2017)

c. "For Sale" signs or "Sold" signs must be removed from the property within seven (7) days after the sale of the property is closed or a lease is signed.

d. One (1) "Open House" sign may be placed on the property between nine o'clock (9:00) A.M. and six o'clock (6:00) P.M. on the day the house is open to the public for inspection.

e. No attention getting devices, e.g., balloons, banners, flashing lights, etc., may be placed on the property.

2. Off Premises Real Estate Open House Directional Signs:

- a. Open house directional signs may not exceed six (6) square feet of surface area per sign face and may not exceed four feet (4') in height. Such signs must be professionally designed and lettered.
- b. Open house directional signs may be placed on private property with the consent of the property owner, on the day of the event.
- c. No attention getting devices, e.g., balloons, banners, flashing lights, etc., may be attached to an open house directional sign or placed on private property to draw attention to the sign.
- d. Each open house directional sign must have attached to it by adhesive label, tag, or other means, the name, business address and business telephone number of the person responsible for the placement and removal of the sign.
- e. A maximum of four (4) open house directional signs for an open house for any given premises may be placed on private property with the consent of the property owner.
- f. A maximum of three (3) open house directional signs may be placed on private property at a single intersection. Such signs shall not interfere with any vehicle driver's line of vision.
- g. No more than one (1) open house directional sign directing the public in a single direction may be placed by a single company. This does not prohibit the placement of more than one (1) open house directional sign by the same company as long as the signs direct the public in different directions. (Ord. 2016-2, 1-21-2016)

C. Noncommercial Signs:

1. For residential properties: Noncommercial signs may not exceed thirty two (32) square feet in total sign surface area for any premises. Noncommercial signs shall not cover an already existing sign and shall not be a roof sign.
2. For nonresidential properties: Noncommercial signs may not exceed one hundred (100) square feet in total sign surface area for any premises. Noncommercial signs shall not cover an already existing sign and shall not be a roof sign. (Ord. 2015-72, 12-17-2015)

D. Certain Advertising Signs:

1. Reserved. (Ord. 2011-21, 5-12-2011)
2. Signs located on any residential premises advertising garage or yard sales, block parties, and similar events shall be permitted if they comply with the following provisions:
 - a. Not more than two (2) signs, each not more than four (4) square feet of sign surface area shall be allowed on the premises at a time.
 - b. The signs shall not be located on the public right-of-way.
 - c. The signs shall not be erected sooner than forty eight (48) hours prior to nor removed later than twenty four (24) hours after the sale or event.
 - d. The signs shall be displayed on a premises a maximum of four (4) times per calendar year, up to three (3) consecutive days at a time. (Ord. 2009-31, 7-16-2009)

E. Promotional Signs:

1. Temporary Business Signs: Signs identifying a special or limited activity, service, product or sale of limited duration, including sidewalk sales, shall be permitted for each premises for up to sixteen (16) weeks per calendar year. Signage shall be approved in increments of seven (7) days and shall be erected and/or maintained in accordance with an approved sign permit. Said signs shall not exceed a height of ten feet (10') and a total sign surface area of one hundred (100) square feet.

Handheld or human signs shall be considered a temporary business sign and are subject to provisions of this section. Handheld or human signs shall have a minimum setback of five feet (5') from the property line on private property. Additionally, businesses are permitted a maximum of two (2) handheld or human signs at any one time and shall only be permitted during daylight hours, as provided for in the sign permit, as approved by the Building Commissioner. (Ord. 2015-72, 12-17-2015)

- a. To obtain a temporary business sign approval, the applicant must submit to the Building Commissioner the following:

- (1) A drawing of the proposed temporary sign showing dimensions.
- (2) Site plan showing the proposed location of the temporary signage.
- (3) Requested timeframe for display of the temporary sign. (Ord. 2017-51, 9-21-2017)

2. Temporary Grand Opening Signage: Pennants, streamers or inflatable signs, in accordance with an approved promotional sign permit. Said signs may be erected for a period not to exceed fourteen (14) days and shall be considered temporary business signs and counted toward the total permissible signage as outlined in subsection E1 of this section.
3. Temporary Window Promotional Signs: Temporary window promotional signs shall be permitted in the B-1, B-2, B-3 and OSB Business Districts; provided, that the sign surface area of all window promotional signs shall not exceed fifty percent (50%) of the total window area of the building or structure in which they are located. (Ord. 2011-21, 5-12-2011)

F. Signs For Model Dwellings: One (1) ground sign not exceeding eight (8) square feet in total sign surface area on any premises upon which a model dwelling is constructed pursuant to a special use permit granted in accordance with the provisions of section [9-5-2](#) of this title, subject to the following

conditions:

1. No such sign shall be mounted at a height which causes the top of the sign to exceed four feet (4') above average surrounding grade.
2. Said signs will not be illuminated.
3. Said signs shall be depicted upon a site plan indicating size and shape, mounting height, type of material and landscaping. Such landscaping shall be in accordance with the provisions contained in section [9-11-8](#) of this chapter.
4. Said signs shall only be permitted for the period of time provided for in any special use permit granted in accordance with the provisions of section [9-5-2](#) of this title. (Ord. 88-37, §4)

G. Banner Signs: Banner signs shall be permitted in shopping center developments containing two (2) or more businesses.

1. General Guidelines:

- a. Number: There shall be no more than two (2) banners installed per light pole and no more than fifty percent (50%) of all light poles in the shopping center development or planned unit development shall have banners installed upon them at any one time.
- b. Sign Surface Area: All banners shall consist of the following dimensions: Thirty inches by sixty inches (30" x 60").
- c. Sign Content: Banners shall display the name and/or logo of the shopping center development or planned unit development, the address or location of the development, seasonal messages or graphics and information announcing village-wide events. Not more than twenty five percent (25%) of the area of the banner face shall display the name or logo of the development. In no instance shall the banner be used to display the name, logo, or specific promotion of an individual business within the development. (Ord. 2004-49, 7-15-2004)
- d. Frequency: Banners shall be displayed for a period of no longer than sixty (60) consecutive days and no more than four (4) intervals per year. (Ord. 2009-31, 7-16-2009)

2. Construction And Maintenance:

a. Material: Banners must be constructed of an acrylic fabric that adheres to the following standards:

- (1) Water resistant and repellant.
- (2) Ultraviolet and mildew resistant.
- (3) Flame retardant.
- (4) Prevents "shadowing" (a sunlight created shadow that shows 1 side of the banner through the other side).

b. Height: Banners shall not extend higher than the light pole to which it is attached. The lower bracket used to display the banner must be mounted to allow at least eight feet (8') clearance over pedestrian thoroughfares and twelve feet (12') clearance over vehicular thoroughfares.

c. Mounting: Both the top and bottom portion of banners must be secured to light poles in a manner that prevents them from waving or flapping in the wind.

d. Display Brackets: Display brackets must be removed or folded against the pole when not in use. (Ord. 2004-49, 7-15-2004)

9-11-11: SIGNS ON AWNINGS, MARQUEES AND CANOPIES:

Signs shall be permitted on awnings, marquees and canopies. Such signs shall not exceed a height of twenty feet (20') above average surrounding grade. Signage permitted under this section shall be counted against the maximum wall signage permitted by sections [9-11-5](#) and [9-11-7](#) of this chapter. (Ord. 2005-47, 8-18-2005)

9-11-12: NONCONFORMING AND ILLEGAL SIGNS:

Any sign which existed lawfully on July 14, 1983, and which becomes nonconforming by reason of the adoption of this chapter or any sign which was nonconforming because of any subsequent amendment to this chapter or which shall become or remain nonconforming by reason of the annexation to Woodridge of the lot or parcel on which said sign is located, shall be considered a legal, nonconforming sign. Legal, nonconforming signs and all signs rendered illegal or prohibited by the terms of this chapter may be continued only in accordance with the regulations hereinafter set forth. Notwithstanding the nonconforming or illegal status of any sign, any such sign shall be subject to the permit and inspection fees set forth in this chapter.

A. Inventory Of Signs; Notice: The village will develop and maintain an inventory of signs existing within the corporate limits of the village. The village shall, as soon as practicable, notify in writing, by certified mail, return receipt requested, the owner of any of each nonconforming or illegal signs of the nature of such illegality or nonconformity.

B. Maintenance And Repair: All legal, nonconforming and illegal signs shall be maintained and repaired in accordance with the provisions contained in this code. All legal, nonconforming and illegal signs shall, in the event of any damage thereto, be repaired in conformance with all rules, regulations, standards and specifications herein contained which control the construction, illumination, landscaping and maintenance of signs.

C. Enlargement Or Additions: No legal, nonconforming or illegal sign may be enlarged, expanded or added onto; provided, however, legal, nonconforming and illegal signs may be altered or modified so as to permit a change in the message conveyed thereon; provided such message shall not be in violation of any rule or regulation set forth in this code. (1976 Code §22-21-14)

9-11-13: DANGEROUS AND ILLEGAL SIGNS:

A. Dangerous Signs: If the zoning officer shall find that any sign is unsafe, insecure or a danger to the public health or safety, or has been constructed, erected or maintained in violation of the provisions of this code, he shall give written notice to the owner and/or operator by certified mail, return receipt requested. If the owner and/or operator fails to remove or alter the structure so as to comply with the standards herein set forth in this code within ten (10) days after such notice, the sign or other advertising structure shall be removed by the village at the expense of the owner and/or operator.

B. Illegal Signs: Any commercial sign which no longer identifies a bona fide business conducted or a product sold on the premises where said sign is located shall be taken down and removed by the owners of the sign on the building, structure or property upon which said sign is located within ten (10) days after written notification from the village. Said notice shall be given by certified mail, return receipt requested. Should an owner or other responsible person fail to comply with such notice within the reasonable time specified, the village is hereby authorized to cause said sign to be removed. Any expenses attendant thereto shall be the obligation of the owner and/or any other person responsible for the maintenance of said sign on the property upon which said sign was located.

Any person charged with a violation of this title with respect to signs located on property zoned for single-family residential use may, in lieu of prosecution for a violation thereof, make payment in accordance with section [1-4-2](#) of this code. (1976 Code §22-21-7)

9-11-14: ANNUAL INSPECTIONS:

The village shall annually inspect each sign regulated by this code. The inspection shall be conducted to determine whether each sign is safe, in need of removal or repair. The owner of each sign regulated pursuant to this code shall be required to pay an annual inspection fee. Inspection fees shall be paid in accordance with section [3-1A-3](#) of this code.

No inspection need be made of any sign for which a construction permit has been issued during the previous twelve (12) calendar months.

The village shall be permitted to make inspections at any time when it reasonably believes that any sign may pose a threat or danger to public safety. (1976 Code §22-21-3)

9-11-15: EXEMPTIONS FROM PROVISIONS:

The following types of signs are exempt from the provisions of this chapter except for applicable regulations contained in sections [9-11-4](#) through [9-11-7](#) of this chapter. With the exception of those signs contained in subsections B, F, P, and T of this section, no exempt sign shall be located in the public right of way. (Ord. 2015-11, 3-5-2015)

A. Signs not visible from any property line of the premises upon which they are situated and from any public thoroughfare or right of way. (Ord. 2003-17, 4-24-2003)

B. Official directional signs located in the right of way for any public or government or private nonprofit organization when specifically approved by the director of public works. (Ord. 98-53, 9-24-1998; amd. Ord. 2011-21, 5-12-2011)

C. Any notice, flag, emblem or insignia of a government entity. (Ord. 98-53, 9-24-1998)

D. Any sign which is located completely within an enclosed building and which sign is not visible from outside of the building.

E. Tablets, grave markers, headstones, statuary/memorial plaques or remembrances of persons or events that are noncommercial in nature.

F. Any official traffic signs authorized by Illinois Compiled Statutes, the Illinois vehicle code¹⁰ and/or this code¹¹.

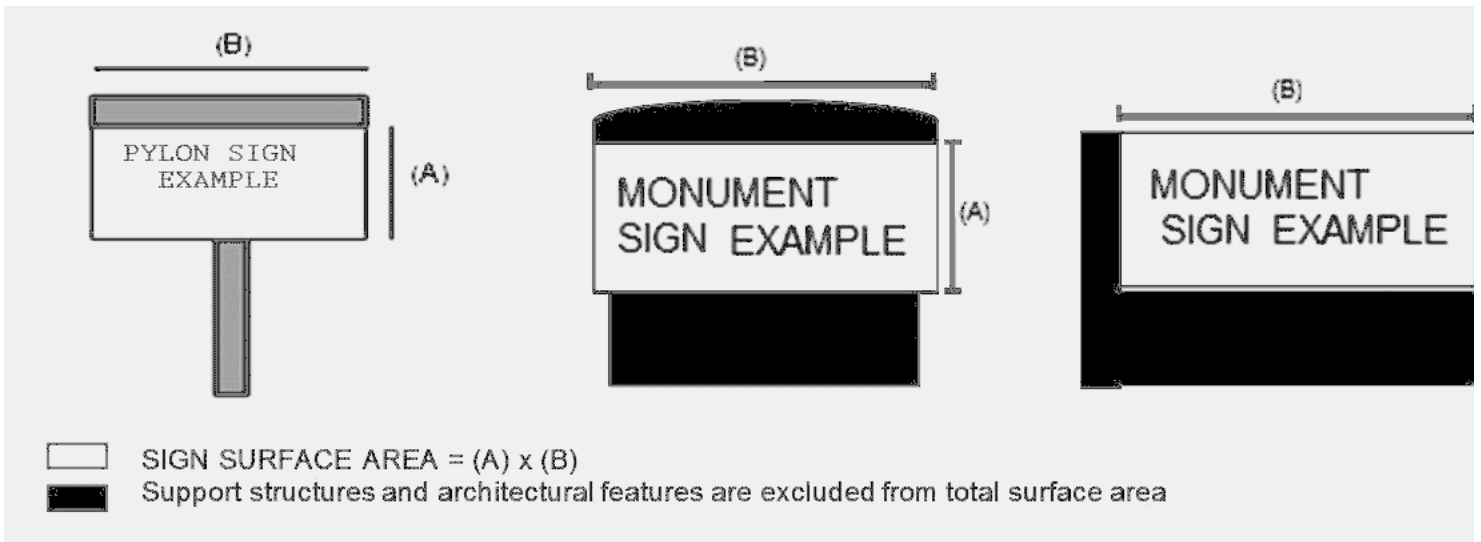
G. Temporary signs celebrating the occasion of traditionally accepted patriotic or religious holidays, as well as national and state holidays.

- H. No trespassing signs, warning signs (e.g., "Beware Of Dog") and such other signs regulating the use of property when such signs do not exceed two (2) square feet in area.
- I. The changing of copy of an otherwise permitted sign, bulletin board, display encasement or marquee where no structural changes or alterations are made.
- J. Private, noncommercial, nameplate identification signs or street address identification signs when such signs do not exceed two (2) square feet in area.
- K. Tablets, memorials and cornerstones identifying a building or the date of erection, when built into a wall of such building.
- L. Private traffic direction signs directing traffic movement onto a premises or within a premises not exceeding four (4) square feet in area and four feet (4') in height for each sign. Illumination of these signs shall be permitted in accordance with the regulations contained in section [9-11-9](#) of this chapter. (Ord. 88-37, §4)
- M. Official signs of any public or governmental organization or private nonprofit organization when specifically approved by the village administrator. (Ord. 99-65, 10-14-1999)
- N. Those signs commonly referred to as barber's poles.
- O. Time and/or temperature signs. (Ord. 88-37, §4)
- P. Official governmental village entrance signs located in a right of way, or on other public property, when specifically approved by the director of public works. (Ord. 99-65, 10-14-1999; amd. Ord. 2011-21, 5-12-2011)
- Q. Scoreboards accessory to parks, recreational areas and recreational facilities. Scoreboards may be electronic and may contain interior illumination and shall be subject to section [9-8-8](#) of this title and section [9-11-9](#) of this chapter. Scoreboards shall not include the use of speakers, a public address system or any other device that generates sound for the purpose of communication or gaining attention. In no case shall a scoreboard exceed a maximum sign surface area of fifty (50) square feet or exceed a maximum height of thirteen feet (13'). No more than one scoreboard shall be permitted per athletic field. (Ord. 2001-02, 1-25-2001)
- R. Corporate flags: Up to three (3) flags bearing an entity name or symbol, and not exceeding one hundred (100) square feet in total surface area for each, shall be permitted for each lot. Flags shall be mounted on a flagpole. (Ord. 2003-17, 4-24-2003)
- S. Directional signage for commercial uses as mounted on a wall or canopy, not exceeding four (4) signs per building, with a maximum sign face area of four (4) square feet for each sign. (Ord. 2005-47, 8-18-2005)
- T. Community not for profit entrance sign: Up to fourteen (14) identification signs, not exceeding eighteen inches (18") in height each, located in the right of way near 75th Street and Woodridge Drive, when specifically approved by the director of public works. (Ord. 2015-11, 3-5-2011)

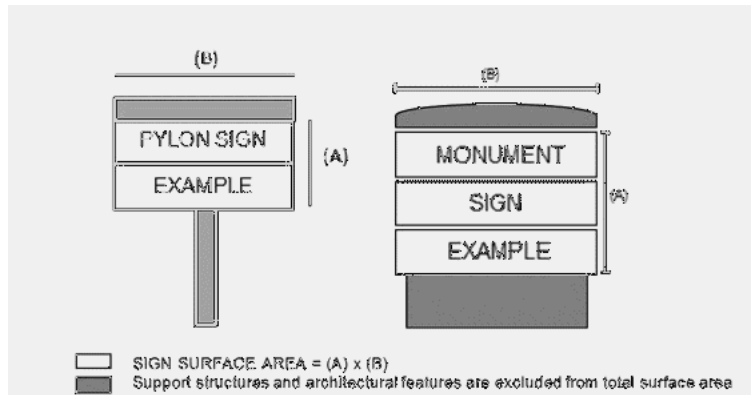
9-11-16: SIGN MEASUREMENTS:

The following criteria shall be used in measuring a sign or building facade in order to determine compliance with this chapter:

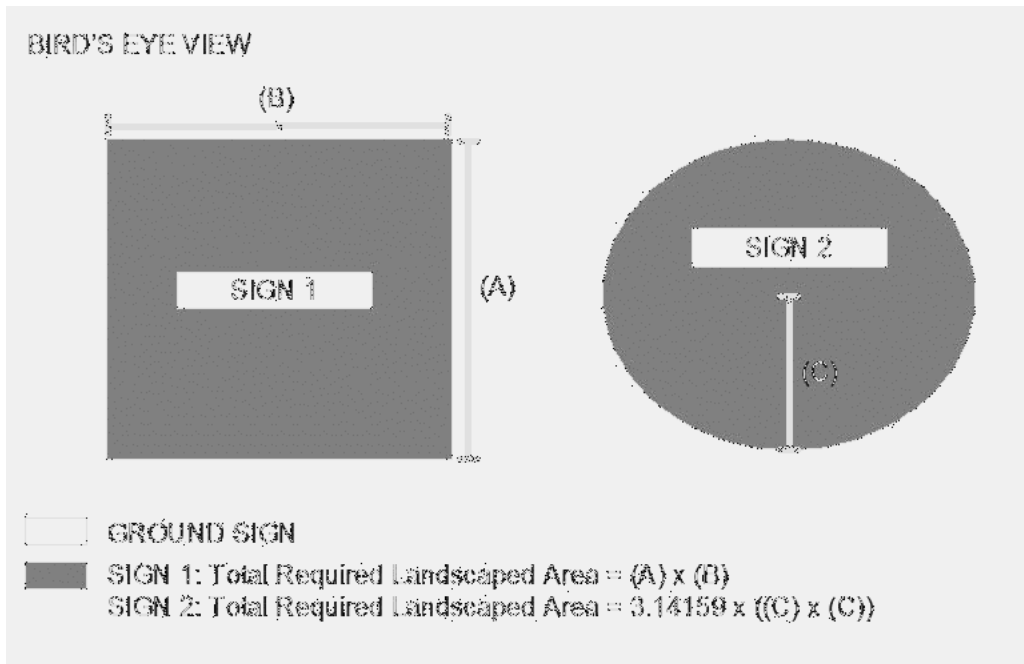
- A. Sign Area, Ground Sign: The sign area shall be the extreme outer dimension of the freestanding structure, excluding the support structure and architectural features. In the case of a double sided sign the total area defined below should be multiplied by two (2) for the purposes of calculating total square footage for the sign surface area.



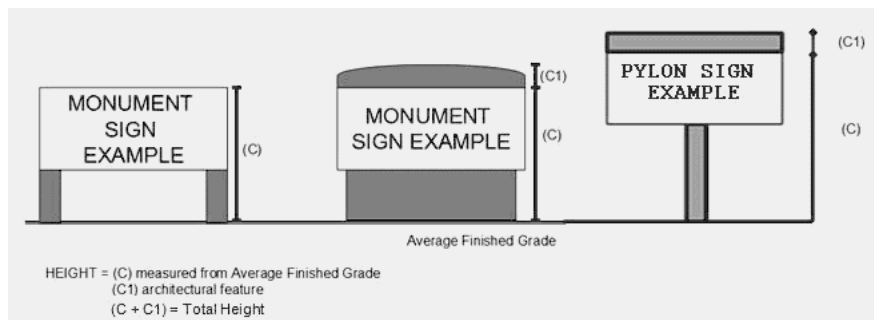
B. Sign Area, Ground Sign (Multiple Elements): For monument signs that contain multiple cabinets on one structure, the modules together are counted as one sign face in order to compute the sign area. In the case of a double sided sign the total area defined below should be multiplied by two (2) for the purposes of calculating total square footage for the sign surface area.



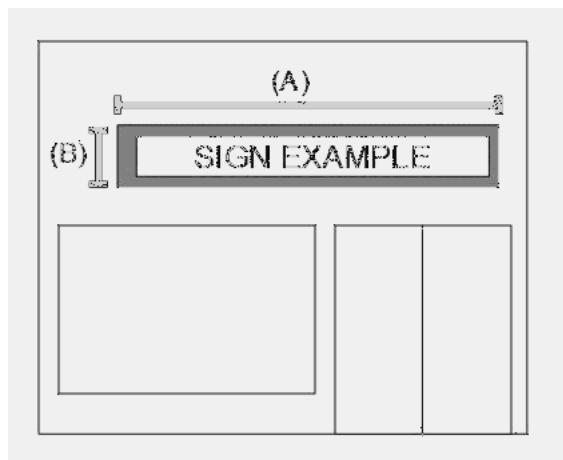
C. Ground And Pylon Sign (Landscape Requirement): The landscape requirement is determined by calculating the area of the landscaped area located around the base of the monument sign. Examples of a rectangular and circular area are provided below.



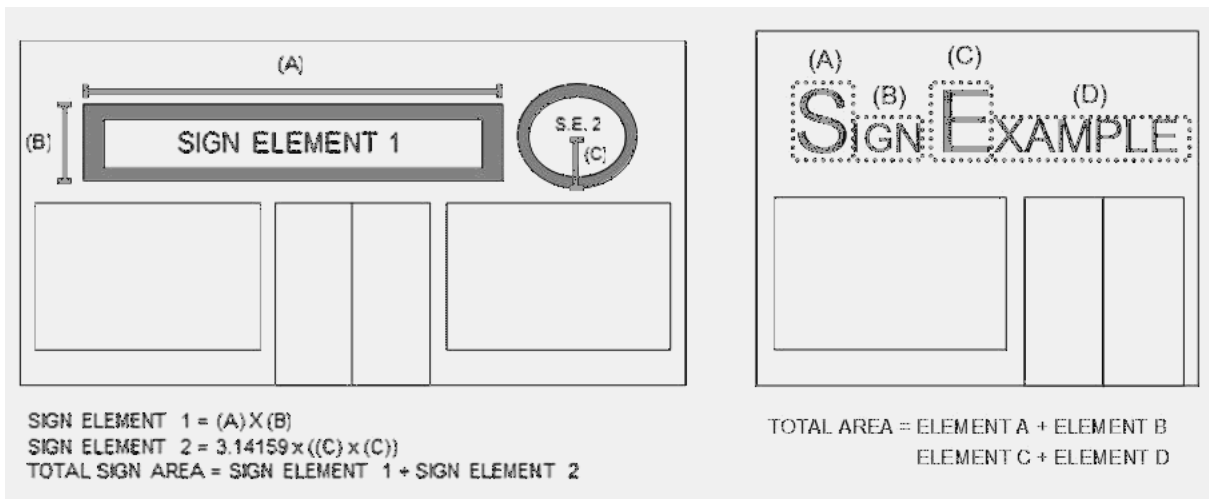
D. Sign Height, Ground Sign: The overall height of a freestanding sign or sign structure is measured from the average finished grade at the base of the sign to the highest points of the sign structure.



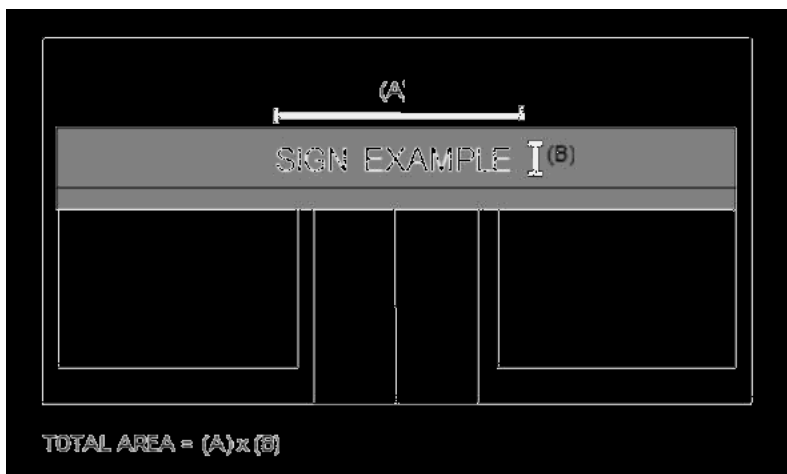
E. Sign Area, Wall Sign (Single Element): The sign area is determined by calculating the measurements of the outer dimensions of the frame or cabinet surrounding the sign.



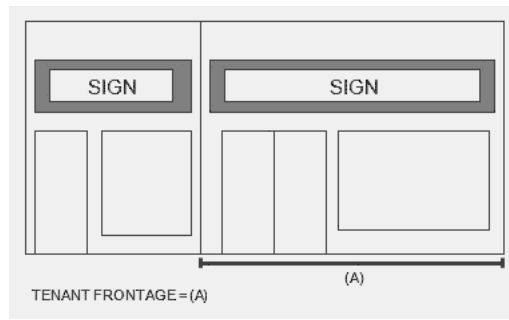
F. Sign Area, Wall Sign (Multiple Elements): When signs are constructed of individual elements, the area of all sign elements, which together convey a single, complete message, shall be considered as a single sign. The sign area is determined by calculating the area of an imaginary rectangle, circle, triangle, or parallelogram drawn around the sign elements.



G. Sign Area, Awning And Canopy: When signs are incorporated into the awning, or canopy, the sign area is determined by computing the area of an imaginary rectangle, circle, triangle, or parallelogram drawn around the sign. In case of an internally illuminated awning, marquee or canopy sign, the entire structure shall be considered a sign.



H. Measurement Of Tenant Frontage: The tenant frontage shall be calculated using the width of the first story exterior wall as described. Exterior wall dimensions shall be measured at the base of the ground floor, excluding screened walls, fences, etc. Alcoves, entryways and extruding portions shall be measured through as though along a flat wall of a building.



(Ord. 2015-72, 12-17-2015)

Chapter 12 ACCESSORY BUILDINGS, STRUCTURES AND USES

9-12-1: PERMITTED ACCESSORY BUILDINGS, STRUCTURES AND USES:

Accessory buildings, structures and uses are permitted in accordance with the following:

A. Standards: Accessory building, structure and use is one which:

1. Is subordinate to and serves a principal structure or use;
2. Is subordinate in area, extent, intensity and/or purpose to the principal structure or use served;
3. Contributes to the comfort, convenience or necessity of the occupants of, or of the business or industry located in or on the principal structure and/or use served; and
4. Is located on the same zoning lot as the principal structure and/or use served.

B. Applicability Of District Regulations: Notwithstanding the provisions contained in subsection F of this section, accessory buildings, structures and uses shall comply with all applicable zoning district regulations in this title. (Ord. 86-63, §14)

C. Attached Garages: An attached garage shall comply with all zoning district regulations applicable to the principal building, structure or use to which it is accessory and shall have a maximum gross floor area of one thousand (1,000) square feet. This is the maximum cumulative area permitted for all garages, attached or detached on a single lot. (Ord. 2013-53, 10-24-2013)

D. Detached Accessory Structures: Detached accessory structures shall: (Ord. 86-63, §14)

1. Not be located less than three feet (3') from any property line or allowed on easement. Notwithstanding the foregoing, swimming pools, hot tubs or spas and their associated structures and equipment, shall not be located less than six feet (6') from any property line or allowed on any easement. (Ord. 97-41, 8-14-1997)
2. Comply with the height limitations of the zoning district in which they are located, provided that the accessory buildings or structures do not exceed the height of the principal building or structure. In residential districts, no accessory building or structure shall exceed seventeen feet (17') in height. In the RBC district, ORI district, and M-1 district, an accessory building or structure shall be permitted to exceed the height of the principal building or structure by a maximum of four feet (4') if said accessory building or structure is located to the rear of the principal building or structure and is not visible from any lot line abutting a street. Notwithstanding the foregoing, gas station canopies shall be permitted to have a maximum height not to exceed seventeen feet (17') irrespective of the height of the principal building or structure. (Ord. 2013-53, 10-24-2013)
3. Not cover in total more than forty percent (40%) of the required rear yard when located in a rear yard. (Ord. 86-63, §14)

E. Obstructions In Required Yards: Except as provided elsewhere in this code for freestanding signs and fences, no accessory building, structure, or use shall be located within any required yard or forward of the principal building, structure, or use. Notwithstanding anything contained hereinabove to the contrary, the following accessory buildings, structures and uses are permitted as obstructions in required yards; provided, however, that under no circumstances shall any permitted accessory building, structure, or use be allowed on easements or nearer than three feet (3') to the property lines. (Ord. 2005-47, 8-18-2005)

F. Permitted Accessory Buildings, Structures, Uses And Locations In Yards: Accessory buildings, structures, and uses as specified shall be permitted in designated yards (F = front yards and yards adjoining streets; S = interior side yards; and R = rear yards) of a zoning lot as follows:

1.	Awnings and canopies:			
	a. Awnings may project not more than 4 feet in a yard.	F	S	R
	b. Awnings for business and commercial use may project not more than 4 feet into a yard and must have a height at not less than 8 feet above the ground over which it is installed. (Ord. 86-63, §14)	F	S	R
2.	Arbors, trellises, and pergolas, not to exceed a height of 12 feet and a width of 20 feet. (Ord. 2013-53, 10-24-2013)	F	S	R
3.	Window air conditioning units may project not more than 18 inches in a rear yard.			R
4.	Central air conditioning units may project into a rear yard by not more than 4 feet. (Ord. 86-63, §14)		S	R
5.	Architectural entrance features not more than 15 feet in height at entrance roadways into subdivisions or planned unit developments containing at least 20 dwelling units. Development entrance signs may be a part of, or mounted to, an architectural entrance feature. (Ord. 94-20, 3-24-1994; amd. Ord. 2003-17, 4-24-2003)	F	S	R
6.	Balconies projecting by not more than 4 feet in a yard.	F		R
7.	Bay windows, projecting by not more than 3 feet into a yard.	F		R
8.	Carports, attached.			R
9.	Chimneys, attached, projecting by not more than 2 feet into a yard.	F	S	R
10.	Driveways.	F	S	R
11.	Eaves and gutters on principal buildings or attached accessory structures, projecting by not more than 2 feet into a front and rear yard; by not more than 18 inches into a side yard.	F	S	R
12.	Underground fallout shelters, when properly landscaped and screened. (Ord. 86-63, §14)			R
13.	Flagpoles may exceed the height of the principal building by up to 10 feet or a maximum height of 25 feet, whichever is less. In the RBC and ORI Zoning Districts, up to 3 flagpoles may be permitted per lot. In all other zoning districts 1 flagpole is allowed per lot. (Ord. 2003-17, 4-24-2003)	F	S	R
14.	Garage, detached not exceeding 660 square feet. (Ord. 94-20, 3-24-1994)			R
15.	Growing of farm and garden crops in the open, except within 25 feet of any lot line which abuts a dedicated street which is adjacent to the front yard of any neighboring premises. (Ord. 86-63, §14)		S	R
16.	Stoops and platforms at top of steps when not covered, whose principal use is as a required means of egress, not exceeding 64 square feet in total area and not projecting more than 4 feet into a yard as measured perpendicular to the side lot line. (Ord. 2013-53, 10-24-2013)	F	S	R
17.	Ornamental lighting standards.	F	S	R
18.	Outdoor fireplaces.			R
19.	Playground and laundry drying equipment. (Ord. 86-63, §14)			R
20.	Sheds, gazebos, and storage buildings for garden equipment and household items as accessory to dwellings and buildings and not exceeding 200 square feet. Playhouses and open sided summer houses not exceeding 100 square feet. (Ord. 92-06, 3-12-1992; amd. Ord. 2017-51, 9-21-2017)			R
21.	Sills, break courses, cornices and ornamental features of the principal building projecting by not more than 18 inches into a yard. (Ord. 86-63, §14)	F	S	R
22.	Swimming pools, hot tubs or spas and their associated structures and equipment, private, when located not less than 6 feet from any lot line and when conforming also with other codes and ordinances of the Village ¹ . (Ord. 97-41, 8-14-1997)			R
23.	Tennis courts, private.			R
24.	Terraces, patios and decks. (Ord. 86-63, §14)			R
25.	Reserved. (Ord. 2005-47, 8-18-2005)			

26.	Compost bin no larger than 125 cubic feet and no taller than 5 feet designed to hold compostible material in such a way as to not allow the material to be windblown. Composting bins are to be made from 1 or a combination of the following materials: snow fence, woven wire, brick or cement block, wood or prefabricated plastic. In no event shall a compost bin be located nearer than 20 feet to a principal structure on an adjacent property. (Ord. 90-31, 5-10-1990)			R
27.	Baseball/softball dugout shelters, located not less than 20 feet from the rear lot line. Notwithstanding the foregoing, all dugouts shall be located outside of the required landscape yard. (Ord. 2001-61, 10-25-2001)			R
28.	Landscaping ponds.			R
29.	Landscaping ponds less than 20 square feet in area and 18 inches in depth. (Ord. 2005-47, 8-18-2005)	F		
30.	Shelters, not exceeding 168 square feet in area.		S	R
31.	Bulk storage, not located between the principal structure and the front lot line. (Ord. 2013-53, 10-24-2013)		S	R

9-12-2: NONCONFORMING ACCESSORY BUILDINGS, STRUCTURES AND USES:

Accessory buildings, structures and uses lawfully existing at the effective date hereof may be continued although the use, size or location does not conform with the provisions of this title. However, it shall be deemed a nonconforming use or structure, and the provisions of [chapter 9](#) of this title shall apply. (Ord. 86-63, §14)

9-12-3: FENCES²:

Fences are permitted accessory uses in all districts. No person shall construct a fence without first having obtained a permit therefor; provided, however, that a permit to construct a fence shall not be required when a fence is constructed in conjunction with the construction of a structure for which a building permit has been issued. The following regulations shall govern the type, location and construction of all fences: (Ord. 86-63, §15)

A. Fences In Residential Districts:

1. In residential districts where the minimum lot size is less than or equal to eight thousand two hundred (8,200) square feet, fences may be erected subject to the following: (Ord. 2001-02, 1-25-2001)
 - a. Open fences not exceeding three feet (3') in height made of wood, wood products, PVC, aluminum or wrought iron may be located anywhere on a lot. (Ord. 2005-47, 8-18-2005)
 - b. Open fences not exceeding four and one-half feet (4¹/₂') in height may be located anywhere on a lot except within twenty five feet (25') of the front lot line. (Ord. 86-63, §15)
 - c. Closed or open fences that are greater than four and one-half feet (4¹/₂') in height and which do not exceed six feet (6') in height may be located anywhere on a lot except as follows:
 - (1) Within twenty five feet (25') of the front lot line.
 - (2) Within fifteen feet (15') of the exterior side lot line on reversed corner lots and on through corner lots.

Notwithstanding anything contained in this section to the contrary, on corner lots where the rear lot line abuts the rear lot line of the adjoining lot, closed or open fences that are greater than four and one-half feet (4¹/₂') in height and which do not exceed six feet (6') in height shall be located only in the rear yard and in that portion of the exterior side yard located between the rear lot line and the principal building. (Ord. 2009-31, 7-16-2009)

2. In residential districts where the minimum lot size is greater than eight thousand two hundred (8,200) square feet, fences may be erected subject to the following: (Ord. 86-63, §15)
 - a. Open fences not exceeding three feet (3') in height and made of wood, wood products, PVC, aluminum, or wrought iron may be located anywhere on a lot. (Ord. 2007-16, 4-5-2007)
 - b. Closed or open fences not exceeding six feet (6') in height may be located anywhere on a lot except within twenty five feet (25') of the front lot line or except within fifteen feet (15') of an exterior side lot line. (Ord. 86-63, §15)
3. In parks, recreational areas and recreational establishments, closed or open fences not exceeding ten feet (10') in height may be located in conjunction with sports fields or courts, including, but not limited to, tennis courts and baseball fields and open fence backstops not exceeding thirty feet (30') in height may be located in conjunction with baseball and softball fields for the purpose of protecting spectators and adjacent properties from airborne balls. Said fences and backstops may be located anywhere on a lot except:
 - a. Within twenty five feet (25') of any front or exterior side lot line.
 - b. Within ten feet (10') of any interior side or rear lot line. (Ord. 2001-61, 10-25-2001)

4. Closed fences not exceeding eight feet (8') in height may be erected on residential property adjacent to Illinois state highways, provided that they are located only along the lot line adjacent to the Illinois state highway and are made of wood, wood products, brick or stone. (Ord. 2007-16, 4-5-2007; amd. Ord. 2011-21, 5-12-2011)

B. Fences In Nonresidential Districts: In nonresidential districts, fences shall be erected and be subject to the following:

1. When required by district regulations, a closed fence to a maximum height of six feet (6') above existing grading shall be erected along any lot line that adjoins a residential district.
2. A closed fence shall be erected to a height of six feet (6') to enclose and screen all refuse collection areas and facilities.
3. A closed fence shall be erected to enclose all outdoor storage of material, motor vehicles and other equipment storage areas where permitted. The height of the fence shall be equal to the height of the material or equipment stored, but in no event shall such fence exceed ten feet (10').
Notwithstanding any provision in this subsection B3 to the contrary, no such fence shall be erected in a required front yard or side yard adjoining a street; and further provided, that no such fence shall be erected within ten feet (10') of any lot line adjoining a residence district.
4. An open fence may be erected in the side yard or rear yard of any nonresidential district to a maximum height of six feet (6') above existing grade.
5. All nonresidential industrial uses existing on July 14, 1983, shall be required to comply with the regulations contained in this section on or before June 1, 1986. (Ord. 86-63, §15)
6. In parks, recreational areas and recreational establishments, closed or open fences not exceeding ten feet (10') in height may be located in conjunction with sports fields or courts, including, but not limited to, tennis courts and baseball fields, and open fence backstops not exceeding thirty feet (30') in height may be located in conjunction with baseball and softball fields, for the purpose of protecting spectators and adjacent properties from airborne balls. Said fences and backstops may be located anywhere on a lot except:
 - a. Within twenty five feet (25') of any front or exterior side lot line.
 - b. Within ten feet (10') of any interior side or rear lot line. (Ord. 2001-61, 10-25-2001)

C. Construction And Maintenance:

1. The finished side of all fences shall face away from the interior of the property so fenced.
2. Fences shall not be constructed with barbed wire or other hazardous devices or materials.
3. Fences shall not be constructed with an electrical charge or other hazardous device.
4. The owner of every fence constructed within the village shall cause said fence(s) to be maintained in a safe, presentable, neat, attractive and sound structural condition at all times, including the replacement of defective parts, repainting, cleaning and other acts required for the maintenance of said fence. (Ord. 86-63, §15)

D. Fences Around Swimming Pools: Residential swimming pools shall be enclosed by fences in accordance with [title 8, chapter 1, article M](#) of this code. (Ord. 86-63, §15; amd. Ord. 2013-29, 6-13-2013)

E. Screening Along Tollway And Interstate Highways: A fence with a maximum height of fourteen feet (14') shall be permitted along property lines directly abutting a tollway or interstate highway right of way. (Ord. 99-65, 10-14-1999)

9-12-4: SATELLITE EARTH STATIONS:

A. Building Permit Requirements: A building permit shall be obtained prior to the construction of any satellite earth station. Applications for a permit to construct a satellite earth station shall include, in addition to any requirements contained in the village building code³ or the village electrical code⁴, the following documents:

1. A spotted survey of the lot upon which the satellite earth station is to be constructed, showing thereon the proposed location (dimensionalized) of the satellite earth station.
2. Plans and specifications for the installation, including elevations, dish configuration, mount, foundation and any motorization, fencing, etc.
3. Landscape plan for completely screening the installation as required by subsection B8 of this section. (1976 Code §22-22-3)

B. Regulations: All satellite earth stations shall be subject to the following regulations, except to the extent preempted by FCC rules and regulations:

1. Number Per Lot: Only one satellite earth station shall be permitted on any lot. (1976 Code §22-23-3)
2. Location Restrictions:
 - a. Satellite earth stations shall not be mounted on or attached to any principal or accessory building in residential districts.

- b. Satellite earth stations shall not be permitted in any required front, interior side or exterior side yard and shall not be located closer than eight feet (8') to the rear lot line.
 - c. Roof mounted satellite earth stations shall be permitted in nonresidential districts.
 - d. No roof mounted satellite earth stations shall be mounted or installed less than five feet (5') from any edge of the roof or roofline.
3. Height Restrictions:
- a. Ground mounted satellite earth stations shall not exceed a total height of eleven feet (11') above average surrounding grade, measured to the highest point of such satellite earth station. Ground mounted satellite earth stations shall not exceed a dish diameter of six feet (6').
 - b. Roof mounted satellite earth stations shall not exceed ten feet (10'), to be measured from the base of the satellite earth station to the highest point thereof. Roof mounted satellite earth stations shall not exceed a dish diameter of six feet (6'). (Ord. 94-20, 3-24-1994)
4. Size: The receiving dish of any satellite earth station shall not exceed a diameter of nine feet (9').
5. Wind Impact Pressure: Every satellite earth station shall be designed and constructed to withstand a minimum wind impact pressure of thirty (30) pounds per square foot.
6. Construction Materials: All satellite earth stations shall be constructed of approved materials and shall comply with the requirements of the village building code and any amendments thereto⁵.
7. Electrical Regulations: All satellite earth stations shall comply with the requirements of the village electrical code and any amendments thereto⁶.
8. Landscaping And Screening: Every satellite earth station shall be landscaped and/or screened by a well maintained wall, fence, densely planted compact hedge, or berm and hedge, to a minimum height equal to the height of the satellite earth station so that said satellite earth station shall not be visible from any adjoining lot or street. Such landscaping, screening, walls or fences shall comply with all applicable bulk regulations.
9. Advertisements Prohibited: No advertising, logos, symbols, lettering or numbering shall be permitted on any satellite earth station. (1976 Code §22-23-3)

9-12-5: RESERVED:

(Ord. 2011-43, 9-8-2011)

9-12-6: PRIVATE POWER GENERATORS:

A. Building Permit Requirements: A building permit shall be obtained prior to the installation of any private power generator. Applications for a building permit to install a private power generator shall include, in addition to any requirements contained in the village building code, the following documents:

- 1. A spotted survey, drawn to scale, of the lot upon which the private power generator is to be constructed, showing thereon the proposed location of the private power generator. The survey shall include written dimensions of the distances between the generator and the lot lines and structures on the lot, and shall also show the location, size and type of easements on the property.
- 2. Plans and specifications for the installation, including elevations and concrete pad construction. (Ord. 2001-02, 1-25-2001)
- 3. Landscape plan, including details and elevations of required screening, in accordance with subsection [9-13-8D](#) of this title. (Ord. 2009-31, 7-16-2009)

B. Location Restrictions:

- 1. Private power generators may be located in required interior side and rear yards, and in interior side and rear landscape setbacks in accordance with the following provisions:
 - a. Generators accessory to nonresidential uses shall not be placed in a required yard or landscape setback that abuts a residential use. Generators accessory to multi-family residential uses shall not be placed in a required yard or landscape setback that abuts a single-family residential use.
 - b. Generators shall be located a minimum of three feet (3') from any property line.
 - c. Generators shall not be located on easements without the express written consent of all parties to whom the easement is granted, documentation shall be submitted to the zoning officer prior to the issuance of any building permit related to the installation of the generator. Generators may not be located in detention facilities or over spillways.
 - d. The height of generators accessory to nonresidential uses and their required screening (except for landscape screening) shall not exceed the height of the principal structure. The height of generators accessory to residential uses shall not exceed six feet (6'). (Ord. 2001-02, 1-25-2001)
 - e. Private generators shall be screened in accordance with subsection [9-13-8D](#) of this title. (Ord. 2009-31, 7-16-2009)
- 2. No private power generators accessory to residential uses are permitted to be located in the buildable area between the principal structure and the front or exterior side lot line(s). No private power generators accessory to nonresidential uses are permitted to be located in the buildable area between the principal structure and the front or exterior side lot line(s) unless they are in accordance with the following provisions:

- a. The generator may not be greater than six feet (6') in height. (Ord. 2001-02, 1-25-2001)
- b. Generators shall be screened in accordance with subsection [9-13-8D](#) of this title. (Ord. 2009-31, 7-16-2009)

9-12-7: SOLAR ENERGY SYSTEMS:

- A. Authorization Of Use: Solar energy systems shall be permitted in any zoning district as an accessory use subject to the provisions of this section. Solar roof shingles shall be considered a permitted use in all zoning districts and shall not be considered an accessory structure as outlined in this title.
- B. Building Permit Requirement: A building permit shall be obtained prior to the construction of any solar energy system. Applications for a permit to construct a solar energy system shall include, in addition to any requirements contained in [title 8](#) of this code, the following documents:
1. A spotted survey of the lot upon which the solar energy system is to be constructed, showing thereon the proposed location of the solar energy system.
 2. Plans and specifications for the installation, including elevations, configuration, mount, foundation and any information that may be requested by the building commissioner.
- C. Roof Mounted Solar Energy Systems:
1. Location: Roof mounted solar energy systems may be mounted on or attached to any principal or accessory building on a lot and shall not exceed fifty percent (50%) of the total roof area of said principal or accessory building.
 2. Height: Roof mounted solar energy systems shall not exceed a total height of ten feet (10') as measured from the roof surface where the system is mounted to the highest edge of the system, provided that the system shall not exceed five feet (5') above the roofline or five feet (5') above the maximum permitted height of the district, whichever is less.
- D. Ground Mounted Solar Energy Systems:
1. Number Per Lot: Only one ground mounted solar energy system shall be permitted on any lot.
 2. Location: Ground mounted solar energy systems shall not be located within the required front, side or exterior side yard of any lot or in any public utility easement, and all parts of a ground mounted solar energy system shall be set back at least five feet (5') from any property line.
 3. Height: Ground mounted solar energy systems shall not exceed a total height of six feet (6') as measured from the average grade at the base of the system to the highest edge of the system.
 4. Surface Area: Ground mounted solar energy systems shall not exceed a total surface area of one hundred sixty eight (168) square feet.
- E. Maintenance And Removal Of Solar Energy Systems:
1. Solar energy systems must be maintained in good repair and operable condition at all times, including compliance with all standards in applicable building and technical codes to ensure structural and technical integrity of such facilities, except for maintenance and repair outages. If a system becomes inoperable or damaged, operations must cease and be promptly remedied.
 2. If the village determines that a solar energy system fails to comply with the applicable provisions of this code, the village shall provide written notification to the property owner. The property owner shall have a period of ninety (90) days from the date of notification to either restore the solar energy system to operation or remove the system.
 3. After the solar energy system is removed, the property owner shall promptly restore their property to a condition consistent with the property's condition prior to the installation of the system. (Ord. 2011-21, 5-12-2011)

9-12-8: DONATION DROP BOXES:

- A. Authorization Of Use: Donation drop boxes shall be permitted as accessory uses on a lot equal to or greater than three (3) acres in size located in the B-1 and B-2 districts or on properties primarily occupied by an educational, religious, governmental or charitable use, subject to compliance with the provisions of this section.
- B. Building Permit Requirement: A building permit shall be obtained prior to the placement of a donation drop box in the village. Applications for a permit to construct or locate a donation drop box shall include, in addition to any requirements contained in [title 8](#) of this code, the following documents:
1. Proof of ownership or authorization from the property owner or authorized representative of the property upon which the donation drop box is to be located.
 2. A spotted survey to scale of the lot upon which the donation drop box is to be located, showing thereon the proposed location of donation drop box.

3. Plans and specifications of the donation drop box including the dimensions (height, width, depth) of the box, elevations, configuration, foundation and any additional information that may be requested by the building commissioner.
- C. Business License Requirements: A business license pursuant to [title 3](#) of this code shall be obtained and displayed on the donation drop box prior to issuance of a certificate of completion.
- D. Number Per Lot: No more than three (3) donation drop boxes are allowed on a lot which is equal to or greater than three (3) acres in size. All donation drop boxes on any given lot must be located side by side to one another.
- E. Location: Donation drop boxes shall be located within a parking lot or other paved surface, but in no case shall donation drop boxes be located in the following locations:
1. Adjacent to the front facade of a building.
 2. Fifteen feet (15') from the front or exterior side property line.
 3. Designated driveway or drive aisle.
 4. Five feet (5') from a fire hydrant.
 5. Designated pedestrian crosswalk.
 6. Private sidewalk unless at least five feet (5') of clearance can be maintained.
 7. Any parking space as required by this title or any ordinance or resolution governing the development of a property. When a single lot is part of a larger planned development with shared parking, the required parking shall be determined based on the total required parking approved for the entire development.
 8. Any parking space as deemed necessary by the zoning officer.
 9. Any public right of way.
- F. Height And Size: A donation drop box shall not exceed a maximum of seven feet (7') in height and twenty five (25) square feet in ground area.
- G. Required Information: All donation drop boxes shall have permanently affixed the name and phone number of the box owner/operator, language discouraging the placement of items outside of the donation drop box, and the village issued business license. (Ord. 2011-21, 5-12-2011)

Chapter 13

LANDSCAPING AND SCREENING AND STORMWATER BASIN MAINTENANCE

9-13-1: PURPOSE:

The landscaping, screening, tree preservation and stormwater basin maintenance requirements specified herein are intended to foster aesthetically pleasing development which will protect and preserve the appearance, character, general health and welfare of the village. Specifically, these regulations are intended to increase the compatibility of adjacent uses by requiring a buffer or screen between uses, and in doing so, minimize the harmful impact of noise, dust or other debris, motor vehicle headlight glare or other artificial light intrusions and other objectionable activities or impacts conducted or created by an adjoining or nearby use. These regulations are furthermore intended to enhance property values and provide the following environmental benefits:

- A. Enhance and preserve air quality through filtering of pollutants.
- B. Reduce topsoil erosion through the soil retention effect of tree roots.
- C. Reduce energy consumption through the windbreak, shade and transpiration effects of trees.
- D. Minimize wildlife habitat loss and preserve nesting areas for birds which in turn assist in the control of insects.
- E. Reduce stormwater runoff and associated costs and replenish ground water supplies. (Ord. 2009-31, 7-16-2009)

9-13-2: GENERAL REGULATIONS:

- A. The arrangement of trees and shrubs shall be done in a manner that provides the maximum visual separation between adjacent land uses. Plant materials shall be massed in groups to achieve a naturalistic and pleasing effect.
- B. In the event that it can be demonstrated that existing vegetation meets the intent of the landscape requirements of this title, existing vegetation may be credited for landscape materials required by this section. Such vegetation shall meet specifications for new plant materials and be located within the area for which credit has been given. The developer shall note on the landscape plan the landscape materials which would have been required if the existing vegetation did not exist. If any of the existing vegetation dies, the developer shall replace it with the plant materials described in the note. Said replacement plant material shall be guaranteed for a minimum of one year.
- C. Required screening shall not be interrupted for any reason except for required walks, driveways, pedestrian or bicycle paths and fences.
- D. Whenever the existing use of any building, structure or lot shall be increased, expanded or changed, landscaping, screening, tree preservation and tree replacement shall be provided for such increase, expansion or change as required under this chapter.
- E. Planting materials used in conformance with the provisions of this section shall be of good quality, and of a species normally grown in northeastern Illinois and capable of withstanding site microclimates. Size and density at the time of planting and at maturity are additional criteria which must be considered when selecting plant materials.
- F. All landscaping material shall be installed in accordance with the planting procedures established by the American Association of Nurserymen.
- G. The owner of the property, or subsequent owners, shall be jointly and severally responsible for the maintenance, repair and replacement of all landscape materials and barriers, including refuse disposal areas. All landscaping materials shall be maintained in good condition so as to present a healthy, neat and orderly appearance. Landscape materials shall be replaced in compliance with the approved landscape plan when they die or are damaged to the extent that their effectiveness is reduced. Landscape areas shall be kept free of refuse and debris. Fences, walls and other barriers shall be maintained in good repair. All screening and landscaping shall be protected from damage by motor vehicles, pedestrians and snow. All landscaping materials shall be located and trimmed as necessary so as to not obstruct pedestrian or vehicular circulation or a public right of way. (Ord. 2009-31, 7-16-2009)

9-13-3: TREE PRESERVATION AND REPLACEMENT:**A. Tree Preservation Plan Required:**

1. Submission: A tree preservation plan shall be submitted to and approved by the village and implemented in accordance therewith in connection with any of the activities listed below. The development of lots located in a larger development for which a tree preservation plan has been approved shall comply with the development's approved tree preservation plan.
 - a. Any application for approval of a subdivision of land under the subdivision regulations that anticipates or involves the actual or reasonably likely damage or removal of a qualifying tree. (Ord. 2009-31, 7-16-2009)
 - b. Any application for annexation, rezoning, variation, special use permit, special use permit for a planned unit development, special use permit for a regional planned unit development, or site plan review for development or redevelopment that anticipates or involves the actual or reasonably likely damage or removal of a qualifying tree. (Ord. 2011-21, 5-12-2011)
 - c. Any application for a building or demolition permit that involves the construction, alteration or enlargement of any building, structure or surface by increasing the impervious area by ten percent (10%) or more to the land on which it is located and that anticipates or involves the actual or reasonably likely damage or removal of a qualifying tree.
 - d. Any application for a grading permit for any project that anticipates or involves the actual or reasonably likely damage or removal of a qualifying tree.
 - e. Any activity on undeveloped or underdeveloped land not otherwise addressed above that anticipates or involves the actual or reasonably likely damage or removal of a qualifying tree.
2. Exemptions: The following are exempt from this section:
 - a. In residentially zoned districts, lots containing existing single-family detached houses are exempt until such time as said lots are subdivided, or a change in use occurs.
 - b. Tree removals approved in accordance with this section.
 - c. Village owned rights of way. (Ord. 2009-31, 7-16-2009)

3. Approval: No site development activities shall commence nor shall any building permit be issued in conjunction with any of the activities listed in subsection A1 of this section prior to village board approval of a tree preservation plan as part of a final subdivision plat, site plan, special use permit, final PUD or final RPUD plan, or, in those instances where village board approval is not required, without the express written approval of the director of community development of a tree preservation plan. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)

B. Preservation Priority Areas: The applicant shall preserve as many trees as possible, placing highest priority for preservation upon those trees located in:

1. Wooded wetlands.
2. Wooded floodplains.
3. Wooded stream corridors.
4. Wooded slopes equal to or greater than twenty five percent (25%) slope.
5. The perimeter of the subject property.

C. Contents Of Tree Preservation Plans:

1. The tree preservation plan shall include the following information:

- a. The name, telephone number and address of applicant, property owner, developer and builder.
- b. Delineation of the buildings, structures, or paved surfaces situated thereon and/or contemplated to be built thereon.
- c. Delineation of all areas to be graded and limits of land disturbance. (Ord. 2009-31, 7-16-2009)
- d. A list noting the size, species, and condition of all existing qualifying trees within the area to be platted or on the parcel proposed to be developed. For large tracts of land that are uniformly and densely wooded such that identifying each tree is impractical, the director of community development may, at his or her discretion, accept an estimated list based on a representative sample of a portion of the wooded area.
- e. A map (tree survey) showing the locations of all existing qualifying trees, each of which shall be keyed to the tree list. At the discretion of the director of community development, the tree survey requirement may be waived for those portions of the site containing large areas of qualifying trees that are to remain undisturbed. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)
- f. Size, species, condition and location of all existing qualifying trees located on adjacent properties whose trunks are located within twenty feet (20') of the subject property line.
- g. Identification of all qualifying trees proposed to be removed. These trees shall be identified in both graphic and tabular form.
- h. Measures proposed to protect existing trees to be retained, both on the subject property and on neighboring properties within twenty feet (20') of the subject property line (see subsection D of this section).
- i. Size, species, and location of all replacement trees proposed to be planted on the property in accordance with table 1, "Tree Replacement Schedule", of this section.
- j. Signature of the person preparing the plan.
- k. A current certificate issued by an International Society Of Arboriculture certified arborist, a Society Of American Foresters certified forester, or Illinois registered landscape architect stating that the tree preservation plan complies with the provisions of the tree preservation regulations.
- l. Current plat of survey of the property.
- m. Calculations showing how many replacement trees are required based on table 1, "Tree Replacement Schedule", of this section.
- n. Calculations showing how many replacement trees are proposed.

D. Tree Protection Measures: The protective measures listed below shall be incorporated into all tree preservation plans, and shall be adhered to on site prior to and during construction:

1. A tree protection fence shall be installed prior to the commencement of grading or construction and located so as to protect the critical root zone of all trees designated for preservation in accordance with the approved tree preservation plan. Said fence shall be located no closer to each tree to be preserved than at the outside edge of each tree's "critical root zone" as defined by this title.
2. Tree protection fencing shall consist of brightly colored plastic mesh or snow fencing a minimum of forty eight inches (48") in height. It shall be securely attached to metal fence posts that are driven into the ground and that are spaced no more than eight feet (8') apart.
3. No encroachment, grading, trenching, filling, compaction, waste dumping, concrete washout, change in soil chemistry, or storage of materials, equipment or vehicles shall occur within the fenced areas.
4. When roots two inches (2") in diameter and greater must be severed, the ends shall be cut cleanly with a saw under the supervision or direction of an arborist certified by the International Society Of Arboriculture to prevent the onset of decay. If they are accidentally broken or crushed, the root shall be saw cut above the ragged end. In all cases, the cut roots shall be immediately buried, mulched, or otherwise kept moist to preserve viability. (Ord. 2009-31, 7-16-2009)
5. Tree protection fencing shall remain in place until the completion of construction, as determined by the director of community development. (Ord. 2009-31, 7-16-2009; amd. Ord. 2011-21, 5-12-2011)

- E. **Removal Allowance And Replacement Requirement:** A tree preservation plan may provide for the removal of up to twenty five percent (25%) of the total point value of all qualifying trees to be removed without replacement. Every qualifying tree removed in excess of twenty five percent (25%) shall be replaced on site in accordance with table 1, "Tree Replacement Schedule", of this section. If it is not possible to fit all of the required replacement trees or equivalent landscaping on the site, the director of community development, at his or her discretion, may approve an increase in the removal allowance. Required replacement trees shall be in addition to landscaping required by other provisions of this title as well as of [title 10](#), "Subdivisions", of this code. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)
- F. **Transplanted Trees:** Existing trees less than six inches (6") dbh may be transplanted elsewhere on site and used to satisfy any tree replacement requirements or landscape requirements of this chapter provided they meet the minimum size, species, condition and quality requirements for new and/or replacement trees. (Ord. 2009-31, 7-16-2009)
- G. **Amendments To Approved Tree Preservation Plan:** Once a tree preservation plan has been approved, the director of community development or his or her designee may authorize minor deviations from it where changed facts and circumstances which are not within the control of the applicant create an undue hardship in complying with the approved plan. The proposed amended tree preservation plan shall be submitted for review and be accompanied by a written statement describing the proposed changes and reasons therefor. No amendment shall be permitted to delete a qualifying tree from preservation which has been damaged or where the provisions of the approved plan have not been followed unless the amendment provides for the addition of required replacement trees to compensate for the damage or loss of said qualifying tree(s).
- H. **Maintenance Guarantee:** A deposit shall be made to the village in cash or letter of credit and in a form acceptable to the village attorney equal to ten percent (10%) of the estimated cost of the installation and implementation of the tree protection measures and required replacement trees. The deposit shall be a guarantee of survival of the preserved trees and replacement trees and shall be held by the village for a period of two (2) years from the date of acceptance of the last public or private improvement for the development, or if none, of the date of issuance of the final occupancy permit. After such two (2) years, the deposit shall be refunded if no trees have died or are in poor condition, as determined by the director of community development or his or her designees. If trees have died or are in poor condition, then the party that posted the guarantee shall replace them. A portion of the deposit shall continue to be held an additional two (2) years from the date of replacement to guarantee the survival of the replacement trees, the amount to be determined by the village engineer. The balance of the original deposit, if any, shall be refunded.
- I. **Penalties For Noncompliance With The Tree Preservation Plan:**
- At their discretion, the village engineer or the director of community development may issue a stop work order for noncompliance with the tree preservation plan. Stop work orders shall remain in effect until the site is brought into compliance with the tree preservation plan. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)
 - Fines may be assessed in accordance with section [1-4-1](#) of this code for noncompliance with the tree preservation plan. If the offense involves damage to qualifying trees, each damaged tree shall constitute a separate offense. Each day the site is in noncompliance shall constitute a separate offense.
 - Replacements for damaged trees shall be provided at twice the rate indicated in table 1, "Tree Replacement Schedule", of this section.

TABLE 1
TREE REPLACEMENT SCHEDULE

Type Of Tree Removed	Size (dbh)	Number Of Replacement Trees Required
Deciduous	6 inch up to, but not including, 12 inch	1
	12 inch up to, but not including, 24 inch	2
	24 inch up to, but not including, 36 inch	3
	36 inch up to, but not including, 48 inch	4
	48 inch up to, but not including, 60 inch	5
	60 inch and larger	5 plus 1 additional tree for each 12 inches of diameter
Evergreen	12 foot up to, but not including, 24 foot	2
	24 foot and larger	4

Notes:

- Class one trees shall be replaced as indicated in this table 1.
- Class two trees may be replaced at half the rate indicated in this table 1.
- No replacement trees shall be required for trees that are in poor condition or dead, as defined in table 2, "Tree Condition Rating Scale", of this section.
- In calculating the total number of replacement trees, sums including a fraction of a replacement tree shall be rounded up to the nearest whole number.
- Up to 50 percent of the required replacement trees may be provided by substituting an equivalent number of points worth of evergreen trees, ornamental trees, shrubs, or some combination thereof, as follows:
 - 1 replacement tree equals 100 points.

- b. 1 evergreen tree equals 60 points.
- c. 1 ornamental tree equals 50 points.
- d. 1 large shrub equals 15 points.
- e. 1 small shrub equals 10 points.

TABLE 2
TREE CONDITION RATING SCALE

Rating	Description	General Criteria
1	Excellent	The tree is typical of the species, has less than 10 percent deadwood in the crown that is attributable to normal causes, has no other observed problems and requires no remedial action.
2	Good	The tree is typical of the species and/or has less than 30 percent deadwood in the crown, 1 or 2 minor problems that are not imminently lethal to the tree, and no significant decay or structural problems, but the tree may need remedial care above normal care in order to minimize the impact of future stress and to ensure continued health.
3	Fair	The tree is not typical of the species and/or has significant problems such as 30 to 50 percent deadwood in the crown, serious decay or structural defect, insects, disease or other problems that can be imminently lethal to the tree or create a hazardous tree if not corrected in a short period of time or if the tree is subjected to additional stress.
4	Poor	The tree is not typical of the species and/or has over 50 percent deadwood in the crown, major decay or structural problems, is hazardous or is severely involved with insects, disease, or other problems that even if aggressively corrected would not result in the long term survival of the tree.
5	Dead	Less than 10 percent of the tree shows signs of life.

(Ord. 2009-31, 7-16-2009)

9-13-4: LANDSCAPE PLAN:

A. Landscape Plan Required: The submittal of a preliminary landscape plan shall be required as a part of preliminary subdivision, preliminary planned unit development plan and plat review applications, and preliminary regional planned unit development plan review applications. The submittal of a final landscape plan shall be required as a part of site plan review applications, special use applications, final subdivision plat, final planned unit development, plan and plat review applications, and final regional planned unit development plan review applications.

B. Content Of Landscape Plan: Preliminary landscape plans shall include approximate quantity and location of all plant materials by plant type, location and approximate height, berming, and aesthetic features, landscape yards and parking lot landscaping, natural features to remain and a certificate from an Illinois registered landscape architect stating that the preliminary landscape plan complies with the provisions of the landscaping, screening and stormwater maintenance regulations. Final landscape plans shall include the following detailed information: (Ord. 2009-31, 7-16-2009)

1. The location and dimensions of all existing and proposed structures, natural features, parking lots and drives, roadways and rights of way, sidewalks, bicycle paths, ground signs, refuse disposal and compactor areas, bicycle parking areas, fences, freestanding electrical equipment, utility easements, tot lots and other recreational facilities, and other adjacent freestanding structure features, as determined necessary by the Director of Community Development. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)
2. The location, quantity, size, root ball condition (e.g., balled and burlapped or potted) and both scientific and common names of all proposed materials.
3. The location of all proposed berming indicating contours at one foot (1') contours and percent of slope.
4. Specification of the type, boundaries, size and spacing of all proposed ground cover.
5. The designation, location, quantity, size and both botanic and common names of all existing plant materials intended to remain on the site which is to be developed.
6. Elevations of all fences, bridges, retaining walls, or other similar details proposed for location on the site.
7. Elevations, cross sections and other details as determined necessary by the Plan Commission.
8. A title block indicating the preparer, property owner, date, scale, and north arrow.
9. A current certificate issued by an Illinois registered landscape architect stating that the final landscape plan complies with the provisions of the landscaping, screening and stormwater maintenance regulations contained herein. (Ord. 2009-31, 7-16-2009)

9-13-5: DESIGN CRITERIA:

- A. Scale And Nature Of Landscape Material: The scale and nature of landscape material shall be appropriate to the site and structures. Larger scaled buildings, for example, shall generally be complemented by plants which will grow to a larger scale.
- B. Selection Of Plant Material: Plant material shall also be selected for its form, texture, color, and concern for its ultimate growth. Evergreens shall be incorporated into the landscape treatment of a site, particularly in those areas screening parking lots from dedicated public rights-of-way or property zoned for residential use. The use of silver maples, box elders, Russian olives, Lombardy poplars, catalpa, willows, mulberry, tree of heaven, and other weak wooded species shall be avoided unless determined appropriate by the Plan Commission.
- C. Softening Of Walls And Fences: Plant materials shall be placed intermittently along long expanses of building walls, fences and other barriers to soften the appearance of the barrier.
- D. Energy Conservation:
1. Deciduous trees which are sun tolerant shall be placed on the south and west sides of buildings to provide shade from summer sun.
 2. Evergreens and other plant materials which are shade tolerant shall be concentrated on the north side of buildings to dissipate the effect of winter winds.
- E. Berming: Earthen berms and existing topography shall, whenever practical, be incorporated into the landscape treatment of a site. Berms shall be stabilized to prevent erosion and of such a slope to allow maintenance of same. (Ord. 2009-31, 7-16-2009)

9-13-6: LANDSCAPE SETBACK FROM RIGHT OF WAY:

Minimum landscaped setbacks from the right-of-way lines shall be as follows:

- A. From interstate highway and tollway right-of-way boundaries: Thirty feet (30').
- B. From arterial streets: Thirty feet (30').
- C. From collector roads and local roads: Twenty five feet (25'). (Ord. 2009-31, 7-16-2009)
- D. For the RBC Regional Business Center District and ORI Office, Research and Light Industrial Districts, refer to the district bulk regulations set forth for that zoning district. (Ord. 2017-51, 9-21-2017)

9-13-7: RIGHT OF WAY LANDSCAPING:

- A. Applicability: Where a parcel abuts a dedicated public right-of-way, landscaping shall be provided in accordance with the provisions of this section.
- B. Graded And Sodded: The unpaved portion of public right-of-way abutting a parcel shall be fine graded and sodded as set forth in the Village of Woodridge subdivision control ordinance.
- C. Parkway Trees: Parkway trees shall be planted in accordance with section [10-5-10](#) of this Code. (Ord. 2009-31, 7-16-2009)

9-13-8: SCREENING REQUIREMENTS:

- A. Screening Of Refuse Disposal Areas:
1. All refuse disposal, grease storage containers and compactors shall be screened on a minimum of three (3) sides by a solid commercial grade wood fence, masonry wall or equivalent material to a height of not less than six feet (6') and no greater than seven feet (7') in height.

2. The enclosure shall be used strictly for the confinement of refuse and grease containers and shall not be used for the outside storage of any other materials or equipment.
3. All refuse disposal, grease storage containers and compactors shall be located on an impervious surface.
4. A refuse disposal area shall not be located in front of a building.
5. The open side of said enclosure shall be oriented so that, to the greatest extent possible, it does not face towards an abutting property or street.
6. An inset drawing of the location, design, and elevation details of the enclosure shall be depicted on the landscaping plan.

B. Screening Of Recycling Containers:

1. Multiple-Family Residential Property: Multiple-family residential property with four (4) or more units:
 - a. All recycling containers shall be located on an impervious surface.
 - b. To the greatest extent possible, all enclosures shall not be visible to an abutting residential property or dedicated street.
 - c. All containers shall be well maintained, brightly painted, and identified by the universal recycling symbol.
2. Nonresidential Property:
 - a. All recycling containers shall be located on an impervious surface.
 - b. All recycling containers shall be screened on a minimum of three (3) sides by a solid commercial grade wood fence, masonry wall or equivalent material to a height of not less than six feet (6') and no greater than seven feet (7') in height.
 - c. The enclosure shall be used strictly for the confinement of refuse, recycling, and grease containers and shall not be used for the outside storage of any other materials or equipment.
 - d. A recycling collection area shall not be located in front of a building.
 - e. The open side of said enclosure shall be oriented so that, to the greatest extent possible, it does not face towards an abutting property or street.
 - f. An inset drawing of the location, design, and elevation details of the enclosure shall be depicted on the landscaping plan. (Ord. 2009-31, 7-16-2009)

C. Rooftop Screening Required: All heating, air conditioning, ventilating, satellite earth stations, microwave transmission devices or other mechanical equipment located on the roof of any structure or building, except those located on single-family homes, shall be screened from adjacent streets and properties by a parapet wall or other method approved by the zoning officer. The design, construction materials and color of such screening shall be subject to the approval of the zoning officer who shall base his or her approval on the following criteria: (Ord. 2011-21, 5-12-2011)

1. The design shall provide the screening effect required by this section.
2. The screening shall be constructed of materials which shall complement the materials used in the construction of the principal building or structure and shall consist of one or more of the following:
 - a. Brick;
 - b. Aluminum, steel, or other approved metal;
 - c. Wood;
 - d. Fiberglass; (Ord. 2009-31, 7-16-2009)
 - e. CityScapes Incorporated Enviro screening system or equivalent, subject to the approval of the director of community development. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)
3. The color shall match or complement the color of the principal building or structure.

D. Screening Requirements For All Private Generators:

1. Generators that are less than four feet (4') in all dimensions are not required to be screened.
2. Generators that are four feet (4') or greater in any dimension shall be screened in accordance with the following provisions:
 - a. Generators and their cabinets six feet (6') in height or less on lots with nonresidential uses and on lots with multi-family uses shall be enclosed within a masonry wall or solid fence. Fences shall be constructed of commercial grade wood or comparable materials.
 - b. Generators six feet (6') in height or less on lots with single-family residential uses shall be fully enclosed within a metal cabinet or by a masonry wall.
 - c. Generators greater than six feet (6') in height shall be completely enclosed within a metal cabinet or within a completely enclosed accessory building. Metal cabinets shall have an even, finished appearance free of projections and protrusions. The design, color and materials of completely enclosed accessory buildings shall match those of the principal structure. (Ord. 2009-31, 7-16-2009)
3. The design, construction materials and color of the screening referred to in subsection D2 of this section shall be subject to the approval of the director of community development, who shall base his or her approval on the following criteria: (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-

2010)

- a. The design shall provide the screening effect required by this section. The screening shall be constructed of materials which shall complement the materials used in the construction of the principal building or structure.
 - b. The color of the required screening shall match the color of the principal building or shall be selected to blend into the surroundings.
4. Landscaping shall be provided in addition to the required screening. Said landscaping shall consist, at a minimum, of large shrubs planted three feet (3') apart around the perimeter of the generator and its screening fence, wall or cabinet. For those generators and required screening that exceed six feet (6') in height, the required landscaping shall consist of tall evergreen shrubs (such as arborvitae) spaced four feet (4') apart or evergreen trees that are a minimum of eight feet (8') in height and spaced eight feet (8') apart. (Ord. 2009-31, 7-16-2009)
5. If it is not possible to meet all of the screening and landscaping regulations set forth in this subsection, the director of community development, at his or her discretion, may approve an alternate plan. (Ord. 2009-31, 7-16-2009; amd. Ord. 2011-21, 5-12-2011)

E. Screening Requirements For Aboveground Service Facilities And Accessory Structures In Commercial And Industrial Districts:

1. Aboveground service facilities and accessory structures that are less than four feet (4') in all dimensions are not required to be screened.
2. Aboveground service facilities and accessory structures that are four feet (4') or greater in any dimension shall be screened in accordance with the following provisions:
 - a. Aboveground service facilities and accessory structures that are less than four feet (4') in height shall be screened with landscaping. Said landscaping shall consist, at a minimum, of tall shrubs planted three feet (3') apart around the perimeter of the aboveground service facility and accessory structure.
 - b. Aboveground service facilities and accessory structures that are four feet (4') in height up to and including six feet (6') in height shall be screened with a masonry wall or solid fence of the same height. Fences shall be constructed of commercial grade wood, commercial grade sheet metal or comparable materials as approved by the director of community development. Landscaping shall be provided in addition to the required screening. Said landscaping shall consist, at a minimum, of tall shrubs planted three feet (3') apart around the perimeter of the aboveground service facility or accessory structure and its screening wall or fence.
3. Aboveground service facilities and accessory structures that exceed six feet (6') in height shall be screened with a six foot (6') high masonry wall or solid fence. Fences shall be constructed of commercial grade wood, commercial grade sheet metal or comparable materials as approved by the director of community development. Landscaping shall be provided in addition to the required screening. Said landscaping shall consist of tall evergreen shrubs that are a minimum of six feet (6') in height and spaced four feet (4') apart, or evergreen trees that are a minimum of eight feet (8') in height and spaced eight feet (8') apart.
4. Notwithstanding anything contained in this section to the contrary, the director of community development may grant relief from the above screening and landscaping requirements as necessary to comply with surveillance provisions of the United States department of homeland security.
5. If it is not possible to meet all of the screening and landscaping regulations set forth in this subsection, the director of community development may approve an alternate plan at his or her discretion. (Ord. 2013-53, 10-24-2013)

9-13-9: PARKING LOT LANDSCAPING:

- A. Parking Lot Interior Landscaping: All parking lots designed for twenty (20) or more parking spaces, as specified in [chapter 10](#) of this title, shall provide landscaping in accordance with the provisions of this section.
- B. Planting Islands: Planting islands shall comply with the following requirements:
1. End islands shall be provided at each end of all parking rows and shall be a minimum of twelve feet (12') wide, including a six inch (6") curb.
 2. Center islands shall be provided the equivalent of one for every four (4) parking modules and may be generally dispersed throughout the parking lot to define parking fields. Such islands shall be a minimum of fifteen feet (15') wide, including a six inch (6") curb.
 3. Intermediate islands shall be provided after every fifteen (15) parking spaces within a parking row and shall be a minimum of nine feet (9') wide, including a six inch (6") curb.
 4. Circulation border islands shall be provided to define driveways and circulation patterns and shall be a minimum of nine feet (9') wide.
 5. In the event that the site geometry of the proposed parking lot does not allow strict adherence to the above requirements, alternate schemes will be required to provide at least seven and one-half percent (7.5%) of the parking area in landscaped islands.
- C. Landscape Requirements:
1. End islands and intermediate islands: One shade tree; nine (9) low shrubs or one hundred twenty six (126) ground cover plants (excluding turf grass), or some combination.
 2. Center islands and circulation border islands: The equivalent of one shade tree; twelve (12) low shrubs or one hundred sixty eight (168) ground cover plants (excluding turf grass), or some combination for each thirty (30) linear feet of island.

D. Fire Hydrants: Fire hydrants in parking lots shall be located in landscape islands. (Ord. 2009-31, 7-16-2009)

9-13-10: INNOVATIVE LANDSCAPING:

Innovative landscaping treatments are encouraged and shall be considered as a positive attribute in connection with any request for a variation from the requirements of this chapter. (Ord. 2009-31, 7-16-2009)

9-13-11: CHANGES TO APPROVED LANDSCAPE PLAN:

Once a landscape plan has been approved and a building permit issued, the zoning officer may authorize minor deviations from the approved landscape plan including the substitution of equivalent approved plantings and ground covers where such deviations and/or substitutions are submitted with a revised landscape plan and a statement describing such changes. Any such changes shall require the written approval of the zoning officer. (Ord. 2009-31, 7-16-2009)

9-13-12: DISTRICT SPECIFIC REQUIREMENTS:

A. For the B-1 neighborhood shopping district, B-2 community shopping district, B-3 highway and service business district, OSB office and service business district, M-1 manufacturing district, attached single-family residential dwellings, multi-family residential dwellings, state licensed group homes in the R-1, R-2 and R-3 districts, and nonresidential uses in residential districts, the following standards shall apply:

1. Plant Materials:

- a. Shade Trees: All shade trees shall have a minimum trunk size of three inches (3") in diameter, as measured six inches (6") above the established ground.
- b. Ornamental Trees: All ornamental trees shall be fully branched and have a minimum trunk size of two inches (2") measured six inches (6") above the established ground.
- c. Shrubs: Deciduous shrubs shall have a minimum height of eighteen inches (18") for low shrubs and a minimum height of twenty four inches (24") for tall shrubs. Evergreen shrubs shall have a minimum spread of twenty four inches (24"). All shrubs shall have a minimum ball diameter in accordance with the most recent edition of the American standards for nursery stock as sponsored and approved by the American Association Of Nurserymen and the American National Standards Institute, Inc.
- d. Planting Beds: Planting beds shall be mulched with bark chips or shredded bark mulch to a minimum depth of two inches (2") for flower and ground cover beds and three inches (3") for tree and shrub beds. Ground cover plantings may be used as determined appropriate by the zoning officer.
- e. Detention/Retention Basins And Ponds: Detention/retention basins and ponds shall be landscaped. Such landscaping shall include shade and ornamental trees, evergreens, shrubbery, hedges and/or other live planting materials.
- f. Watering Plant Material: Installation of an automatic underground sprinkling system is required.

2. Minimum Landscaped Areas: A minimum of twenty percent (20%) of the total site area shall be landscaped, which shall include all vegetation, plazas, fountains, bikeways, ornamental features, ponds and stormwater retention and detention areas, but not private sidewalks providing access to buildings, driveways, aisles, landbanked parking spaces or parking spaces.

3. Minimum Landscape Requirements:

a. Landscape materials may include trees, shrubs, perennials, ornamental grasses and ground cover. The selection of type and number of plants and other features is to be determined by the petitioners' landscape architect or designer, provided that by adding the points of selected materials, the total equals the number of points required below:

(1) For landscape yards between nonresidential uses (1) between multiple-family uses, landscaping shall be provided based on the following formula:

$$4.5 \times \text{the foot length of each yard as measured at the perimeter of the yard} = \text{number of points required for landscape materials.}$$

(2) For landscape yards between nonresidential uses and residential uses or between a multiple-family use and a single-family use, landscaping shall be provided based on the following formula:

$$6 \times \text{the foot length of each yard as measured at the perimeter of the yard} = \text{number of points required for landscape material.}$$

(3) Plants and features are assigned the following point system, which shall be used to calculate the number of different plant materials and features required, in order to meet the total point requirements set forth herein:

Shade trees	100 points
Evergreen trees	60 points
Ornamental trees	50 points

Tall shrubs	15 points
Low shrubs	10 points
Perennials, ornamental grasses	0 points

(4) Solid screening fences or walls of at least six feet (6') in height, where allowed, may contribute up to fifty percent (50%) of the total landscape points for that portion of a landscape yard where installed.

(5) Continuous or staggered berms which perform screening may contribute up to fifty percent (50%) of the total landscape points for that portion of a landscape yard where installed. Berm heights of at least two and one-half feet (2.5') will obtain credit based on the following:

Berm height x 10 = % of points credited.

4. Foundation Landscaping:

- a. **Setback:** A landscaped area extending a minimum of ten feet (10') in width shall be located around the front and side of all buildings.
- b. **Coverage:** Required landscaped areas abutting building foundations shall remain open and free of all paving except for sidewalks to building doors, plazas, loading docks and stalls, and driveways to building doors and openings.
- c. **Planting Materials:** Landscaping shall be comprised of a combination of shade trees, ornamental trees, evergreens, and shrubs. Particular attention shall be paid toward screening mechanical equipment, air conditioning units, or any other visible outside equipment, service areas, including dumpster pads, loading docks, bicycle parking areas, providing transitions between the building and ground plane, visual breaks along monotonous building facades, and enhance walkways, entrance, seating areas, bus stops or any other pedestrian areas; separate and buffer pedestrian and public areas from cruise lanes, drives and parking areas, and provide direction to focal areas and main entrances.
- d. **Ground Cover:** Except where occupied by planting beds or mulched beds, all foundation landscaping areas shall be sodded.

5. Landscape Yard:

- a. Provide a minimum ten feet (10') for interior side and rear yard when a nonresidential use is adjacent to a nonresidential use or a multiple-family use is adjacent to a multiple-family use.
- b. Provide a minimum twenty feet (20') for interior side and rear yards when a nonresidential use is adjacent to a residential use or a multiple-family use is adjacent to a single-family use.
- c. Unless otherwise permitted pursuant to this title, landscape yards shall be free of sidewalks (other than those perpendicular to the adjoining public bike path or sidewalk), pavement and all other structures.

6. Screening Of Cargo Container Facilities:

- a. **Adjacent To Industrial Districts:** Notwithstanding any provision contained in this title to the contrary, interior side and rear landscape yards adjacent to industrial districts shall be provided in accordance with subsection A5a of this section and shall contain each of the following screening components:

(1) Landscaping shall be provided in accordance with subsection A3a(1) of this section.

(2) A continuous berm, a commercial grade sightproof board fence or a commercial grade masonry wall shall be provided along the length of the interior side or rear lot line. Said berm, fence or wall shall be a minimum of six feet (6') in height. The finished side of the fence or wall shall be oriented toward the abutting property. If a fence or wall is used as a screen, a five foot (5') wide planting bed with landscaping material at least three feet (3') high shall be located adjacent to the finished side of the fence or wall. (Ord. 2009-31, 7-16-2009)

In lieu of the fence or wall, a screen planting area of a minimum twenty feet (20') in width, containing a minimum of two (2) rows of evergreen trees, may be installed. The evergreen trees shall be at least eight feet (8') tall when planted. The rows shall be staggered, with a maximum of eight feet (8') between rows, and shall be centered within the screen planting area. The evergreen trees shall be spaced a maximum of ten feet (10') apart on center. However, the director of community development may require the trees to be spaced closer to ensure that narrower growing varieties will provide an effective screen. Should the buffer area contain a continuous berm at least three feet (3') in height, with a side slope not exceeding a ratio of three to one (3:1), the minimum height of the required evergreen trees shall be six feet (6') when planted. The final design of the screen planting area and the landscaping within it shall be subject to the approval of the director of community development. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)

- b. **Adjacent To Nonindustrial Districts And Public Rights Of Way:** Notwithstanding any provision contained in this title to the contrary, a landscape yard with a minimum width of one hundred feet (100') shall be provided adjacent to nonindustrial districts and public rights of way and shall contain each of the following screening components:

(1) **Berm:** A berm with a minimum height of fifteen feet (15'). The berm shall be continuous throughout the landscape setback except it may be interrupted to the extent necessary to allow for vehicular access.

(2) **Fence Or Wall:** A commercial grade sightproof board fence or commercial grade masonry wall with a minimum height of six feet (6'). The fence or wall shall be continuous throughout the landscape setback except it may be interrupted to the extent necessary to allow for vehicular access, and it shall be placed on the highest part of the berm to maximize its screening effect.

(3) **Landscaping:** A minimum of three (3) shade trees, seven (7) evergreen trees, four (4) ornamental trees, and thirty (30) tall shrubs shall be planted for every one hundred (100) linear feet of landscape setback. Tall shrubs provided in accordance with this provision shall have a minimum installed height of three feet (3'). The landscaping shall be placed on the berm between the fence or wall and the public right of way or nonresidential district.

B. For the RBC regional business center district, the following regulations shall apply:

1. Plant Materials And Design Guidelines:

- a. Trees: Required trees shall have a minimum trunk size of two and one-half inches (2.5") in diameter as measured six inches (6") above the established grade.
 - b. Shrubs: Deciduous shrubs shall have a minimum height of eighteen inches (18") for low shrubs and a minimum height of twenty four inches (24") for tall shrubs. Evergreen shrubs shall have a minimum spread of twenty four inches (24"). All shrubs shall have a minimum ball diameter in accordance with the most recent edition of the American standards for nursery stock as sponsored and approved by the American Association Of Nurserymen and the American National Standards Institute, Inc.
 - c. Planting Beds: Planting beds shall be mulched with bark chips or similar materials.
 - d. Detention/Retention Basins And Ponds: Detention/retention basins and ponds shall have maintainable edges such as riprap and reinforced sod.
 - e. Watering Plant Material: Installation of an underground sprinkling system is required for all front and exterior side yards, sodded areas, planting beds and foundation planting areas.
 - f. Sodding: All areas located within any front yard or exterior side yard shall be sodded.
2. Minimum Landscaped Area: The minimum percentage of total landscaped area within SDAs (including all vegetation, plazas, fountains, public pedways, ornaments, ponds and stormwater retention and detention areas, but not private sidewalks, driveways, aisles, landbanked parking spaces or parking spaces) shall be as follows (provided, that when an SDA contains 2 or more principal buildings, the highest minimum landscaped percentage for any 1 building shall be the minimum landscaped percentage for all buildings within that SDA):
- a. For office, hotel and motel buildings: Fifteen percent (15%);
 - b. For freestanding, retail and restaurant buildings: Twenty percent (20%);
 - c. For all other buildings: Ten percent (10%);
- Except in SDAs primarily occupied by retail and restaurant uses, up to fifty percent (50%) of the required landscaped area may be located on a parcel of land not within the SDA; provided, that proposed covenants or easements of record reserving such parcels are submitted with landscape plans. All stormwater storage areas within an SDA shall be landscaped.
3. Minimum Landscaped Material: At least one tree and four (4) shrubs shall be provided within an SDA for each seven hundred fifty (750) square feet of required landscaped area regardless of whether parcels outside the SDA are used to satisfy the minimum landscaped area requirements.
4. Foundation Landscaping: A landscaped area extending a minimum of ten feet (10') in width shall be located around the perimeters of all buildings, except freestanding multi-tenant retail buildings. Such landscaped areas shall be free of sidewalks and pavement, except for sidewalks to building doors, plazas, loading docks and spaces and driveways to building doors and openings.
5. Perimeter Landscaping: Landscaping an average of three feet (3') in height above adjacent street grades (except where the adjacent parking lot or loading area surfaces are 3 feet or more below street grade) shall be provided across seventy five percent (75%) of parking lot setback areas (except driveways therein) and areas between exterior loading docks and SDA lines (except when adjacent to railroad rights of way). Landscaping a minimum of three feet (3') in height shall be provided across seventy five percent (75%) of building and parking lot setback areas adjacent to residential districts. Such landscaping shall consist of berms, if feasible, shade and ornamental trees, evergreens, shrubbery, hedges and/or other live planting materials.
6. Screening Requirements:
- a. Outdoor Storage Areas: Outdoor storage areas (except those accessory to motor vehicle sales establishments) and areas used for parking of trucks and trailers (exclusive of loading spaces) for more than seventy two (72) hours shall be screened to a minimum of six feet (6') in height along the length of the abutting SDA line. Stored materials cannot exceed the height of the screen. A screen height shall not exceed ten feet (10'). Such screening shall consist of a continuous landscaped berm, solid, commercial grade wood fence, wall or other comparable material. All fencing shall be constructed of commercial grade wood or comparable materials. The finished side of the fence or wall shall be oriented toward the abutting property. If a fence or wall is used as a screen, a five foot (5') wide planting bed with landscaping material at least three feet (3') high shall be located adjacent to the finished side of the fence or wall. (Ord. 2009-31, 7-16-2009)
- In lieu of the solid fence or wall, a screen planting area of a minimum twenty feet (20') in width, containing a minimum of two (2) rows of evergreen trees, may be installed. The evergreen trees shall be at least eight feet (8') tall when planted. The rows shall be staggered, with a maximum of eight feet (8') between rows, and shall be centered within the screen planting area. The evergreen trees shall be spaced a maximum of ten feet (10') apart on center. However, the director of community development may require the trees to be spaced closer to ensure that narrower growing varieties will provide an effective screen. Should the buffer area contain a continuous berm at least three feet (3') in height, with a side slope not exceeding a ratio of three to one (3:1), the minimum height of the required evergreen trees shall be six feet (6') when planted. The final design of the screen planting area and the landscaping within it shall be subject to the approval of the director of community development. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)

C. For the ORI office, research and light industrial district, the following regulations shall apply:

1. Plant Materials And Design Guidelines:

- a. Trees: Required trees shall have a minimum trunk size of two and one-half inches (2.5") in diameter as measured six inches (6") above the established grade.
- b. Shrubs: Deciduous shrubs shall have a minimum height of eighteen inches (18") for low shrubs and a minimum height of twenty four inches (24") for tall shrubs. Evergreen shrubs shall have a minimum spread of twenty four inches (24"). All shrubs shall have a minimum ball diameter in accordance with the most recent edition of the American standards for nursery stock as sponsored and approved by the American Association Of Nurserymen and the American National Standards Institute, Inc.
- c. Planting Beds: Planting beds shall be mulched with bark chips or similar materials.
- d. Detention/Retention Basins And Ponds: Detention/retention basins and ponds shall have maintainable edges such as riprap and reinforced sod.

- e. Watering Plant Material: Installation of an underground sprinkling system is required for all front and exterior side yards, sodded areas, planting beds and foundation planting areas.
 - f. Sodding: All areas located within any front yard or exterior side yard shall be sodded.
2. Minimum Landscaped Area: The minimum percentage of total landscaped area within SDAs (including all vegetation, plazas, fountains, public pedways, ornaments, ponds, and stormwater retention and detention areas, but not private sidewalks, driveways, aisles, landbanked parking spaces or parking spaces) shall be as follows:
- a. For all buildings: Twenty percent (20%);
- Up to fifty percent (50%) of the required landscaped area may be located on a parcel of land not within the SDA, provided that proposed covenants or easements of record reserving such parcels are submitted with landscape plans. All stormwater storage areas within an SDA shall be landscaped.
3. Minimum Landscaped Material: At least one tree and four (4) shrubs shall be provided within an SDA for each five hundred (500) square feet of required landscaped area regardless of whether parcels outside the SDA are used to satisfy the minimum landscaped area requirements.
4. Foundation Landscaping: A landscaped area extending a minimum of ten feet (10') in width shall be located around the perimeters of all buildings. The width of foundation landscaping areas may have a varying width, reduced to a minimum five feet (5') in some areas, provided that the total foundation landscaping area along the building face shall have a square footage equivalent to the area that would be required if the ten foot (10') minimum width were provided. Such landscaped areas shall be free of sidewalks and pavement, except for sidewalks to building doors, plazas, loading docks and spaces, and driveways to building doors and openings.
5. Perimeter Landscaping: Landscaping/berming an average of three feet (3') in height above adjacent street grades (except where the adjacent parking lot or loading area surfaces is 3 feet or more below street grade) shall be provided within the parking lot setback areas (except driveways therein) and areas between exterior loading docks and SDA lines (except when adjacent to railroad rights of way). Landscaping a minimum of five feet (5') in height shall be provided within the building and parking lot setback areas adjacent to residential districts. Such landscaping shall consist of berms, if feasible, shade and ornamental trees, evergreens, shrubbery, hedges and/or other live planting materials.
6. Screening Requirements; Vehicle Storage Areas: Areas used for parking of trucks and trailers (exclusive of loading spaces) for more than seventy two (72) hours shall be screened to a minimum of six feet (6') in height along the length of the abutting SDA line, and cannot exceed a height of ten feet (10'). Such screening shall consist of a continuous landscaped berm, solid, commercial grade wood fence, wall, or other comparable material. All fencing shall be constructed of commercial grade wood or comparable materials, subject to the review and approval by the village zoning officer. The finished side of the fence or wall shall be oriented toward the abutting property. If a fence or wall is used as a screen, a minimum five foot (5') wide planting bed with landscaping material at least three feet (3') high shall be located adjacent to the finished side of the fence or wall. (Ord. 2009-31, 7-16-2009)

9-13-13: STORMWATER BASIN MAINTENANCE:

All stormwater basins planted with natural prairie or wetland plantings shall be maintained in accordance with [title 8, chapter 1, article L](#) of this code. (Ord. 2009-31, 7-16-2009)

Chapter 14 PLANNED UNIT DEVELOPMENTS

9-14-1: PURPOSE AND INTENT:

The planned unit development is a concept which encourages improved design in the development of land, providing relief from rigid district requirements which are designed for conventional developments but which may cause undue hardship or complication for desirable but unconventional development.

In addition to the purpose stated above, the purpose of this Chapter is to establish standards and procedures for planned unit developments in order that the following objectives may be obtained:

- A. Provide environmental design in the development of land that would be more desirable than what is possible through the strict application of this Title.
- B. Diversification in the uses permitted and variation in the relationship of uses, structures, open spaces and heights of structures in developments conceived as cohesive, unified projects.
- C. Provisions for functional, aesthetic and beneficial use of open areas.
- D. Preservation of natural features of the site.
- E. Provision for a safe and desirable living environment for residential areas characterized by a unified building and site development program.

F. Creation of a variety of housing types, within compatible neighborhood arrangements, to provide a greater choice of types of environment and living units. (1976 Code §22-23-1)

9-14-2: APPLICATION AND INTERPRETATION:

A. Application of Provisions: These regulations shall apply to planned unit developments in the Village of Woodridge, Illinois.

B. Interpretation:

1. Minimum Requirements: In interpreting and applying the provisions of this Chapter, planned unit developments will be held to the minimum requirements for the promotion and effectuation of the purposes set forth in Section [9-14-1](#) of this Chapter.
2. Conflicting Laws: Except as otherwise provided for herein, all planned unit developments shall be developed in accordance with all applicable provisions of this Code. When this Chapter imposes greater restrictions or requirements than imposed or required by other provisions of this Code, the provisions of this Chapter shall control.
3. Existing Agreements: Nothing herein shall interfere with, abrogate or annul any easement, covenant, deed restrictions or agreement between parties which impose restrictions greater than those imposed by this Chapter. (1976 Code §22-23-1)

9-14-3: DEFINITIONS:

When used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

DENSITY, GROSS: The numerical value obtained by dividing the total dwelling units in a development by the gross area of the tract of land upon which the dwelling units are located. Dedicated streets shall be utilized in the calculation of gross density.

OPEN SPACE: Land not occupied by structures, buildings, streets, rights of way and automobile parking lots and designed and intended for the use or enjoyment of residents of a planned unit development. Open space may contain structures for recreational use.

PLANNED UNIT DEVELOPMENT: A tract of land which, at its time of development, is developed under single ownership or unified control, which includes two (2) or more principal buildings or uses and is processed under the planned development procedure of this Chapter.

PLANNED UNIT DEVELOPMENT PLAT: A drawing or map made to a measurable scale upon which is presented a description and definition of the way in which the design requirements of the planned unit development are to be met and intended for recording with the County Recorder of Deeds. (1976 Code §22-23-2)

9-14-4: PROCEDURE FOR PLANNED UNIT DEVELOPMENT:

A. Pre-Application and Sketch Plans:

1. Any owner or representative of land within or adjacent to the Village may submit to the Zoning Officer and Village Administrator a sketch plan setting forth the information required in Section [9-14-5](#) of this Chapter in order to obtain the views of the appropriate Village officials, in order to provide such owners and/or agent guidance in the development of their property under the terms of this Chapter.
2. The Zoning Officer and Village Administrator shall review said sketch plan and informally discuss the merits and/or problems of the proposed development. A summary of the discussion is to be forwarded to the Village Board. No formal action in support of or in opposition to the proposed sketch plan will be taken at this stage. (1976 Code §22-23-4)

B. Preliminary Plan And Plat Stage:

1. Application: Following the sketch plan and preapplication stage, the owner or his representative shall submit to the Zoning Officer a completed application and copies of the PUD plat, and associated preliminary (tentative) plats, containing such information and in such form as required in subsection [9-14-5B](#) of this Chapter. As part of any such application, the applicant may request the ability to submit final planned unit development plans and plats and develop the planned unit development in phases. (1976 Code §22-23-4; amd. Ord. 92-06, 3-12-1992)
2. Review And Comment: The Zoning Officer shall refer said plan and plats to the Plan Commission¹ for public hearing and review, and to any other officers or staff as he deems necessary in order to provide review and comment to the Plan Commission.
3. Public Hearing: The Plan Commission shall, after public notice, hold a public hearing on the petition for special use permit for the planned unit development and recommend to the Board of Trustees approval, approval with modifications or denial of the petition based on specific findings of fact. The Plan Commission may call any additional witnesses and/or receive independent testimony as it may deem necessary and may continue said hearing from time to time in order to explore all outstanding questions and to achieve thorough findings of fact. (1976 Code §22-23-4)

4. Approval; Disapproval: The Board of Trustees shall receive the recommendations of the Plan Commission and other recommendations of staff and officers as have been requested, and shall either approve, approve with modification or disapprove the petition. If the Board elects to approve the petition in any form, the Board may establish a special use. If authorized in the ordinance granting the special use permit, a planned unit development may be final platted, planned and developed in phases. In addition to all other conditions that may be imposed, the Board may impose conditions governing the platting, planning and development of any planned unit development in phases, including, but not limited to:
- a. The configuration of any phase;
 - b. The sequence in which phases shall be developed;
 - c. The time within which any phase shall be submitted for final plan and plat approval;
 - d. The time within which building permit applications shall be submitted and construction shall be commenced with respect to any phase;
 - e. The time within which construction of any phase shall be completed;
 - f. The sequence and timing of the construction of all public or other required on-site and off-site improvements;
 - g. The maintenance and landscaping of any phases prior to the submission of final plans and plats with respect thereto; and/or
 - h. The automatic expiration, with no further action by the Board, of the special use permit for a planned unit development and/or the automatic reversion with respect to any zoning or rezoning relief granted, with no further action by the Board, should any of the conditions attached to the phasing of a planned unit development not be satisfied. (Ord. 92-06, 3-12-1992)
5. Issuance Of Building Permit, Occupancy Certificate: No building permit or occupancy certificate can be issued until the recording of the final planned unit development plat and the final plat of subdivision. (1976 Code §22-23-4)
6. Changes To The Approved Preliminary Plan And Plat: If a proposed preliminary plan and plat of planned unit development or a proposed final plan and plat of planned unit development shows a change from the previously approved preliminary plan and plat, the change shall be deemed either a major or minor change and shall be subject to the following procedures:
- a. Major Changes: Any of the following changes shall be deemed to be major changes, which may be approved only by submission of a new preliminary plan and plat, and supporting data, following the procedures set forth in this Section. (Ord. 97-41, 8-14-1997)
 - (1) Increase: A greater than twenty percent (20%) increase, based on the approved preliminary plan and plat of planned unit development for the project, in any of the following components: total gross floor area of all of the nonresidential buildings in the project, or total number of dwelling units, unless otherwise restricted by the ordinance granting the special use for the planned unit development.
 - (2) Decrease: A greater than twenty percent (20%) decrease, based on the approved preliminary plan and plat of planned unit development for the project, to any of the following components: total number of parking spaces, total percentage of open space, or total percentage of landscaped area, unless otherwise restricted by the ordinance granting the special use for the planned unit development.
 - (3) Building Height Increase: Residential districts, twenty percent (20%); business districts, ten feet (10'); industrial districts, twenty feet (20').
 - (4) Classification Change: A change in the functional classification of a roadway, the types of dwelling units, or the types of land uses permitted within the planned unit development.
 - (5) Change In Special Use Permit Or Preliminary Plan And Plat: A change to the conditions of approval of the special use permit or the preliminary plan and plat of the planned unit development.
 - (6) Deviation From Zoning Ordinance Or Status Quo: A new deviation from the provisions of the zoning ordinance or any increase in any previously approved deviation for the planned unit development. (Ord. 98-53, 9-24-1998)
 - b. Minor Changes: Minor changes to the approved preliminary plan and plat of planned unit development shall be any changes not defined above as major changes. Minor changes to an approved preliminary plan and plat of planned unit development shall be subject to the approval of the mayor and board of trustees by ordinance without the requirement of any further public hearing; provided, however, that if the zoning officer deems it advisable, in his sole discretion, he may require that any such minor change be submitted to the plan commission for review and recommendation, without the requirement of a public hearing, prior to the minor change being submitted to the mayor and board of trustees for approval. (Ord. 97-41, 8-14-1997; amd. Ord. 98-53, 9-24-1998)

C. Final Plan And Plat Stage:

1. Procedure For Final Plan And Plat: Within one year after the adoption of the ordinance establishing a special use permit for the planned unit development, the owner or his agent shall file with the plan commission copies of the final plat of development and the associated final plat of subdivision. Upon receipt, the plan commission shall refer copies of the final plan and plat and associated documents and exhibits to the village staff for their review and comment. Notwithstanding any provision contained herein to the contrary, when the board of trustees has approved the phasing of any planned unit development, the final plan and final plat for each phase shall be filed within the time frames established by the board of trustees. (1976 Code §22-23-4; amd. Ord. 92-06, 3-12-1992)
2. Approval Of Plan And Plat: Within sixty (60) days after receipt of all documentation, if the final plan and plat are, in the opinion of the plan commission, deemed to be sufficient, in compliance with all applicable village ordinances and in substantial conformity with the approved preliminary plan and plat, they shall be approved by the plan commission and recommended to the board of trustees. Copies of the final plan and plat, along with a letter of transmittal and recommendation, shall be transmitted by the plan commission to the board of trustees.
3. Acceptance Or Rejection Procedures: Within sixty (60) days after receipt of the plan commission's recommendation, and provided all requirements set forth in subsection 9-14-5C of this chapter have been met, the board of trustees shall either accept said recommendation and approve said final plat or receive said recommendation and either approve said plat with modifications or disapprove said final plat. In the event the board of trustees disapproves of the final plat submitted, it shall return same to the plan commission with specific findings as to how said final plat is not in conformance with said preliminary plat and all other ordinances of the village. (1976 Code §22-23-4)
4. Changes To The Approved Final Plan And Plat: A planned unit development shall be constructed in accordance with the approved final plan and plat of planned unit development and supporting data. The final plan and plat of planned unit development shall control and limit the use of the parcel of

land (including the general internal use of buildings and structures) and the location of buildings and structures in the planned unit development as depicted thereon.

Changes to the approved final plan and plat of planned unit development shall be categorized as either a major or minor change, and shall be subject to the following procedures:

a. Major Changes: Any of the following changes shall be deemed to be major changes, which may be approved only by submission of a preliminary plan and plat of planned unit development, and supporting data, following the procedures set forth in this section:

(1) A greater than five percent (5%) increase, based on the approved final plan and plat to any of the following components:

- (A) The number of dwelling units;
- (B) The gross floor area of a nonresidential or multi-family residential building;
- (C) The total gross floor area of all buildings in the project; or
- (D) Height of a building, unless otherwise restricted by the ordinance granting the special use for the planned unit development.

(2) A greater than five percent (5%) decrease, based on the approved final plan and plat to any of the following components:

- (A) The total number of parking spaces;
- (B) The total percentage of landscaped area; or
- (C) The total percentage of open space in the project, unless otherwise restricted by the ordinance granting the special use for the planned unit development.

(3) A change to the approved final plan and plat, unless otherwise defined by the ordinance granting the special use for the planned unit development, to any of the following components:

- (A) The location of a principal building, a roadway, or a parking area, by more than twenty feet (20');
- (B) Roadway widths;
- (C) The location of points of ingress and egress;
- (D) The designated land uses;
- (E) The proposed use of a structure.

(4) A change to the approved final plan and plat, unless otherwise defined by the ordinance granting the special use for the planned unit development, in:

- (A) The functional classification of a roadway;
- (B) The types of dwelling units; or
- (C) The types of land uses permitted within the planned unit development.

(5) Any change to the covenants affecting the rights of the village, any conditions of approval in any ordinance granting the special use for the planned unit development, approving the preliminary plan and plat of planned unit development, or approving the final plan and plat of planned unit development, specifically including, but not by way of limitation, any proposed increase in any of the approved deviations for the planned unit development.

Major changes to an approved plan shall be subject to plan commission review and recommendation and mayor and board of trustees approval.

b. Minor Changes: Minor changes to the approved final plan and plat of planned unit development shall be any change not identified above as a major change, including, but not limited to:

- (1) Changes to the location of, or landscaping for, aboveground service facilities;
- (2) Changes to building facades;
- (3) The installation of emergency warning sirens;
- (4) Changes to, or the installation of, fencing;
- (5) The installation of private generators, compressors, condensers, storage tanks, etc.;
- (6) Changes to approved landscaping plans;
- (7) Changes to approved signage;
- (8) Installation of or changes to refuse disposal areas, rooftop mechanicals, traffic control gates, security guard shelters, and sidewalks, provided their proposed location does not result in change as noted under subsection C4a of this section;
- (9) A change in the approved development schedule or phasing plan.

Minor changes to an approved final plan and plat of planned unit development shall be subject to the approval of staff without the requirement of plan commission consideration or village board approval prior to issuance of a building permit. Following staff approval, staff shall prepare an ordinance to be approved by the village board. (Ord. 2010-09, 2-4-2010)

However, the director of community development in his or her sole discretion, may require that any such minor change be submitted to the village board and/or plan commission for review and recommendation and approval, without the requirement of a public hearing and prior to the issuance of a building permit. (Ord. 2010-09, 2-4-2010; amd. Ord. 2010-29, 5-20-2010)

D. Revocation Of Special Use Permit; Reversion Of Zoning; Failure To Prosecute Completion Of Planned Unit Development: Planned unit developments are permitted based upon conditions and considerations existing at the time zoning relief (any rezoning together with grant of special use permit) is granted approving the development of a planned unit development. Planned unit developments shall be constructed and completed in a timely manner. Any special use permit authorizing a planned unit development may be revoked under the following conditions:

1. Where a phasing plan has not been approved by the board of trustees, a complete application for final plan and plat approval is not filed within one year after the date of the adoption of the ordinance granting a special use permit for a planned unit development;
2. Where a phasing plan has not been approved by the board of trustees, construction of the planned unit development does not commence and proceed within one year after the date of the approval of the final plan and plat for a planned unit development; or
3. Where a phasing plan has been approved by the board of trustees in the ordinance granting special use permit approval for a planned unit development, and where the ordinance granting special use permit approval does not provide for the automatic expiration of the special use permit and/or automatic reversion of zoning, there has been a failure to adhere to any of the conditions attached to the phasing of such planned unit development.

If a special use permit for a planned unit development is revoked pursuant to this subsection, and if the ordinance granting such special use permit also provided for the zoning or rezoning of the property for which the special use permit was granted, then in that event such zoning may be reverted to the underlying zoning existing at the time application for a planned unit development was filed. If such underlying zoning was a county of DuPage or county of Will classification, the zoning may be reverted to the R-1 classification under the zoning ordinance of the village.

Upon the revocation of a special use permit for a planned unit development and/or reversion of any zoning with respect to any property, such property shall conform to the permitted uses and other regulations of the zoning district in which it is located.

Upon written application and for good cause shown, the board of trustees may, by ordinance, in its sole discretion, grant extensions of time not to exceed one year each from the time limitations set forth in this subsection or in any approved phasing plan. (Ord. 92-06, 3-12-1992)

9-14-5: CONTENT OF PLANS AND PLATS:

A. Sketch Plan: A drawing of the proposed PUD prepared at a scale that provides a clear understanding of the way in which the property is intended to be developed. The plan shall indicate the overall concept of the development including the land use pattern, general circulation system, open space and/or park system and other major features. The plan shall indicate:

1. Boundary lines, approximate distances.
2. General areas around the site, including land use and streets.
3. Proposed streets.
4. Proposed land uses.
5. Map date, name of development, owner, north point scale, acreage and date of preparation.
6. Site data: A listing in tabular form of the various land uses and areas thereof, number of dwelling units and estimated population.
7. A statement of existing and proposed ownership.
8. A general statement describing the existing site features, including topography and flooding conditions, vegetation and other factors.
9. A general statement of the current status of necessary utilities.
10. Other information as the plan commission may from time to time deem necessary.

B. Preliminary Plat Stages:

1. Detailed Plan: A drawing of the planned unit development shall be prepared at a scale of not less than one inch equals one hundred feet (1" = 100') and shall show such designations as proposed streets (public and private), all buildings and their uses, common open space, recreation facilities, parking areas, service areas and other facilities to indicate the character of the proposed development. The submission may be composed of one or more sheets and drawings and shall include:

- a. Boundary line: Bearings and distance.
- b. Easements: Location, width and purpose.
- c. Streets on and adjacent to the tract: Street name, right of way width, existing or proposed centerline elevations, pavement type, walks, curbs, gutters, culverts, etc.
- d. Utilities on and adjacent to the tract: Location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone lines and streetlights; direction and distance to and size of nearest usable water mains and sewers adjacent to the tract showing invert elevation of sewers.

- e. Ground elevations on the tract: For land that slopes less than one-half percent ($1/2\%$), show one foot (1') contours; for land that slopes more than one-half percent ($1/2\%$), show two foot (2') contours; also show spot elevations at all breaks in grades, along all drainage channels or swales and at points of special significance.
 - f. Subsurface conditions on the tract (if required by the plan commission): Location and results of tests made to generally ascertain subsurface soil, rock and ground water conditions; depth to ground water unless test pits are dry at a depth of five feet (5'); location and results of soil percolation tests if individual sewage disposal systems are proposed. (1976 Code §22-23-5)
 - g. Other conditions on the tract: Watercourses, floodplains, marshes, rock outcrops, houses, barns, accessory buildings and other significant features. In addition, the location of each tree six inches (6") in dbh and greater shall be shown on a plan in relation to the proposed improvements in accordance with section [9-13-3](#) of this title. (Ord. 2004-10, 3-18-2004)
 - h. Other conditions on adjacent land: Approximate direction and gradient of ground slope, including any embankments or retaining walls; character and location of major buildings, railroads, power lines, towers or other nonresidential land uses or adverse influences; owners of adjacent unplatted land; for adjacent platted land, refer to subdivision plat by name and show approximate percent built up, typical lot size and dwelling type.
 - i. Zoning: Show zoning districts on and adjacent to the tract.
 - j. Proposed public improvements: Highways or other major improvements planned by public authorities for future construction on or near the tract.
 - k. Open space: All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purpose indicated.
 - l. Structures: General location, purpose and height, in feet or stories, of each building other than single-family residences or individually platted lots.
 - m. Map data: Name of development, name of site planner, north point, scale, date of preparation and acreage of site.
 - n. Miscellaneous: Such additional information as may be required by the plan commission. (1976 Code §22-23-5)
 - o. Tree preservation plan: Tree preservation plan in accordance with section [9-13-3](#) of this title. (Ord. 2009-31, 7-16-2009)
2. Objectives: A statement of planning objectives to be achieved by the planned unit development. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices of the developer.
 3. Character: Explanation of the character of the planned unit development and the manner in which it has been planned to take advantage of the flexibility of these regulations.
 4. Ownership: Statement of present and proposed ownership of all land within the project, including present tract designation according to official records in offices of the county recorder of deeds.
 5. Names And Addresses: The names and addresses of the persons the plan commission should be sent (developer, designer and the owners of the land immediately adjoining). (1976 Code §22-23-5)
 6. Phasing Schedule (If Applied For):
 - a. Configuration of each phase with emphasis on the area, density, uses and public facilities or required improvements to be developed within each phase. Design of each phase shall be shown on the plan, plat and through supporting graphic material.
 - b. The sequence in which phases will be developed.
 - c. The time within which any such phase will be submitted for final plan and plat approval.
 - d. The time within which building permit applications will be submitted and construction will be commenced with respect to each phase.
 - e. The time within which each phase will be completed.
 - f. The sequence and timing of construction of all public or other required on site and/or off site improvements.
 - g. Provisions for the maintenance and landscaping of any phases prior to the submission of final plans and plats with respect thereto.
 7. Covenants, Conditions, Restrictions, Easements: Proposed covenants, conditions, restrictions and easements which will provide for the perpetual use, maintenance and conformity of the planned unit development in accordance with the approved planned unit development documents and the zoning ordinance of the village. (Ord. 92-06, 3-12-1992)
 8. Density: Provide information on the density of residential uses, including the number of dwelling units by type, the number of buildings by type and the number of bedrooms in each building and dwelling unit type.
 9. Nonresidential Use: Provide information on the type and amount of ancillary and nonresidential uses, including the amount of open space.
 10. Service Facilities: Provide information on all service facilities and off street parking facilities.
 11. Architectural Plans: Preliminary architectural plans for all primary buildings shall be submitted in sufficient details to permit an understanding of the style of the development, the design of the building and the number, size and type of dwelling units. Also, provide floor area of building types and total ground coverage of buildings.
 12. Landscape Plans: Preliminary plans for plant materials, earth sculpturing, berming and aesthetic features shall be submitted.
 13. Facilities Plans: Preliminary plans or information, adequate to indicate that the proposed development can be serviced, shall be submitted for:
 - a. Roads, including classification, width of right of way, width of pavement and typical construction details.
 - b. Sanitary sewers.
 - c. Storm drainage.

- d. Water supply system.
 - e. Lighting program.
 - f. Sidewalks, parks and cycle trails.
14. School Impact Study: Provide information on the student load and financial impact on the local school districts, including expected scheduling of potential students.
 15. Tax Impact Study: Provide information on the taxes to be generated by the proposed project and the cost to the various taxing bodies to provide the necessary services to the project.
 16. Traffic Analysis: Provide information on the adequacy of the local transportation and thoroughfare system to handle anticipated traffic volumes generated by the planned unit development. Also, an analysis should be made of the adequacy of the internal vehicular circulation pattern.
 17. Market Study: Provide economic feasibility study of the proposed development, including information on land utilization, and marketing potential. Evidence should be presented showing the need and feasibility of the proposed development.

C. Final Plat Stage:

1. Final Detailed Plat: A final planned development plat, suitable for recording with the county recorder of deeds, shall be prepared. The purpose of the final plat is to designate with particularity the land subdivided into conventional lots as well as the division of other land, not so treated, into open areas and building areas. The final plat shall include, but not be limited to:
 - a. An accurate legal description of the entire area under immediate development within the planned development.
 - b. A subdivision plat of all subdivided lands in the same form and meeting all the requirements of a normal subdivision plat.
 - c. An accurate legal description of each separate unsubdivided use area, including open space.
 - d. Designation of the exact location of all buildings to be constructed.
 - e. Certificates, seals and signatures required for the dedication of lands and recording the document.
 - f. Tabulation on separate unsubdivided use area, including land area, number of buildings and number of dwelling units per acre.
2. Open Space Documents: All open space shall either be conveyed to a municipal or public corporation, conveyed to a not for profit corporation or entity established for the purpose of benefiting the owners and residents of the planned unit development or retained by the developer with legally binding guarantees, in a form approved by the village attorney, that the open space will be permanently preserved as open area. All land conveyed to a not for profit corporation or like entity shall be subject to the right of said corporation to impose a legally enforceable lien for maintenance and improvement of the open area. (1976 Code §22-23-5)
3. Public And Private Improvements: All public and private improvements made necessary as a result of the planned unit development shall be either constructed in advance of the approval of the final plat or secured by a letter of credit posted to guarantee construction of the required improvements. The letter of credit, payable to the village of Woodridge, shall be sufficient to cover the full cost of the improvements plus ten percent (10%). Detailed construction plans shall be submitted for all public and private improvements to be built. (Ord. 2009-31, 7-16-2009)
4. Construction Plans: Detailed plans shall be submitted for the design, construction or installation of site amenities, including buildings, landscaping, lakes and other site improvements, and shall also include a soil erosion and sedimentation control plan, and a tree preservation plan in accordance with section [9-13-3](#) of this title. (Ord. 2004-10, 3-18-2004)
5. Construction Schedule: A final construction schedule shall be submitted for that portion of the planned unit development for which approval is being requested. (1976 Code §22-23-5)
6. Guarantee Deposit: A deposit shall be made to the village in cash or letter of credit approved and in a form acceptable to the village attorney equal to ten percent (10%) of the estimated cost of the public improvements and private landscaping improvements. This deposit shall be a guarantee of satisfactory performance of the improvements constructed within the planned unit development and shall be held by the village for a period of eighteen (18) months from the date of acceptance of the facilities by the village. After such eighteen (18) months, the deposit shall be refunded if no defects have developed, or if any defects have developed, then the balance of such deposit shall be refunded after disbursement for amounts expended in correcting defective facilities.
7. Covenants, Conditions, Restrictions, Easements And Agreements: Final covenants, conditions, restrictions, easements, and traffic regulation agreements, in forms acceptable to the legal counsel for the village, which will provide for the perpetual use, maintenance and conformity of the planned unit development in accordance with the approved planned unit development documents and the zoning ordinance of the village. Notwithstanding anything contained herein to the contrary, single-family developments without private roads and without private parking lots shall be exempt from providing traffic regulation agreements. (Ord. 2009-31, 7-16-2009)

9-14-6: STANDARDS:

The planned unit development must meet the following standards:

- A. Comprehensive Plan: A planned unit development must conform with the intent and spirit of the planning objective of the village plan.

- B. Size And Ownership: The site of the planned unit development must be under single ownership and/or unified control and be not less than two (2) acres in area. If the size is over one hundred (100) acres, the "sketch plan" procedure must be followed.
- C. Compatibility: The uses permitted in the planned unit development must be of a type and so located as to exercise no undue detrimental influence upon surrounding properties.
- D. Need: A clear showing of need must be made.
- E. Space Between Buildings: The minimum horizontal distance between buildings shall be:
1. Fifteen feet (15') between one story, two (2) story and two and one-half ($2\frac{1}{2}$) story buildings or combinations thereof. (1976 Code §22-23-6)
 2. For buildings taller than two and one-half ($2\frac{1}{2}$) stories, the setback shall equal the height of the tallest building. (Ord. 2003-17, 4-24-2003)
- F. Yards: The required yards along the periphery of the planned unit development shall be at least equal in width or depth to that of the adjacent zoning district. (1976 Code §22-23-6)
- Buildings of more than twenty four feet (24') in height shall provide a building setback from any periphery property line of not less than equal to the height of such buildings. (Ord. 2005-47, 8-18-2005)
- G. Parking Requirements: Adequate parking shall be provided, and in no event shall the parking be less than that provided for in other sections of this title.
- H. Access: Adequate provision be made to provide ingress and egress so designed as to minimize the traffic congestion in the public streets.
- I. Design Standards: The provisions of the Woodridge subdivision control ordinance² shall be adhered to, unless a variance is granted by the village board³.
- J. Other Standards: The planned unit development may deviate from strict conformance with the required density, dimension, area, height, bulk, parking and other regulations for the standard zoning districts and other provisions of this title to the extent specified in the preliminary plat and documents authorizing the planned unit development so long as the planned unit development will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. (1976 Code §22-23-6)

9-14-7: FINDINGS:

The plan commission shall, after the public hearing, set forth to the board of trustees the reason for the recommendation, and said recommendation shall set forth with particularity what respects the proposal would be in the public interest, including, but not limited to, findings of fact on the following:

- A. In what respects the proposed plan is consistent with the stated purpose of the planned unit development regulations.
- B. The extent to which the proposed plan meets the requirements and standards of the planned unit development regulations.
- C. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, the density, dimension, area, bulk and use and the reasons why such departures are deemed to be in the public interest.
- D. The method by which the proposed plan makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space and furthers the amenities of light and air, recreation and visual enjoyment.
- E. The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood.
- F. The desirability of the proposed plan as regards physical development, tax base and economic well being of the village.

G. The conformity with the intent and spirit of the planning objective of the village. (1976 Code §22-23-7)

9-14-8: CONDITIONS AND GUARANTEES:

As a condition to the approval of any planned unit development, the plan commission may recommend and the board of trustees may stipulate such conditions and restrictions upon the establishment, location, design, layout, height, density, construction, maintenance, aesthetics, operation and other elements of the planned unit development as deemed necessary for the protection of the public interest, improvement of the development and protection of the adjacent area. In all cases in which planned unit developments are granted, the board of trustees shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with. (1976 Code §22-23-8)

9-14-9: ADMINISTRATION AND ENFORCEMENT:

A. Administrative And Enforcing Officer: The zoning officer shall be the enforcing and administrative officer of this chapter including the following:

1. Administratively process all zoning changes involving a special use permit for a planned unit development.
2. Maintain permanent and current records of this chapter, including all amendments thereto.
3. Receive and file all sketch, preliminary and final planned unit development plans and plats.
4. Forward all copies of all proposed planned unit development plans and plats to the planning commission and to other agencies, boards or officers of the village as directed by the plan commission or the board of trustees.
5. Make all other determinations and perform all other administrative actions required by him by this chapter. (1976 Code §22-23-3)

B. Fee⁴: A fee shall accompany each application for planned unit development approval. Such fee shall be paid to the zoning officer at the time of the filing of each such application. No plan shall be approved nor shall any building or other permit issued thereon without the fee required herein having first been paid.

The fee shall be in any amount established from time to time by a resolution adopted by the board of trustees. Any fee collected pursuant to this section shall be in addition to and not in lieu of any other fee imposed by the terms of this code. (1976 Code §22-23-9)

9-14-10: MAINTENANCE AND USE OF PLANNED UNIT DEVELOPMENT:

Every planned unit development shall at all times be maintained, used and kept in full conformance with the provisions of this code and those plats, plans and specifications expressly incorporated in any ordinance or resolution specifically governing the construction and development of the planned unit development. (Ord. 92-06, 3-12-1992)

ARTICLE A. REGIONAL PLANNED UNIT DEVELOPMENTS

9-14A-1: PURPOSE AND OBJECTIVES:

The purpose of the regional planned unit development is to encourage and allow more creative, flexible and imaginative design for land developments than is possible under the more conventional zoning regulations. The regional planned unit development also provides for more efficient use of the land and thus results in more economical land development consistent with the preservation of natural site qualities, better urban amenities, and a higher quality project, all in general conformity with the goals and planning objectives of the Comprehensive Plan of the Village existing as of the date of approval of the conceptual land use plan by the Village Board of Trustees.

Regional planned unit developments are permitted only for large tracts of land having unique site characteristics for which it is possible to determine, at the time of application, a broad range of possible uses. Even though uncertainties surrounding the development of uses on the site and on adjacent properties and the anticipated duration of development may make it difficult to determine the specific location of application, the procedures and standards set forth herein are intended to afford the corporate authorities an opportunity to review each proposed conceptual, RPUD zoning lot, preliminary and final plan to assure that it meets or promotes the following criteria and objectives:

- A. To permit a maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the other sections of this Article.
- B. To promote a creative approach to the use of land and related physical facilities that results in better design and development, with the inclusion of aesthetic amenities.

- C. To combine and coordinate architectural styles, building forms and building relationships with a possible mixing of different urban uses in an innovative design.
- D. To encourage a pattern of development to preserve natural vegetation, topographic and geological features and environmentally appropriate features.
- E. To provide for the prevention and/or control of soil erosion and surface flooding.
- F. To provide, where residential development is to occur, for more usable and suitably located recreation facilities, schools and other public and private facilities.
- G. To promote the more efficient use of the land resulting in more economic networks of utilities, streets and other facilities.
- H. To encourage a land use which promotes public health, safety, comfort, morals, and welfare.

The regional planned unit development is intended to provide for projects each of which may incorporate a single type or a variety of related uses which are planned and developed as a unit. Such development may consist of conventionally subdivided lots to be sold, unsubdivided single ownership, separate condominium ownership of structures, or other ownership methods, and shall provide for development by means of RPUD zoning lot, preliminary and/or final development plans which establish the location and extent of the uses within the regional planned unit development in keeping with the purpose of the conceptual plan.

A regional planned unit development may depart from strict conformance with the required density, dimension, area, height, bulk, use and other regulations for the standard zoning districts and other provisions of this Article and the other codes and other ordinances of the Village to the extent specified in the documents authorizing the regional planned unit development or to the extent specified in any ordinance or resolution approving a conceptual, RPUD zoning lot, preliminary or final plan. (Ord. 87-14, 4-6-87; amd. Ord. 94-28, 4-28-94)

9-14A-2: LOCATION AND PERMITTED USES:

The regional planned unit development is authorized as a special use in R-1 Residential, R-3 Residential and ORI Office, Research and Light Industrial Zoning Districts of this Article. Any permitted or special use available under any of the various zoning district classifications of this Article, whether singly or in combination, and any other use permitted by law, may be allowed as either a permitted or special use within a regional planned unit development upon approval thereof by the Village Board of Trustees.

The Village Board of Trustees, in connection with its consideration of a conceptual plan, may determine, for any such regional planned unit development, that special provisions, restrictions or considerations are required in order to adequately provide for public health, safety and welfare or to meet the needs of other units of local government. In the event such determination is made as part of the approval of a conceptual plan for a regional planned unit development, the development of said regional planned unit development shall be consistent with such special provisions, restrictions or considerations as determined by the Village Board. (Ord. 87-14, 4-6-87)

9-14A-3: PROCEDURE:

A regional planned unit development shall be granted as a special use in accordance with the procedures and standards of this Article. Applications shall be made on forms provided by the Village and shall be accompanied by the required plans and documents. The plans, drawings and other information required for each subsection, as hereinafter set forth, shall be furnished sufficiently in advance of the various meetings and hearings associated with each subsection to permit staff review prior to the time of such meetings and hearings.

A. STEP 1 - Pre-Application Procedure (Optional):

Pre-Application Conference:

Prior to the filing of an application for approval of a regional planned unit development, the developer may request of the Village an informal meeting to discuss the development of its land in conjunction with Village planning and zoning objectives and the Village Comprehensive Plan. The request for a pre-application conference shall be made to the Village Clerk who shall submit such application to the Village Manager for processing.

The pre-application conference is not mandatory and does not require formal application, fee or filing of a regional planned unit development conceptual plan.

The pre-application conference may also be employed by the developer of a portion of a regional planned unit development in connection with a proposed revision to a conceptual plan, a proposed preliminary plan and/or a proposed final plan.

B. STEP 2 - Conceptual Plan Procedure:

1. Purpose: The purpose of the conceptual plan submission is to obtain the Village's approval of a plan of development for one or more parcels of land which is in accordance with the criteria and objectives of Section [9-14A-1](#) and which establishes the permissible uses of such land. It is intended that following approval of the conceptual plan, the development of the regional planned unit development may be undertaken in separate phases or stages pursuant to RPUD zoning lot plans and/or detailed preliminary and final site plans for each such separate phase or stage which are to be submitted in accordance with the procedures set forth in STEP 3, STEP 4 and STEP 5 hereof. The conceptual plan review process allows for approval of an overall land use concept without the necessity of anticipating long-range markets or preparing precise plans for unknown quantities of development.
2. Procedure: A request for the approval of a conceptual plan, as a step in the regional planned unit development procedure, shall be submitted to the Village Clerk who shall refer the same to the Plan Commission for public hearing, report and recommendation to the Village Board. The required procedure for review of the conceptual plan shall be:
 - a. Submission of the following:
 - (1) Written application or petition for review of a conceptual plan shall be made on forms and in the manner prescribed by rules of the Village.
 - (2) The application or petition shall be accompanied by a fee which shall be established by the Village Board.
 - (3) Sufficient supporting data, plans or information to indicate the extent and nature of the proposal and that the project is ready for public hearing. Detailed data in accord with subsections [9-14A-4A](#) and 4B of this Article shall be submitted with the application. Twenty (20) copies of all required information shall be submitted.
 - b. The Plan Commission shall hold a public hearing on the application for a regional planned unit development in accordance with the notice and publication requirements for planned unit developments, which hearing may be continued from time to time by said Plan Commission.
 - c. Following the public hearing and review of the conceptual plan and supporting data, the Plan Commission, within thirty (30) days, shall recommend approval, modification or disapproval of the conceptual plan, and the reasons therefor, to the Village President and the Village Board. Such recommendation shall include findings of fact as required by Section [9-14A-6](#).
 - d. The President and Village Board, within thirty (30) days after receipt of the conceptual plan and the Plan Commission's report and recommendations, shall approve, modify or disapprove the conceptual plan and shall, at that time, authorize or disapprove the special use for the regional planned unit development. In the case of approval, or approval with modification, the Village Board shall pass an ordinance or resolution approving the conceptual plan and granting the special use and arrange zoning map modifications as necessary.
 - e. The granting of the special use for the regional planned unit development by the corporate authorities shall constitute an acceptance of the content of the conceptual plan, and shall confirm the Village's commitment to approve RPUD zoning lot, preliminary and final site plans that carry out, refine and implement the concepts expressed in the conceptual plan and the intent of the conceptual plan and which are determined by the corporate authorities to comply with the standards set forth in Section [9-14A-5](#). The RPUD zoning lot, preliminary and final site plans shall be submitted to and processed by the Village in accordance with the requirements of this Section [9-14A-3](#) and Section [9-14A-5](#). (Ord. 87-14, 4-6-87; amd. Ord. 94-28, 4-28-94)

C. STEP 3 - RPUD Zoning Lot Plan Approval:

1. Purpose: The purpose of the RPUD zoning lot plan approval process is to allow an owner of a portion of a regional planned unit development to obtain approval from the Village of a conceptual site plan (an "RPUD zoning lot plan") for an "RPUD zoning lot". Uses of land developed within an RPUD zoning lot pursuant to an RPUD zoning lot plan must comply with the approved conceptual plan for the regional planned unit development but the development of the RPUD zoning lot over time need not be undertaken pursuant to a single preliminary plan or final plan. Preliminary plans and final plans for the various portions of an RPUD zoning lot may provide for the development of such portions, in a manner that departs from the bulk regulations applicable to the regional planned unit development provided that such bulk regulations are conformed to with respect to the development of the RPUD zoning lot when taken as a whole (unless departures therefrom are authorized by the Village Board in the course of the RPUD zoning lot plan approval process or otherwise). Upon approval of an RPUD zoning lot plan, an applicant can submit preliminary plans and final plans pursuant to the provisions set forth below for the approval of preliminary plans and final plans.

For purposes of this [Chapter 14A](#), an "RPUD zoning lot" is defined as a portion of a regional planned unit development consisting of five (5) or more acres which is intended to be developed with one or more buildings under common ownership or unified control.

An approved RPUD zoning lot plan shall constitute an expression of an applicant's intentions with respect to the development of the RPUD zoning lot. Such plan, however, shall not be binding upon the applicant, the owners of the RPUD zoning lot or the RPUD zoning lot itself insofar as the use of land, layout of buildings, construction of streets or roads, or other matters depicted on the RPUD zoning lot are concerned. It is anticipated that an RPUD zoning lot plan will be revised and updated from time to time as the owners of the RPUD zoning lot determine with greater certainty the anticipated use and development of the various portions of the RPUD zoning lot. From time to time, the boundaries of an RPUD zoning lot may be changed, and an RPUD zoning lot may be increased or decreased in size, provided that: a) at no time shall the RPUD zoning lot consist of less than five (5) acres; b) at all times the developments constructed or to be constructed on the RPUD zoning lot, when taken as a whole, shall conform to the bulk regulations applicable to the regional planned unit development (except to the extent that departures therefrom are authorized by the Village Board in the course of the RPUD zoning lot plan approval process or otherwise); and c) the general nature of the development originally anticipated to be constructed on the RPUD zoning lot is not being changed. In the event an applicant proposes to develop a portion of an RPUD zoning lot in a manner that constitutes a major change (as defined in subsection [9-14A-3G1](#)) from the approved RPUD zoning lot plan, an amended RPUD zoning lot plan shall be submitted to the Village for consideration in accordance with the procedure set forth herein for the consideration of the original RPUD zoning lot plan.

2. Procedure: A request for approval of an RPUD zoning lot plan shall be submitted to the Village Clerk who shall refer the same to the Plan Commission for a public meeting and report to the Village Board.

The required procedure for review of an RPUD zoning lot plan shall be:

- a. Submission of the following:
 - (1) Written application for review of an RPUD zoning lot plan shall be made on forms and in the manner prescribed by rules of the Village.
 - (2) The application shall be accompanied by a fee which shall be established by the Village Board.

- (3) Sufficient supporting data, plans and information to indicate the extent and nature of the proposal. Detailed data in accord with subsection [9-14A-4C](#) shall be submitted with the application. Twenty (20) copies of all required information shall be submitted.
- b. The Plan Commission shall review the RPUD zoning lot plan and supporting data for conformity to these regulations, and shall, within thirty (30) days (unless an extension is requested by the applicant) recommend approval, modification or disapproval of the RPUD zoning lot plan, and the reasons therefor, to the Village Board.
- c. The Village Board, after receipt of the RPUD zoning lot plan and the report and recommendations of the Plan Commission, shall, within thirty (30) days (unless an extension is requested by the applicant) approve, modify or disapprove the RPUD zoning lot plan. In the case of approval, or approval with modification, the Village Board shall indicate its approval upon the RPUD zoning lot plan.
- d. Approval of an RPUD zoning lot plan does not constitute approval of a preliminary plan. Rather, it shall be deemed an expression of approval of the concepts depicted on the RPUD zoning lot plan as a guide to the preparation of one or more preliminary plans for the development of the RPUD zoning lot. (Ord. 94-28, 4-28-94)

D. STEP 4 - Preliminary Plan Approval:

1. Purpose: The purpose of the preliminary plan submission process is to obtain approval from the Village of preliminary site plans (a "preliminary site plan") that further the development of the regional planned unit development and which are determined by the corporate authorities to comply with the standards set forth in Section [9-14A-5](#). Said process also enables the developer of any portion of the regional planned unit development to obtain assurances that his plans, design and program substantially satisfy the standards of subsection [9-14A-5B](#) and that the developer can reasonably proceed into final detailed architecture, engineering, surveying and landscape architecture with the knowledge that his final plan will be approved by the Village if it substantially conforms to the preliminary plan.
2. Procedure: A request for approval of a preliminary plan shall be submitted to the Village Clerk who shall refer the same to the Plan Commission for public meeting and report to the Village Board.

The required procedure for review of a preliminary plan shall be:

a. Submission of the following:

- (1) Written application for review of a preliminary plan shall be made on forms and in the manner prescribed by rules of the Village.
- (2) The application shall be accompanied by a fee which shall be established by the village board.
- (3) Sufficient supporting data, plans and information to indicate the extent and nature of the proposal. Detailed data in accord with subsection [9-14A-4D](#) of this article shall be submitted with the application. Twenty (20) copies of all required information shall be submitted.
- b. The plan commission shall review the preliminary plan and supporting data for conformity to these regulations, and shall, within thirty (30) days (unless an extension is requested by the applicant) recommend approval, modification or disapproval of the preliminary plan, and the reasons therefor, to the village board.
- c. The village board, after receipt of the preliminary plan and the report and recommendations of the plan commission, shall, within thirty (30) days (unless an extension is requested by the applicant) approve, modify or disapprove the preliminary plan. In the case of approval, or approval with modification, the village board shall indicate its approval upon the preliminary plan.
- d. Approval of a preliminary plan shall not constitute approval of a final plan. Rather, it shall be deemed an expression of approval of the layout and other matters submitted on the preliminary plan as a guide to the preparation of the final plan which will be submitted to the village for approval upon the fulfillment of the requirements of these regulations and the conditions of the preliminary approval, if any. A final plan shall be approved if it substantially conforms with the preliminary plan.

A preliminary and final plan may be filed and approved simultaneously or a final plan may be filed and approved without a preliminary plan if all submittal requirements for preliminary plan approval are substantially satisfied.

E. STEP 5 - Final Plan Approval:

1. Purpose: The purpose of the final plan submission process is to obtain final approval from the village of a final site plan (a "final plan") for a specific construction phase of the regional planned unit development. A final plan shall indicate with particularity the land subdivided into conventional lots as well as the division of other lands, not so subdivided, into common open space and building sites. A final plan should show the exact location of all facilities within the portion of the regional planned unit development contemplated by said final plan while a preliminary plan need only show the general location of the same facilities.
2. Procedure: A final plan shall conform substantially to the preliminary plan as approved and, if desired by the developer, may be submitted in phases with each phase reflecting the approved preliminary plan, or part thereof, which is proposed to be developed.

The required procedure for approval of a final plan shall be:

- a. A final plan and other supporting data required for approval shall be submitted to the village clerk for transmittal to the plan commission. Final plans and supporting data shall show in detail the design, location and use of all buildings, facilities, and site improvements, as well as such additional information as the plan commission may require.
- b. The plan commission shall, within thirty (30) days (unless an extension is requested by the applicant) recommend approval, disapproval or approval with modification of the final plan, and the reasons therefor, to the village board.
- c. The village board, after receipt of the final plan and the report and recommendations of the plan commission, shall, within thirty (30) days (unless an extension is requested by the applicant) approve or disapprove the final plan, and, if approved, shall pass an ordinance or resolution approving the final plan.

F. Changes In The Regional Planned Unit Development Conceptual Plan: The regional planned unit development shall be developed only according to the approved conceptual plan. The conceptual plan, together with all amendments thereto, shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of land in the regional planned unit development.

1. Major Changes: Changes to the conceptual plan which alter the concept, intent or essential character of the regional planned unit development, or which increase building height, floor area ratios, density, or the intensity of land use or which reduce proposed open space by more than ten percent (10%) or which change permitted land uses may be made only by submission and approval of a revised conceptual plan following the procedures set forth above.
2. Minor Changes: All changes to a conceptual plan not defined above as a major change shall be deemed a minor change. Minor changes to an approved conceptual plan shall be subject to the prior approval of the corporate authorities. (Ord. 87-14, 4-6-1987; amd. Ord. 94-28, 4-28-1994)
3. Amendments: An application for a major change or a minor change to a conceptual plan may be submitted by the owners or the duly authorized agents of the owners of the lands described by such application. In the event an application for a major change or a minor change to a conceptual plan is submitted to the corporate authorities for only a portion of the lands described by a conceptual plan, the notices which are to be published, sent or posted pursuant to section [9-15-8](#) of this title shall be based upon the legal descriptions of the lands described by such application. (Ord. 94-28, 4-28-1994)

G. Changes In RPUD Zoning Lot, Preliminary And Final Plans:

1. Major Changes: Changes to any of the following components of an approved RPUD zoning lot, preliminary or final plan shall be considered major changes:
 - a. Increases in density;
 - b. Increases in building height;
 - c. Increases in the intensity of land use;
 - d. Increases in floor area ratios;
 - e. Changes which reduce proposed open space by more than ten percent (10%); or
 - f. Changes which change designated land uses.

Major changes to an approved RPUD zoning lot, preliminary or final plan shall be approved only by submission of a new RPUD zoning lot, preliminary or final plan and supporting data following the procedures set forth above.

2. Minor Changes: Changes to any of the following components of an approved RPUD zoning lot, preliminary or final plan shall be any change not defined above as a major change, including, but not limited to:
 - a. Changes to the location of, or landscaping for, aboveground service facilities;
 - b. Changes to building facades;
 - c. The installation of emergency warning sirens;
 - d. Changes to, or the installation of, fencing;
 - e. The installation of private generators, compressors, condensers, storage tanks, etc.;
 - f. Changes to approved landscaping plans;
 - g. Changes to approved signage;
 - h. Installation of or changes to refuse disposal areas, rooftop mechanicals, traffic control gates, security guard shelters, and sidewalks, provided their proposed location does not result in change as noted under subsection G1 of this section;
 - i. A change in the approved development schedule or phasing plan.

Minor changes to an approved RPUD zoning lot, preliminary or final plan shall be subject to the approval of staff without the requirement of plan commission consideration or village board approval prior to issuance of a building permit. Following staff approval, staff shall prepare an ordinance to be approved by the village board. (Ord. 2010-09, 2-4-2010)

The director of community development, in his or her sole discretion, may require that any such minor change be submitted to the village board and/or plan commission for review and recommendation and approval, without the requirement of a public hearing and prior to the issuance of a building permit. (Ord. 2010-09, 2-4-2010; amd. Ord. 2010-29, 5-20-2010)

3. Amendments: An application for a major change or a minor change to an RPUD zoning lot, preliminary or final plan may be submitted by the owners or the duly authorized agents of the owners of the lands described by such application. (Ord. 2010-09, 2-4-2010)

H. Changes Considered Simultaneously: Notwithstanding anything to the contrary herein contained, changes in any conceptual plan, RPUD zoning lot, preliminary plan, final plan or subdivision plat may be processed, reviewed and considered simultaneously. (Ord. 87-14, 4-6-1987; amd. Ord. 94-28, 4-28-1994)

9-14A-4: SPECIFIC CONTENT:

A. Preapplication Stage (For Conceptual Plan, RPUD Zoning Lot Plan, And Preliminary And Final Plans):

1. General Site Information: Data regarding site conditions, land characteristics, available community facilities and utilities, existing covenants and other related information.
2. Sketch Plan: A drawing in simple sketch form showing the proposed location and extent of the land uses, streets, lots and other features.
3. Legal Description: A complete property survey and legal description of the site proposed for development.

B. Conceptual Plan Stage:

1. Diagrammatic Representation: A diagrammatic representation depicting the following:
 - a. Boundary lines: Approximate distances.
 - b. Easements: General location and purpose, if known.
 - c. Existing public rights of way: Adjacent to the property, if any.
 - d. Proposed land uses: A general description of land uses proposed for development on the property.
 - e. Map data: Name of development, name of site planner, north point, scale, date of preparation and acreage of site.
2. Site Data: A written explanation of the elements of the conceptual plan, which may include:
 - a. A description of the permissible land uses within the regional planned unit development and the bulk regulations that are to control the development of said uses (including, without limitation, building setbacks, building coverages, building height and floor area ratios); and
 - b. The total number of dwelling units which may be constructed, if any.
3. Fiscal Impact: An estimate of the revenues projected to accrue to the village and the various other major governmental bodies serving the development.
4. Ownership: A statement disclosing ownership of all land within the regional planned unit development.
5. Environment: A statement describing the existing topography, floodplains and vegetation on the property. (Ord. 87-14, 4-6-1987)

C. RPUD Zoning Lot Plan Stage:

1. An RPUD zoning lot plan shall provide a diagrammatic representation of the following:
 - a. Boundary Lines: The boundary lines of the RPUD zoning lot;
 - b. General Anticipated Location: The general anticipated location of buildings and structures;
 - c. General Anticipated Layout: The general anticipated layout of public and private roads, streets, access drives and parking facilities; (Ord. 94-28, 4-28-1994)
 - d. Boundaries: The location of minimum building setback lines and landscape yards with respect to the boundaries of the RPUD zoning lot; and (Ord. 2005-47, 8-18-2005)
 - e. Map Data: An identifying name for the RPUD zoning lot, the name of the site planner, north point, scale, and date of preparation of the RPUD zoning lot.
2. Site data: An RPUD zoning lot plan shall identify the following elements of the RPUD zoning lot plan:
 - a. The total acreage of the RPUD zoning lot;
 - b. The total number, type and density of dwelling units which are anticipated to be constructed on the RPUD zoning lot, if residential uses are anticipated to be developed on the RPUD zoning lot;
 - c. The total square footage, floor area ratio (FAR), building coverage and landscaped area percentage for nonresidential uses anticipated to be constructed on the RPUD zoning lot, if nonresidential uses are anticipated to be developed on the RPUD zoning lot; and
 - d. The total number of parking spaces anticipated to be constructed on the RPUD zoning lot.
3. An RPUD zoning lot plan shall provide the following additional information:
 - a. A description of the anticipated land use(s) to be developed on the RPUD zoning lot;
 - b. A description of the intended phasing of development within the RPUD zoning lot and anticipated improvements to be constructed;
 - c. The legal description of the RPUD zoning lot;
 - d. The manner in which improvements that are anticipated to be constructed on the RPUD zoning lot plan may depart from the applicable regional planned unit development bulk regulations; and
 - e. Such additional information and data as the village board deems necessary or appropriate. (Ord. 94-28, 4-28-1994)

D. Preliminary Plan Stage:

1. Preliminary Plan: With respect to the development of any portion of the regional planned unit development, a preliminary plan shall be prepared at a scale of not less than one inch equals one hundred feet (1" = 100') and shall show such designations as proposed streets, all proposed building locations and the proposed use of said buildings, common open space, recreation facilities, parking areas, service areas, and other facilities to indicate the character of the proposed development. The submission may be composed of one or more sheets and drawings and shall include:
 - a. Boundary lines: Bearings and distances.
 - b. Easements: Location, width and purpose.
 - c. Streets on and adjacent to the proposed development: Street name, right of way width, existing or proposed centerline elevations, pavement type, walks, curbs, gutters, culverts, etc.
 - d. Utilities on and adjacent to the proposed development: Location, size and invert elevation of sanitary and storm sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone lines, and streetlights; direction and distance to and size of nearest usable water mains and sewers adjacent to the proposed development showing invert elevation of sewers.
 - e. Ground elevations on the proposed development: Indicate spot elevations, with minimum one foot (1') contours, of major features and changes in elevations and adjoining land based upon existing and proposed uses. (Ord. 87-14, 4-6-1987; amd. Ord. 94-28, 4-28-1994)
 - f. Other conditions on the proposed development: Watercourses, floodplains, marshes, rock outcrop, houses, barns, accessory buildings and other significant features on the proposed development and their relationship to adjoining land. In addition, the location of each tree six inches (6") in dbh and greater shall be shown on a plan in relation to the proposed improvements in accordance with section [9-13-3](#) of this title. (Ord. 2004-10, 3-18-2004)
 - g. Zoning: Show zoning districts on and adjacent to the proposed development.
 - h. Proposed public improvements and lands: Highways or other major improvements planned by public authorities for future construction on or near the proposed development.
 - i. Map data: Name of development, name of site planner, north point, scale, date of preparation and acreage of site. (Ord. 87-14, 4-6-1987; amd. Ord. 94-28, 4-28-1994)
 - j. Tree preservation plan: Tree preservation plan in accordance with section [9-13-3](#) of this title. (Ord. 2004-10, 3-18-2004)
2. Description Of Development: Explanation of the nature of the development and the manner in which it has been planned to take advantage of the flexibility of these regulations.
3. Density: If applicable, a description of the density of residential uses to be provided, including the number of dwelling units per acre, the number of dwelling units by type, the number and height of buildings by type and the number of bedrooms in each dwelling unit and building.
4. Service Facilities: A description of all service facilities and off street parking facilities to be provided.
5. Architectural Plans: Preliminary architectural plans for all primary buildings shall be submitted in sufficient detail to permit an understanding of the style of the development, the design of the building, and the number, size and type of dwelling units. Also, provide floor area of building types and total ground coverage of buildings.
6. Landscape Plans: Preliminary plans for plant materials, earth sculpturing, berming and aesthetic features shall be submitted.
7. Facilities Plans: Preliminary plans or information, adequate to indicate that the proposed development can be serviced, shall be submitted for:
 - a. Roads (including classification, width of right of way, width of pavement and typical construction details).
 - b. Sanitary sewers.
 - c. Storm drainage.
 - d. Water supply system.
 - e. Lighting program.
8. Traffic Study: Upon request of the village, a traffic study shall be prepared and provided by the applicant indicating expected traffic to be generated by the development and describing the improvements suggested to assure adequate ingress and egress and internal vehicular circulation.

E. Final Plan Stage:

1. Final Plan: Before any construction phase of the regional planned unit development is developed pursuant to an approved preliminary plan, a final plan shall be prepared. The purpose of the final plan is to designate with particularity the land subdivided into conventional lots as well as the division of other land, not so treated, into common open areas and building areas. The final plan shall include, with respect to said portion of the regional planned unit development being developed:
 - a. An accurate legal description of the entire area under development.
 - b. If applicable, subdivision plat of all lands to be subdivided in the same form and meeting all the requirements of a normal subdivision plat including: 1) a statement that all special assessments and delinquent taxes have been paid, and 2) certificates, seals and signatures required for the dedication of lands and the recording of the document.
 - c. An accurate legal description of each separate unsubdivided use area, including common open space.
 - d. Designation of the exact location of all buildings to be constructed.

- e. Tabulation of separate unsubdivided use area, including land area, number of buildings, number of dwelling units and dwelling units per acre.
 - f. Location of all structures, easements, street rights of way and setback lines.
 - g. Location of all walks, driveways and curb lines.
 - h. Layout and location of all parking areas, including location and dimensions of all spaces, circulation aisles, islands and curbs.
 - i. Layout and location of all off street loading areas.
 - j. Layout and location of all outside storage areas (including identification and size of the interior to be stored) and location and dimensions of all fencing and/or screening.
 - k. All landscaping, including locations, heights, type and number of trees and shrubs and location and type of all ground cover and lawn material.
 - l. Location, height, intensity, and fixture type of all exterior lighting.
 - m. Architectural building elevation drawings of each building face including, without limitation, building material and color information.
 - n. Location, size and description of all signage.
 - o. Site coverage data and calculations.
 - p. Parking data and calculations.
 - q. Site drainage plans, data and calculations (confirming the adequacy of site drainage on the site, as approved by the village engineer).
 - r. Descriptions of proposed use.
 - s. Topographical map of the site (and, to the extent possible, the land within 250 feet of the site) at one foot (1') contour levels. (Ord. 87-14, 4-6-1987; amd. Ord. 94-28, 4-28-1994)
2. Construction Plans: Detailed plans shall be submitted for the design, construction or installation of site amenities, including landscaping, lakes and other site improvements, which may be done on a phased or staged basis, for that portion of the regional planned unit development then being developed. These plans shall include a tree preservation plan in accordance with section [9-13-3](#) of this title. (Ord. 2004-10, 3-18-2004)
3. Covenants: Final agreements, provisions or covenants, including traffic regulation agreements, which will govern the use, maintenance and continued protection of that portion of the regional planned unit development then being developed shall be recorded prior to the issuance of any building permits. Notwithstanding anything contained herein to the contrary, single-family developments without private roads and without private parking lots shall be exempt from providing traffic regulation agreements. (Ord. 2009-31, 7-16-2009)

9-14A-5: STANDARDS:

Any regional planned unit development must meet the following standards:

- A. Comprehensive Plan: A regional planned unit development should be in general conformity with the intent and spirit of the goals, objectives, policies, plans and development guidelines of the village as set forth, as of the date of approval of the conceptual plan by the village board, in the village's comprehensive plan and section [9-14A-1](#) of this article.
- B. Size And Ownership: At the time of approval of the conceptual plan, the land to be included within a regional planned unit development must be not less than one hundred twenty five (125) acres in area and must be under single ownership and/or unified control. For purposes hereof, "unified control" shall be defined as the combination of two (2) or more parcels of land wherein each owner has agreed that his parcel of land shall be developed as part of a regional planned unit development and shall be subject to the control applicable to the regional planned unit development. After approval of a conceptual plan, all land within a regional planned unit development shall remain subject to the control applicable to the regional planned unit development notwithstanding subsequent sales, transfers, conveyances or dedications of any one or more parts of such land.
- C. Compatibility: The uses permitted in a regional planned unit development and the location of said uses shall be compatible with uses in surrounding properties, or in the alternative, shall have adequate buffers interposed between them and said properties.
- D. Building Height: No regional planned unit development shall authorize or permit a building to be erected or structurally altered to a height in excess of twelve (12) stories or one hundred fifty feet (150') above grade.
- E. Land Coverage And Yard Areas: No regional planned unit development shall authorize or permit:
 - 1. Buildings to occupy more than fifty percent (50%) of the total ground area of land within a given preliminary or final plan.
 - 2. Single-family detached dwelling units to be located on individual lots of less than eight thousand five hundred (8,500) square feet except that where zero lot lines are being provided the individual lots upon which such single-family dwelling units may be located need not exceed four thousand (4,000) square feet in size.
 - 3. Townhouses to be located on individual lots of less than one thousand six hundred (1,600) square feet per dwelling unit.

4. Multiple-family dwelling units to be located on lots of less than two (2) acres in size.
5. Any building to be closer than ten feet (10') to any other building (except that single-family detached homes may be provided with 0 lot lines on 1 side).
6. Any building to be located within twenty five feet (25') of the right of way of any street on the perimeter of the regional planned unit development.

F. Off Street Parking And Loading: A regional planned unit development must make adequate provision for off street parking and loading facilities for the intended uses to be developed within the regional planned unit development.

Except as specifically provided for in the ordinance or resolution authorizing the special use for the regional planned unit development, and except as may be otherwise permitted by law, a regional planned unit development shall comply with all rules, regulations, resolutions and ordinances of the village in force at the time of conceptual plan approval and as from time to time enacted, amended or modified thereafter. (Ord. 87-14, 4-6-1987)

9-14A-6: FINDINGS:

A. Conceptual Plan Approval: The plan commission shall, after the public hearing required by STEP 2 (see subsection [9-14A-3B2d](#) of this article), set forth in its report to the village board the reasons for the recommendation, and said recommendation shall set forth with particularity other reasons for its determination, that the regional planned unit development would or would not be in the public interest, including, but not limited to, findings of fact on the following:

1. In what respects the proposed conceptual plan is consistent with the stated purpose and objectives of the regional planned unit development.
2. The extent to which the proposed conceptual plan and regional planned unit development depart from the zoning, use, bulk and subdivision regulations otherwise applicable to the subject property.
3. The relationship and compatibility of the proposed conceptual plan to adjacent properties, or, in the alternative, the extent to which adequate buffers have been provided.
4. The conformity with the intent and spirit of the goals, objectives, policies, plans and development guidelines of the village as embodied in the village's comprehensive plan as of the date of approval of the conceptual plan. (Ord. 87-14, 4-6-1987)

B. RPUD Zoning Lot Plan Approval: The plan commission shall, after the public meeting required by STEP 3 (see subsection [9-14A-3C2b](#) of this article), set forth in its report to the village board the reasons for the recommendation, and said recommendation shall set forth with particularity other reasons for its determination that the proposal would or would not be in furtherance of the approved conceptual plan, pending approval of one or more preliminary and final plans for the RPUD zoning lot. (Ord. 94-28, 4-28-1994)

C. Preliminary Plan Approval: The plan commission shall, after the public meeting required by STEP 4 (see subsection [9-14A-3D2b](#) of this article), set forth in its report to the village board the reasons for the recommendation, and said recommendation shall set forth with particularity other reasons for its determination that the proposal would or would not be in the public interest, including, but not limited to, findings of fact on the following: (Ord. 87-14, 4-6-1987; amd. Ord. 94-28, 4-28-1994)

1. In what respects the development proposed by the preliminary plan is consistent with the conceptual plan.
2. The extent to which the proposed development departs from the zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, density, dimension, area and bulk regulations.
3. The method by which the proposed preliminary plan makes adequate provision for public services, provides adequate control over the ingress and egress of vehicular traffic so as to minimize traffic congestion in the public streets and provides for and protects the public health, safety and welfare.
4. The relationship and compatibility of uses and structures proposed by the plan to adjacent properties, or, in the alternative, the extent to which adequate buffers are to be provided.

D. Final Plan Approval: The plan commission, after the public meeting required herein, shall set forth in its report for the village board its findings that the proposed final plan is in substantial conformity with the approved preliminary plan. (Ord. 87-14, 4-6-1987)

Chapter 15 ZONING ADMINISTRATION AND ENFORCEMENT

9-15-1: ADMINISTRATION:

The administration of this title is hereby vested in the following:

- A. The zoning officer.
- B. The plan commission¹.
- C. The board of trustees². (1976 Code §22-24-1; amd. Ord. 2005-49, 9-1-2005)

9-15-1-1: ZONING OFFICER:

- A. Appointment: The zoning officer shall be the duly appointed and acting director of community development³, or his designee. (1976 Code §22-24-2; amd. 1991 Code; Ord. 2010-29, 5-20-2010)
- B. Duties: It shall be the duty of the zoning officer to:
 - 1. Receive and process all applications for variations, appeals, text amendments and map amendments and special use permits. (1976 Code §22-24-2)
 - 2. Receive and process all correspondence between applicants, plan commission, and the board of trustees. (1976 Code §22-24-2; amd. Ord. 2005-49, 9-1-2005)
 - 3. Maintain in current status the official zoning map.
 - 4. Maintain permanent and current records required by this title including, but not limited to, occupancy certificates, useful life determinations and nonconforming use certificates, inspections and all official action on appeals, variations and amendments.
 - 5. Prepare and submit an annual report to the mayor and board of trustees on the administration of this title setting forth such statistical data and information as may be of interest or value in advancing and furthering the purposes of this title.
 - 6. Prepare and have available in book, pamphlet or map form on or before March 31 of each year:
 - a. The compiled text of this title, including all amendments hereto through the preceding December 31; and
 - b. An official zoning map or maps showing the zoning districts, divisions and classifications in effect on the preceding December 31. (1976 Code §22-24-2)
 - 7. Maintain for distribution to the public a supply of copies of the zoning map or maps, the compiled text of this title and the rules of the plan commission. (1976 Code §22-24-2; amd. Ord. 2005-49, 9-1-2005)

9-15-2: BUILDING PERMIT:

- A. Permit Required: No person shall construct, alter, remodel, move or reconstruct any building or structure, nor shall they improve any land preliminary to any use of such land without there first having been obtained a building permit from the zoning officer of the village. Any building permit issued in conflict with the provisions of this section shall be null and void.
- B. Applications For Permits:
 - 1. General Requirements: Every application for a building permit shall be accompanied by the following:
 - a. The current certificate of registered architect or registered structural engineer licensed by the state or of an owner-designer that the proposed construction, alteration, remodeling or reconstruction complies with the provisions of this title.
 - b. A plat prepared by a registered land surveyor, in duplicate, of the piece or parcel of land, lot, block or blocks or parts or portion thereof, drawn to scale showing the actual dimensions of the piece or parcel, lot, lots, block or blocks or parts or portions thereof, according to the recorded plat of such land. (1976 Code §22-24-4)
 - c. A plot plan or site plan which, when requested by the village, shall be prepared by a registered architect, in duplicate, drawn to scale and in such form as may from time to time be prescribed by the zoning officer, showing the location, ground area, height and bulk of all present and proposed structures, drives and off street parking and loading spaces, the building lines in relation to lot lines, waste disposal areas, the use to be made of such present and proposed structures on the land, landscaping which shall conform with [chapter 13](#) of this title (except that such requirements may be waived with respect to any single-family detached residential dwelling) and such other information as may be required by the zoning officer for the proper enforcement of this title. (1976 Code §22-23-4; amd. Ord. 94-20, 3-24-1994)

Copies of the plat and the plot plan shall be retained by the zoning officer as a public record.
 - 2. Permit Application For Industrial Uses: In addition to the requirements set forth above, all applications for a building permit for the construction, alteration, moving, remodeling or reconstruction of any building or structure to be located in an industrial district shall be accompanied by sufficient

information to enable the zoning officer to determine that there will be compliance with all of the applicable performance standards of [chapter 8](#) of this title at all times. At the request of the zoning officer, the applicant shall provide:

- a. A description of the activity to be conducted in sufficient detail to indicate the extent to which the proposed operation will produce waste products, conditions or external effects which are regulated or otherwise limited by [chapter 8](#) of this title.
- b. A description of the type and location of any abatement devices or recording instruments used to control or measure conformity with any of the standards set forth in [chapter 8](#) of this title.
- c. Such other data and certificates as may reasonably be required by the zoning officer to reach a determination with respect to whether the proposed use or structure will comply with the requirements of [chapter 8](#) of this title.

All information and evidence submitted in an application for a building permit to indicate the conformity with the performance standards set forth in [chapter 8](#) of this title shall constitute a certification and an agreement on the part of the applicant that the proposed structure or use can and will conform to such standards at all times. (1976 Code §22-24-4)

3. Permit Application:

- a. Site Plan Submittal: Each application for a building permit for the construction or alteration of a structure in a nonresidential district or residential district (excluding single-family homes) shall be accompanied by a site plan submittal, which shall include such documents and studies as required by the director of community development.
- b. Required Submittals: Each site plan submittal shall include a site plan (as specified in the zoning application) and such number of copies as determined by the director of community development, and shall be certified by a registered land surveyor or professional engineer, drawn on sheets of paper not to exceed twenty four inches by thirty six inches (24" x 36"), showing the following information: (Ord. 2010-09, 2-4-2010; amd. Ord. 2010-29, 5-20-2010)
 - (1) Boundary lines;
 - (2) Easements: location, width, purpose;
 - (3) Streets on and adjacent to the tract: name and right of way width, centerline elevation, walks, culverts, etc.;
 - (4) Size, shape, height and use of structures including gross and net square footage of proposed buildings;
 - (5) Location and dimensions of parking areas, streets, sidewalks, light fixtures, fences, freestanding signage, etc.;
 - (6) Landscaping plan which includes the location and description (species, caliper, height, etc.) of all berms, shrubs, perennials, natural grasses, trees, including trees to be preserved, transplanted or replaced, rocks, detention areas, etc., as provided for in [chapter 13](#) of this title;
 - (7) Surrounding land uses and street layout;
 - (8) Legal and common description;
 - (9) Parcel identification number (PIN);
 - (10) Date and north point;
 - (11) A number for identification of individual site plans;
 - (12) Reasonably specific ground elevation contour lines;
 - (13) All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the proposal indicated;
 - (14) Location of utilities;
 - (15) Building setback lines;
 - (16) Description and location of any significant natural features, such as old trees, creeks, etc. (Ord. 2010-09, 2-4-2010)
- c. Approval Process: Upon receipt of such site plan submittal, the director of community development or his or her designee shall review it and shall, within twenty one (21) days, submit his or her comments to the applicant. The applicant shall revise the site plan submittal pursuant to the director of community development's or his or her designee's comments and resubmit the site plan submittal to the director of community development. Such process shall continue until such time as the director of community development, or his or her designee, reasonably determines that the site plan submittal is in a format suitable for consideration by the plan commission. At such time, the director of community development or his or her designee shall submit the site plan submittal together with his or her report and recommendations on the environmental, traffic engineering, landscaping, drainage and planning effects of the site plan submittal to the plan commission.

Not more than thirty (30) nor less than fifteen (15) days before the meeting at which the plan commission will conduct its review of the site plan, the zoning officer shall send written notice to the persons to whom were sent the tax bills for the general taxes for the last preceding year on all property within five hundred feet (500') in either direction of the location to which the site plan relates; provided, the number of feet occupied by all public streets, alleys and other public ways shall be excluded in computing the five hundred foot (500') requirement. Said notice shall be sent via first class, postage prepaid, U.S. mail and shall include the following information:

- (1) Time and place of the meeting.
- (2) Common street address and legal description of the subject property.
- (3) A brief statement describing the proposed development.
- (4) The name and address of each applicant.

In addition to written notice, the village shall post one or more signs on the property to which the site plan relates at least fifteen (15) days prior to the public hearing. The number and location of the signs shall be left to the discretion of the zoning officer. The sign shall be a minimum of

thirty six inches by thirty six inches (36" x 36") in size, with letters a minimum of three inches (3") high for "PUBLIC NOTICE" and "(630) 852-7000" and two inches (2") high for the remainder of the text. The sign must contain the following information:

PUBLIC NOTICE

This land is the subject of a site plan review meeting to be held by the Plan Commission in the Woodridge Village Hall, Five Plaza Drive, Woodridge, IL. For additional information, call the Village of Woodridge (630) 852-7000

The plan commission shall review the site plan submittal and forward it, with its recommendation, to the mayor and board of trustees within twenty one (21) days of the receipt of the director of community development's or his or her designee's report and recommendations. Said time period may be extended by the consent of the applicant.

The mayor and board of trustees shall approve or deny the site plan submittal within thirty (30) days of receipt of the plan commission recommendation. Said time period may be extended by the consent of the applicant. Approval of any such site plan submittal is a condition precedent to the issuance of the applied for building permit.

Unless otherwise specified in the ordinance granting site plan submittal approval or an amendment thereto, such approval by the mayor and board of trustees shall become null and void twelve (12) months after the date of such ordinance unless construction or alteration of the structure is substantially completed within that time period or unless otherwise provided for by ordinance. Upon written application and for good cause shown, the board of trustees may, by ordinance, in its sole discretion, grant extensions of time not to exceed one year each. (Ord. 2016-18, 5-19-2016)

d. Major And Minor Changes: Applications which request changes to the approved site plan submittal shall be categorized as either a major or a minor change, and shall be subject to the following procedures:

(1) Major Changes: Any of the following changes shall be deemed major changes, which may be approved only by submission of a new site plan submittal, and required supporting data, following the procedures set forth in this section:

- (A) Change in the location (by more than 20 feet) of a principal building or roadway;
- (B) Change in the roadway widths, location of points of ingress and/or egress, designated land uses;
- (C) Change in the functional classification of a roadway;
- (D) Change in types of dwelling units;
- (E) Change in the approved number of dwelling units;
- (F) Change in the types of land uses permitted;
- (G) Change to any covenants affecting the rights of the village;
- (H) Change to any conditions of approval;
- (I) Change in the approved variations/deviations;
- (J) A greater than five percent (5%) increase based on the approved site plan submittal, in the:
 - (i) Gross floor area of a nonresidential or multi-family residential building;
 - (ii) Total gross floor area of all buildings in the project;
 - (iii) Height of building;
- (K) A greater than five percent (5%) decrease based on the approved site plan submittal, in the:
 - (i) Total number of parking spaces;
 - (ii) Total percentage of landscape area;
 - (iii) Total percentage of open space.

Major changes to an approved site plan submittal shall be subject to plan commission review and recommendation and village board approval, as provided in subsection B3c of this section.

(2) Minor Changes: Anything not defined as a major change, including, but not limited to:

- (A) Changes to building facades;
- (B) The installation of emergency warning sirens;
- (C) The installation of private generators, compressors, condensers, storage tanks, etc.;
- (D) Changes to approved landscaping plans;
- (E) Changes to, or the installation of fences;
- (F) Changes to approved signage subject to [chapter 11](#) of this title;
- (G) Installation of or changes to refuse disposal areas, rooftop mechanicals, traffic control gates, security guard shelters, and sidewalks, provided their proposed location does not result in change as noted under subsection B3d(1) of this section;
- (H) A change in the approved development schedule or phasing plan.

Minor changes to an approved site plan submittal shall be subject to the approval of staff, without the requirement of Plan Commission consideration or Village Board approval prior to issuance of a building permit. Following staff approval, staff shall prepare an ordinance to be approved by the Village Board. (Ord. 2010-09, 2-4-2010)

However, the Director of Community Development, in his or her sole discretion, may require that any such minor change be submitted to the Village Board and/or Plan Commission for review and recommendation and approval, without the requirement of a public hearing and prior to issuance of a building permit. (Ord. 2010-09, 2-4-2010; amd. Ord. 2010-29, 5-20-2010)

C. Required Landscaping, Tree Preservation, And Traffic Regulation:

1. Each person required to obtain a building permit pursuant to subsection B3 of this section and each person applying for a building permit for multi-family uses shall provide, as part of their application therefor, a landscaping plan. Said plan shall comply with the minimum standards set forth in this title. (Ord. 2004-10, 3-18-2004)
2. Except as specifically exempted by subsection [9-13-3A2](#) of this title, each person required to obtain a building permit in connection with the activities specified in subsection [9-13-3A1](#) of this title shall provide as part of their application a tree preservation plan. Said plan shall comply with the minimum standards set forth in section [9-13-3](#) of this title. Upon the issuance of a building permit, the Director of Community Development shall enforce said tree preservation plan until the completion of construction. At the discretion of the Director of Community Development, verification of compliance with the tree preservation plan may be performed by the developer's Illinois registered landscape architect, forester certified by the Society of American Foresters, or arborist certified by the International Society of Arboriculture, which shall submit written certification to that effect. At his discretion, the Director of Community Development may hire an arborist certified by the International Society of Arboriculture, forester certified by the Society of American Foresters or Illinois registered landscape architect at the developer's expense in conjunction with the implementation and enforcement of the tree preservation plan. (Ord. 2009-31, 7-16-2009; amd. Ord. 2010-29, 5-20-2010)
3. Each person required to obtain a building permit pursuant to subsection B3 of this section and each person applying for a building permit for the construction or alteration of multi-family uses shall provide, as part of their building permit application, an executed traffic regulation agreement. Said agreement shall be in a form acceptable to the legal counsel of the Village and shall be recorded prior to the issuance of a building permit. (Ord. 2009-31, 7-16-2009)

D. Issuance Or Denial Of Permit: A building permit shall be either issued or refused by the Zoning Officer within twenty one (21) days after the receipt of a complete application therefor or within such further period as may be agreed to by the applicant. When the Zoning Officer refuses to issue a building permit, he shall advise the applicant in writing of the reasons for refusal. (1976 Code §22-24-4)

E. Validity Of Permit: A building permit shall become null and void within the timeframe referenced in [title 8](#) of this Code. (Ord. 2017-51, 9-21-2017)

9-15-3: OCCUPANCY PERMITS:

A. Occupancy Permit Required: No structures or additions thereto constructed, moved, remodeled or reconstructed after the effective date hereof shall be occupied and used for any purpose, and no land vacant on the effective date hereof shall be used for any other use, unless an occupancy permit shall first have been obtained from the Village certifying that the proposed use or occupancy complies with all provisions of this title.

B. Applications For Occupancy Permits:

1. General Requirements: Every application for a building permit shall be deemed an application for an occupancy permit. Every application for an occupancy permit for a new or changed use of land or structures where no building permit is required shall be filed with the Zoning Officer and be in such form and contain such information as the Zoning Officer shall provide by general rule.

2. Permit Application For Industrial Uses: All applications for an occupancy permit for any use to be located in an industrial district where no building permit is required shall be accompanied by sufficient information to enable the Zoning Officer to determine that all the applicable performance standards of [chapter 8](#) of this title can and will be complied with at all times.

C. Inspections: No occupancy permit for a structure or addition thereto constructed, moved, remodeled or reconstructed after the effective date hereof shall be issued until such work has been completed, including off street parking and loading spaces, and the premises having been inspected by the Zoning Officer and determined to be in full and complete compliance with the plans and specifications upon which the issuance of the building permit was based. No occupancy permit for a new use of any structure or land shall be issued until the premises have been inspected by the Zoning Officer and determined to be in full and complete compliance with all the applicable regulations for the zoning district in which it is located.

D. Issuance Or Denial Of Occupancy Permit: An occupancy permit shall be issued or written notice shall be given to the applicant stating the reasons why a certificate cannot be issued within twenty one (21) days after the receipt of an application therefor, or after the zoning officer is notified in writing that the structure or premises are ready for occupancy. All occupancy permits shall be executed by any two (2) of the following persons:

Village administrator;

Zoning officer;

Village engineer; or (1976 Code §22-24-4)

Director of public works. (1976 Code §22-24-4; amd. Ord. 2011-21, 5-12-2011)

E. Temporary Occupancy Permit⁴: Pending the issuance of a permanent occupancy permit, a temporary occupancy permit may be issued to be valid for a period not to exceed six (6) months from its date pending the completion of any addition or during partial occupancy of the premises. In the event that any construction or building as to which a temporary occupancy permit has been issued has not been fully completed so as to comply with all applicable village ordinances at the end of the six (6) month period, the zoning officer may cause said premises to be vacated and to remain vacated until full compliance with all applicable ordinances of the village has been obtained. (1976 Code §22-24-4)

9-15-4: APPEALS:

A. Scope And Initiation Of Appeal: An appeal from a decision of the zoning officer made in interpreting this title may be taken to the plan commission by any person aggrieved by said decision or by any officer, department, board or bureau of the village. Such appeal shall be taken within forty five (45) days of the ruling by the zoning officer by filing with the zoning officer a notice of appeal, specifying the grounds thereof, and by filing said appeal and a copy of said notice of appeal with the secretary of the plan commission. The zoning officer shall forthwith transmit to the secretary of the plan commission all of the papers constituting the records upon which he made the decision from which the appeal has been taken. The notice of appeal and the appeal itself shall be filed in such number of copies, be in such form and contain such information as the plan commission may provide from time to time by general rule.

An appeal shall stay all proceedings in furtherance of the decision appealed from unless the zoning officer certifies to the plan commission after the notice of appeal has been filed with him that, by reasons of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property; in which case, the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the plan commission or by a court of record upon application following notice to the zoning officer and upon due cause shown.

B. Action On Appeal: The plan commission shall select a reasonable time and place for the hearing on the appeal, shall give due notice thereof to the parties having a known interest therein and shall render a written decision without unreasonable delay. Upon the concurring vote of four (4) members, the plan commission may reverse or affirm, in whole or in part, or may modify the decision from which the appeal was taken, and to that end, the plan commission shall have all the powers of the zoning officer with respect to such decisions. (1976 Code §22-24-5; amd. Ord. 2005-47, 8-18-2005; Ord. 2005-49, 9-1-2005)

9-15-5: VARIATIONS:

A. Authority: Variations may be recommended only in those specific instances enumerated in subsection D of this section and then only when the plan commission has made findings of fact, based upon the standards set out in subsection E of this section, that owing to special conditions a literal enforcement of the provisions of this title in an individual case, result in practical difficulties or practical hardship for the owner, lessee or occupant of land or a structure.

B. Application For A Variation: An application for a variation shall be filed with the zoning officer who shall forward without delay a copy of each to the secretary of the plan commission. The application shall contain the following information as well as such additional information as may be prescribed by rule of the plan commission: (1976 Code §22-24-6; amd. Ord. 2005-49, 9-1-2005)

1. The particular requirements of this title which prevent the proposed use or construction.

2. The characteristics of the subject property which prevent compliance with said requirements of this title.

3. The reduction of the minimum requirements of this title which would be necessary to permit the proposed use or construction.
 4. The practical difficulty or particular hardship which would result if said particular requirements of this title were applied to the subject property. (1976 Code §22-24-6)
- C. Processing: The plan commission shall select a reasonable time and place for the hearing, no more than ninety (90) days from the date a complete application for variation is received by the zoning officer. Public notice of such hearing shall be given in accordance with section [9-15-8](#) of this chapter. The plan commission may give such additional notice as it may, from time to time, by rule provide. Any party in interest may appear and be heard at the hearing in person, by agent or by attorney. Any delay in the conducting of the aforesaid public hearing necessitated or requested by the applicant shall not be charged against the ninety (90) day period set forth herein.
- D. Authorized Variations: Variations from the regulations of this title shall be recommended by the plan commission and granted by the board of trustees only in accordance with the standards set forth in subsection E of this section and may be granted only in the following instances and in no others: (1976 Code §22-24-6; amd. Ord. 2005-49, 9-1-2005)
1. To vary the applicable lot area, lot width and lot depth requirements, subject to the following limitations:
 - a. The minimum lot width and lot depth requirements shall not be reduced more than twenty five percent (25%).
 - b. The minimum lot area for a single-family or two-family dwelling shall not be reduced by more than twenty percent (20%).
 - c. The minimum area per dwelling unit requirement for multiple-family dwellings shall not be reduced so as to permit more than one dwelling unit in addition to the number that would be permitted by strict application of the minimum lot area requirements.
 2. To vary the applicable bulk regulations, including maximum height, lot coverage and floor area ratio and minimum yard requirements.
 3. To vary the regulations relating to restoration of damaged or destroyed nonconforming structures contained in [chapter 9](#) of this title. (1976 Code §22-24-6)
- E. Standards For Variations: The plan commission shall not recommend and the board of trustees shall not grant variations from the regulations of this title unless affirmative findings of fact shall be made as to all of the standards hereinafter set forth, which findings of fact shall be based upon evidence adduced upon the hearing held thereon that: (1976 Code §22-24-6; amd. Ord. 2005-49, 9-1-2005)
1. The physical condition of the premises are unique and do not apply to neighboring premises in the same district.
 2. The aforesaid unique conditions are not the result of actions taken after the effective date hereof or relevant amendment hereto by any person personally having an interest in the property.
 3. Strict application of the regulations of this title would deprive the owner of the reasonable use of his premises equivalent to the use of neighboring premises within the same district.
 4. Granting of the variation will be in harmony with the intent of this title and will not be detrimental to any neighboring premises.
- The board of trustees may impose such conditions and restrictions upon the location, construction, design and use of the property benefited by a variation as may be necessary or appropriate to comply with the foregoing standards and to protect adjacent property and property values. (1976 Code §22-24-6)
- F. Decisions On Variations: The concurring vote of four (4) members of the plan commission shall be necessary to recommend the grant of a variation to the board of trustees. Any recommendations that a variation be granted shall be accompanied by a conclusion or statement of the relief to be granted, supported by findings of fact, which statement and findings shall be transmitted to the board of trustees. The board of trustees shall make a final determination as to whether or not any variation requested shall be granted. The decision of the board of trustees shall be supported by a statement containing specific findings of fact, which findings shall specify the reason or reasons for making the variation and shall refer to any exhibits containing plans and specifications for the proposed variation which have been made part of the application or which were introduced at the public hearing as evidence. Such exhibits shall remain part of the permanent record of the plan commission. The terms of relief granted shall be specifically set forth in said conclusion or statement separate from the findings of fact. All variations granted pursuant to this authority shall be granted in conformance with the statutes of the state of Illinois. (1976 Code §22-24-6; amd. Ord. 2005-49, 9-1-2005)
- G. Validity Of Variance Decision; Extensions: No decision granting a variation shall be valid for a period longer than twelve (12) months from the date of such decision unless:
1. An application for a building permit is obtained within such period and construction, reconstructions, moving and remodeling is started; or
 2. An occupancy certificate is obtained and a use is commenced.
- The board of trustees may grant additional extensions of time not exceeding one hundred eighty (180) days each, upon written application made within the initial twelve (12) month period, without further notice or hearing, but said right to so extend said time shall not include the right to grant additional relief by expanding the scope of the variation. (1976 Code §22-24-6)

9-15-6: SPECIAL USES:

There exist various uses which, because of their special or unique characteristics, may be located in some zoning districts with no disruptive effects but which may, in other districts, need special consideration and restraints in order to measure and prevent potential adverse impacts upon other uses located in such districts. Such uses shall be permitted in some districts, then, as special uses other than a regularly permitted use, and only after public hearing and the adoption of an ordinance by the board of trustees authorizing such special use and containing such conditions as may be deemed necessary to prevent anticipated adverse effects.

A. Application For Special Use: An application for a special use permit shall be processed similarly to that of a petition for amendment, as provided in subsection [9-15-7B](#) of this chapter excepting that:

1. The hearing body shall be the plan commission;
2. The plan commission shall make a specific findings of fact with respect to the applicant's compliance with the standards established below;
3. Such special use permit shall be issued by the board of trustees by ordinance only after receipt of the plan commission's report, findings of fact and recommendation including recommended conditions (said report to be filed within 60 days from the date of the public hearing); and (1976 Code §22-24-7)
4. Unless otherwise specified in the ordinance granting the special use permit, said permit shall become null and void twelve (12) months after the date of such ordinance unless construction or alteration of any structures in connection with the special use is substantially completed within that time period. Upon written application and for good cause shown, the board of trustees may, by ordinance, in its sole discretion, grant extensions of time not to exceed one year each. (Ord. 90-46, 7-12-1990)

B. Standards:

1. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
3. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the village board pursuant to the recommendation of the plan commission.
7. Conditions in the area have substantially changed and at least one year has elapsed since any denial by the village board of any prior application for a special use permit that would have authorized substantially the same or all or part of the site. (1976 Code §22-24-7)

C. Changes To A Special Use:

1. When a special use is proposed to be changed from the previously approved special use, it shall be deemed either a major or minor change and shall be subject to the following procedures:
 - a. Major Changes: Any of the following changes shall be deemed to be major changes, which may be approved only by submission of an amendment to a special use, following the procedures set forth in this section:
 - (1) Change In Special Use Permit: A change to the conditions of approval of the special use permit.
 - (2) Deviation From Zoning Ordinance Or Status Quo: A new deviation or variance from the provisions of the zoning ordinance or any increase in any previously approved deviation or variance for the special use.
 - b. Minor Changes: Minor changes to the approved special use shall be any change not identified above as a major change.
 - c. Approval Of Minor Changes: Minor changes to an approved special use shall be subject to the approval of staff without the requirement of plan commission consideration or village board approval prior to issuance of a building permit. Following staff approval, staff shall prepare an ordinance to be approved by the village board.

However, the director of community development in his or her sole discretion, may require that any such minor change be submitted to the village board and/or plan commission for review and recommendation and approval, without the requirement of a public hearing and prior to the issuance of a building permit. (Ord. 2013-53, 10-24-2013)

9-15-7: AMENDMENTS:

A. Authority: The regulations imposed and the districts created by this title may be amended from time to time by ordinance, but no such amendment shall be made without a hearing before the plan commission which shall report its findings and recommendations to the village board. (1976 Code §22-25-1)

- B. Initiation Of Amendments: The plan commission may, on its own motion or upon a petition signed by one or more of the owners of property in the village or upon instructions from the board of trustees, cause to be prepared a notice indicating the changes proposed to be made in the regulations or in the district boundary lines describing the boundaries of the territory to be affected. Such notice shall state the time and place of the public hearing for the consideration of such proposed amendment and shall state where a copy of the proposed amending ordinance will be accessible for examination by interested parties. (1976 Code §22-25-2)
- C. Objections To Amendments: In case of a written protest against any proposed amendment of the regulations or districts, signed and acknowledged by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage immediately adjoining or across an alley therefrom or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered, is filed with the village clerk, the amendment shall not be passed except by a favorable vote of two-thirds ($\frac{2}{3}$) of all the village trustees. (1976 Code §22-25-4)

9-15-8: NOTICE OF HEARINGS:

A. Notices Required:

1. Notice By Publication: Notice of the time and place of the hearing on any proposed amendment, special use permit, planned unit development or variation (hereinafter referred to as "zoning matters") shall be given by the zoning officer not more than thirty (30) days nor less than fifteen (15) days before the hearing by publishing a notice thereof, at least once in one or more newspapers published in the village or, if no newspaper is published therein, then one with a general circulation within the village. (1976 Code §22-25-3)
2. Notice To Adjacent Owners: Notice of the time and place of the hearing on zoning matters shall be sent to those persons to whom were sent the tax bills for the general taxes for the last preceding year on all property within five hundred feet (500') in either direction of the location to which the zoning matters relates; provided, the number of feet occupied by all public streets, alleys and other public ways shall be excluded in computing the five hundred foot (500') requirement. The zoning officer shall, not more than thirty (30) days nor less than fifteen (15) days before the hearing at which the zoning matter is to be considered, send written notice to the persons described hereinabove. (1976 Code §22-25-3; amd. Ord. 2005-47, 8-18-2005; Ord. 2016-18, 5-19-2016)

B. Contents Of Notice: In each case where notice is required to be given under subsections A1 and A2 of this section, notice must contain the following information:

1. Time and place of public hearing.
2. Common street address and legal description of subject property.
3. A brief statement setting forth the nature of the zoning matter.
4. The name and address of each applicant. (1976 Code §22-25-3)

C. Posting Of Sign On Affected Property: The village shall post one or more signs on the property to which the zoning matter relates at least fifteen (15) days prior to the public hearing. The number and location of the signs shall be left to the discretion of the zoning officer. The sign shall be a minimum of thirty six inches by thirty six inches (36" x 36") in size, with letters a minimum of three inches (3") high for "PUBLIC NOTICE" and "(630) 852-7000" and two inches (2") high for the remaining of the text. The sign must contain the following information:

PUBLIC NOTICE

*This land is the subject
of a zoning hearing to be held in
the Woodridge Village Hall,
Five Plaza Drive,
Woodridge, Illinois*

*for additional information call
The Village of Woodridge*

(630) 852-7000

(Ord. 2003-17, 4-24-2003)

9-15-9: APPLICATIONS AND FEES:

- A. Applications: Any application for variation, amendment, special use permit, planned unit development approval or other zoning relief shall be executed by the owner or owners of the property affected and shall be in such form and contain such information as the board of trustees may, from time to time, deem appropriate. (1976 Code §22-27-2)

B. Fees⁵: An application for any variation, amendment, special use permit, planned unit development, regional planned unit development, site plan review, or site development area review, which is filed by or on behalf of the owner or owners of the property affected, shall be accompanied by a fee and/or reimbursement of fees agreement, the amount and form of which shall be as established from time to time by ordinance or resolution of the board of trustees. (Ord. 94-11, 3-10-1994)

9-15-10: ENFORCEMENT AND PENALTIES:

A. Enforcement: In case any building or structure is constructed, reconstructed, altered, repaired, converted or maintained or any building, structure or land is used in violation of this title or of any code provision or regulation made under authority conferred by this code, the village, in addition to other remedies, may institute any appropriate action or proceeding to:

1. Prevent the unlawful construction, reconstruction, alteration, repair, conversion, maintenance or use;
2. Prevent the occupancy of the building, structure or land;
3. Prevent any illegal act, conduct, business or use in or about the premises; or
4. Restrain, correct or abate the violation. (1976 Code §22-28-2)

B. Violation; Penalties: It shall be unlawful for any person to violate, disobey, omit, neglect or refuse to comply with or resist the enforcement of any of the provisions of this title or to use or occupy any building, structure or premises in violation of said provisions, and upon conviction, such person shall be subject to a penalty as provided for in section [1-4-1](#) of this code. A separate offense shall be deemed committed on each day during which a violation occurs or continues. (1976 Code §22-28-1)

9-15-11: EFFECTIVE PERIOD OF APPLICATIONS:

A. Applications: All applications submitted in accordance with the provisions of this chapter shall be effective as provided in this section.

B. Effective Date: All applications shall be valid for a period of one year from the date on which the application is filed with the department of community development.

C. Expiration Date: Any applications which are not processed completely in accordance with village ordinances and regulations, including the preparation and approval of required ordinances, within said one year period, shall automatically lapse and become null and void without further action by the village.

D. Written Notice: The village shall send written notice to the last known property owner of record at least thirty (30) days before any application shall lapse.

E. Extension: Upon the applicant's written request, which must be received by the village prior to the expiration of the application in question, the director of community development may grant a one year extension to the application period.

F. Fees: After an application has lapsed, all application fees paid by the applicant shall be forfeited, and any subsequent application shall be accompanied by the fees required by this code. (Ord. 2013-53, 10-24-2013)