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VILLAGE OF NORTH BARRINGTON
PLAN COMMISSION MEETING

111 Old Barrington Road,
North Barrington, IL 60010

September 14, 2026

7:00 P.M.

MEETING AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment
Any person shall be permitted an opportunity to speak on any matter of public concern. Remarks of any person speaking shall be limited to five (5) minutes. The total time allotted for addressing the Plan Commission shall be thirty (30) minutes at any meeting.
5. Minutes
Motion to approve the Minutes of the August 17th, 2026, Plan Commission meeting.
6. Review and Discussion of Village Zoning Code Draft dated July 2026.
7. Adjournment

The Village of North Barrington is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (847) 381-6000, x. 10 promptly to allow the Village to make reasonable accommodations for those persons.

Posted by: _____ **Date:** _____ **Time:** _____

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VILLAGE OF NORTH BARRINGTON
PLAN COMMISSION/ZONING BOARD OF APPEALS
JOINT MEETING
Monday, August 17th, 2026

Call to Order

The meeting was called to order at 7:06 p.m.

Roll Call

Roll Call was answered by Chairperson Gery Herrmann, Tatiana Blinova, Dennis O'Shaughnessy, and Ken Such. Michael Beightol and James Zakos were absent.

Also present were Village Building & Zoning Officer Kelly Rafferty, Village Attorney Bryan Winter, Arista Strungys, Principal of Camiros, LLC, Village Administrator John Lobaito, and Administrative Assistant Sue Murdy.

Pledge of Allegiance

Chairperson Gery Herrmann led the Meeting in the Pledge of Allegiance.

Public Comment

There was no public comment.

Minutes Plan Commission Meeting June 8, 2026

Motion by Dennis O'Shaughnessy and seconded by Tatiana Blinova to approve the Minutes of June 8, 2026, Plan Commission Meeting. On roll call vote Chairperson Gery Herrmann, Tatiana Blinova, Dennis O'Shaughnessy, and Ken Such voted AYE. No NAYS. Motion Carried.

Village Administrator Lobaito explained the purpose of tonight's meeting is a workshop of both the Zoning Board of Appeals and the Plan Commission. Arista Strungys of Camiros, LLC, will provide an overview of the Village of North Barrington proposed Zoning Code Amendments. It is ultimately the task of the Plan Commission to provide a recommendation to the Village Board of Trustees following input from the Zoning Board of Appeals and a Public Hearing by the Plan Commission. Each Commission will hold its own meeting following tonight's workshop.

Presentation

Ms. Arista Strungys from Camiros, LLC, presented a power point of the Village of North Barrington Zoning Code public draft illustrating proposed amendments to the current Village Code. Ms. Strungys explained that the Zoning Code presentation is an organizational chart broken down into General Introduction, Districts, Site Standards and Administration.

General Introduction reviewed Title, Purpose and Intent of the Code, as well as Definition Uses and Measurement (Methodology).

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VILLAGE OF NORTH BARRINGTON
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Village Code Districts are comprised of various zoning districts and zoning maps. There was discussion about Residential and Business Districts as well as Open Space, Recreation Districts and additional uses.

The topic of site standards was broken down into general development standards, off-street parking and access, landscaping and signs.

Administration of the Zoning Code involves Code Administrators, Zoning Approvals, Nonconformities and Enforcement.

Village Administrator John Lobaito and Ms. Strungys stated the proposed Village Code amendments will simplify future code amendments.

Village Building & Zoning Officer, Kelly Rafferty stated he was pleased with the format of the proposed amendments. He agrees with the minor changes and their interpretations.

The Zoning Board of Appeals and Plan Commission Members briefly discussed the proposed updates. It was agreed the two Commissions would schedule separate meetings to discuss, give their input and formulate questions directed at Ms. Strungys. Village Administrator Lobaito suggested individual questions be emailed directly to him for the purpose of avoiding duplicate submissions prior to the meetings.

Adjournment

Motion by Dennis O'Shaughnessy and seconded by Ken Such to adjourn. On voice vote all voted AYE. No NAYS. Motion Carried.

The meeting was adjourned at 8:12 p.m.

Submitted by,

John Lobaito

The Village of
NORTH BARRINGTON

ZONING CODE
PUBLIC DRAFT

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Chapter 1. Title, Purpose, + Applicability

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- 1.2 Purpose
- 1.3 Applicability
- 1.4 Transition Rules
- 1.5 Severability

1.1 Title

This Zoning Code, which incorporates the Official Zoning Map, is known, cited, and referred to as the “North Barrington Zoning Code,” “Zoning Code,” or “Code.”

1.2 Purpose

The intent of this Code is to establish land use regulations to serve the Village of North Barrington. The purpose of this Code is to:

- A. Promote and protect the public health, safety, and welfare.
- B. Provide adequate light, air, privacy and convenience of access to property
- C. Promote the orderly development of the Village in accordance with the Comprehensive Plan and adopted land use policies.
- D. Divide the Village into zoning districts, according to use of land and structures, height and bulk of structures, intensity of the use of the lot, or other classification, as deemed best suited to carry out the purposes of this Code.
- E. To protect the character and maintain the stability of residential, commercial, institutional, and open space areas within the Village, and to promote the orderly and beneficial development of such areas.
- F. Preserve a high-quality natural environment.
- G. Conserve the value of land and structures and encourage the most appropriate use of land throughout the Village.
- H. Prevent the overcrowding of land by regulating the use and bulk of structures.
- I. Prohibit uses or structures incompatible with the character of development or intended uses within zoning districts.
- J. Provide for the regulation of nonconforming buildings, structures, and uses.
- K. Define the powers and duties of the administrative officers and bodies as provided in this Code.
- L. Prescribe penalties for the violation of this Code or any amendment to this Code.

1.3 Applicability

A. Territorial Application

This Code applies to all land, uses, and structures within the Village.

B. General Application

In their interpretation and application, the provisions of this Code are held to be the minimum requirements for the promotion and protection of the public health, safety, and welfare.

C. Required Conformance

Any structure, or portion thereof, must be erected, constructed, reconstructed, moved, or enlarged in conformance with the requirements of this Code. Any structure, or portion thereof, or land must be used and occupied in conformance with the requirements of this Code.

D. Relation to Other Laws and Regulations

Unless otherwise specifically provided, this Code controls over less restrictive statutes, ordinances, or regulations, and more restrictive statutes, ordinances, or regulations control over the provisions of this Code.

E. Conflicting Standards

Where the standards imposed by this Code on the use of land or buildings or the dimensional standards of buildings are either more restrictive or less restrictive than comparable standards imposed by another part of this Code, the regulations which are more restrictive or impose higher standards control.

F. Relation to Private Agreements

This Code does not nullify any private agreement or covenant. However, where this Code is more restrictive than a private agreement or covenant, this Code controls. The Village does not enforce any private agreement.

G. Rules Regarding Illustrations and Graphics

Any illustrations, graphics, and/or photos contained in this Code are to assist the user in understanding and applying the Code. If there is any inconsistency between the text of the Code and any such illustration, graphic, and/or photo, the text controls unless specifically stated otherwise.

1.4 Transition Rules**A. Existing Uses**

The rules of Table 1-1: Use Transitions apply to uses operating as of the effective date of this Code:

Table 1-1: Use Transitions		
Previous Use Categorization Prior to Effective Date	Current Use Categorization as of Effective Date	Functional Change
Permitted use	Permitted use	Remains a permitted use, but is subject to any new use standards required by the Code
Permitted use	Special use	Becomes a special use, and any subsequent addition, enlargement, or expansion requires special use approval and is subject to any new use standards required by the Code
Special use	Special use	Remains a special use, and any subsequent addition, enlargement, or expansion requires special use approval and is subject to any new use standards required by the Code; the use also remains subject to any conditions approved as part of the prior special use approval
Special use	Permitted use	Becomes a permitted use and is no longer subject to any conditions approved as part of special use process, but is subject to any new use standards required by the Code
Not allowed	Permitted use	Becomes a permitted use, but is subject to any new use standards required by the Code
Not allowed	Special use	Becomes a special use, and any subsequent addition, enlargement, or expansion requires special use approval and is subject to any new use standards required by the Code
Permitted use	Not allowed	Prohibited in the zoning district; existing use becomes a nonconforming use
Special use	Not allowed	Prohibited in the zoning district; existing use becomes a nonconforming use

B. Structures Rendered Nonconforming

Any structure existing lawfully prior to the effective date of this Code, or any subsequent amendment to this Code, that does not meet all standards for the zoning district in which it is located, as set forth in this Code or any subsequent amendment to this Code, is classified as a nonconforming structure.

C. Lots Rendered Nonconforming

Any lot existing lawfully prior to the effective date of this Code, or any subsequent amendment to this Code, that does not meet all standards for the zoning district in which it is located, as set forth in this Code or any subsequent amendment to this Code, is classified as a nonconforming lot.

D. Site Elements Rendered Nonconforming

Any site element existing lawfully prior to the effective date of this Code, or any subsequent amendment to this Code, that does not meet all standards for the zoning district in which it is located, as set forth in this Code or any subsequent amendment to this Code, is classified as a nonconforming site element.

E. Illegal Structures or Uses

1. Any structure or use that was illegal prior to adoption of this Code, but is subsequently made legal by this Code, is deemed legal as of the effective date of this Code.
2. Any structure or use that was illegal prior to adoption of this Code remains illegal. Illegal structures and uses are not considered nonconforming structures or uses.

F. Previously Issued Building Permits

Where a building permit has been lawfully issued prior to the effective date of this Code and provided that construction has begun within one year of permit issuance, said building or structure may be completed in accordance with the approved plans on the basis of which the building permit was issued.

G. Previously Granted Variances

All variance approvals granted prior to the effective date of this Code, or any subsequent amendment to this Code, remain in full force and effect. The recipient of the variance may proceed to develop the property in accordance with the approved plans and all applicable conditions of the variance.

H. Existing Planned Developments

Previously approved planned developments (PD) remain in effect and continue to control the development of land that is subject to the PD. Any amendments to an existing PD are subject to the amendment procedures of this Code.

I. Pending Applications

An application that has been received and deemed complete is subject to the rules in effect on the date the application was deemed complete.

1.5 Severability

If any section, paragraph, subdivision, clause, sentence, or provision of this Code is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate, or nullify the remainder of this Code. The effect of the judgment is confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which judgment or decree was rendered.

Chapter 2. General Definitions + Measurement Methodologies

- 2.1 Rules of Interpretation
- 2.2 General Abbreviations
- 2.3 Definition of General Terms
- 2.4 Rules of Measurement

2.1 Rules of Interpretation

The terms in the text of this Code are 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 tense includes the present.
- C. Any gender includes all genders.
- D. The terms “must,” “shall,” and “will” are mandatory.
- E. The terms “may” and “can” are permissive.
- F. The terms “must not,” “will not,” “cannot,” “may not,” and “shall not” are prohibiting.
- G. Whenever a defined word or term appears in the text of this Code, its meaning must be construed as set forth in the definition. Words not defined must be interpreted in accordance with the definitions considered to be normal dictionary usage.

2.2 General Abbreviations

The following abbreviations may be used within this Code:

- A. GFA is an abbreviation for “gross floor area”
- B. ft is an abbreviation for “feet”
- C. N/A is an abbreviation for “not applicable”
- D. sf is an abbreviation for “square feet”
- E. SF is an abbreviation for “single-family”
- F. 2F is an abbreviation for “two-family”
- G. TH is an abbreviation for “townhouse”
- H. MF is an abbreviation for “multi-family”
- I. NR is an abbreviation for “nonresidential”
- J. PUD is an abbreviation for “planned unit development”

2.3 Definition of General Terms

The following are definitions of general terms used throughout this Code with the exception of use definitions, which are defined in Chapter 7.

Abut. To share a common wall or lot line without being separated by a street or alley.

Accessibility Ramp. A ramp or similar structure that provides wheelchair or similar access to a structure.

Accessory Structure. A structure located on the same lot as the principal building that is incidental to, subordinate in purpose to, and serves the use of the principal building. An accessory structure may be either attached to the principal structure or detached.

Accessory Use. A use of land or a structure, or portion thereof, incidental and subordinate to the principal use of the land or structure.

Addition. Construction that increases the size of a structure in terms of building footprint, height, or floor area.

Adjacent. See abut.

Alteration. A change in the size, shape, or physical character of a structure.

Amateur (ham) Radio Equipment. An amateur (ham) radio station licensed by the Federal Communications Commission (FCC), including equipment such as, but not limited to, a tower or building-mounted structure supporting a radiating antenna platform and other equipment.

Ancillary. In regard to principal uses, a structure or use that provides support and is typically integral to a principal structure or use.

Architectural Feature. A part or projection that contributes to the aesthetics of a structure, exclusive of signs, that is not necessary for the structural integrity of the structure or to make the structure habitable.

Awning. A roof-like structure typically made of cloth, metal, or other material attached to a frame that extends from and is supported by a building. Awnings are typically erected over a window, doorway, or building front and they may be raised or retracted to a position adjacent to the building.

Balcony. A roofed or unroofed platform that projects from the exterior wall of a structure above the ground floor, which is exposed to the open air, has direct access to the interior of the building, and is not supported by posts or columns extending to the ground.

Banner. A temporary sign printed upon flexible material mounted with or without rigid frames.

Bay Window. A window that projects outward from the structure, which does not rest on the building foundation or on the ground.

Block. Defined in Section 2.4.

Blockface. Defined in Section 2.4.

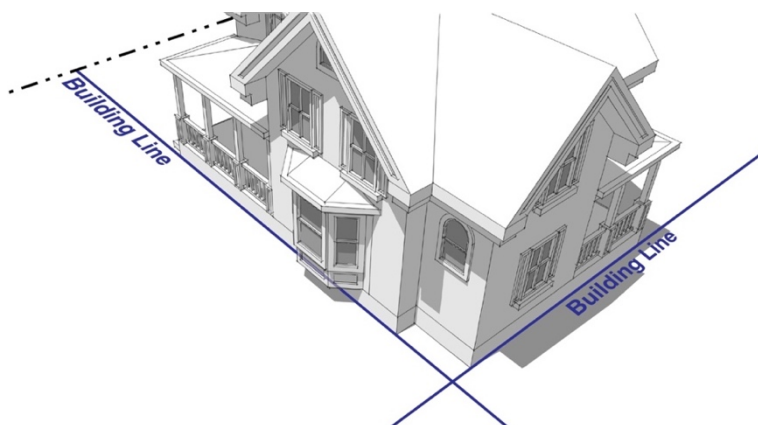
Buffer Yard. Land area with landscape plantings and other components used to separate one use from another and to shield or block noise, lights, and other nuisances.

Building Coverage. Defined in Section 2.4.

Building Height. Defined in Section 2.4.

Building Line. A line measured at the building wall of a structure between parallel lot lines. For the purposes of establishing a building line, the building wall does not include permitted encroachments of architectural features, such as bay windows, eaves, and steps and stoops.

BUILDING LINE



Caliper. Defined in Section 2.4.

Canopy. A canopy is a roof-like cover designed for protection from the weather or as a decorative embellishment affixed to a building or freestanding, with supports that extend to the ground.

Chimney. A vertical shaft of reinforced concrete, masonry or other approved material enclosing one or more flues, for the purpose of removing products of combustion from solid, liquid, or gaseous fuel.

Co-Location. Placement of equipment from more than one service or service provider on a single tower or site.

Contiguous. See abut.

Commercial Vehicle. A motor vehicle used for business or commercial purposes, such as deliveries, maintenance, construction, or passenger transport.

Deck, First Floor. A roofless outdoor space built as an aboveground platform projecting from the first floor of a structure and connected by structural supports at grade and/or by the structure. An upper floor deck may be located above the first floor deck.

Deck, Upper Story. A roofless outdoor space built as an aboveground platform projecting from and connecting to an upper story wall of a structure with structural supports that extend to the ground. A first floor deck may be located below the upper story deck.

Driveway. A hard-surfaced or gravel area on a lot where vehicles are driven to access parking spaces and where vehicles may be parked.

Dwelling. A structure, or portion thereof, designed or used exclusively for human habitation, including single-family dwellings, single-family dwellings attached, two-family dwellings, townhouse dwellings, and multi-family dwellings.

Dwelling Unit. A structure or portion of a structure providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Eave. The projecting lower edges of a roof overhanging the wall of a structure.

Encroachment. The extension or placement of any structure, or a component of such, into a required setback or right-of-way.

Erect. To build, construct, attach, hang, place, suspend, or affix.

External Illumination. Illumination by an artificial source of light not internal to the sign face.

Exterior Lighting. The illumination of an outside area or object by any man-made device that produces light by any means.

Family. A family is defined as one of the following:

1. An individual or all persons related by blood, marriage, domestic partnership, civil union, legal adoption, or foster relationships living together as a single housekeeping unit within a dwelling unit, excluding any live-in staff employed by the family.
2. Family includes no more than three unrelated persons living together as a single housekeeping unit within a dwelling unit.

Feather Flag/Sail. A freestanding attention-getting device, vertical in orientation, typically constructed of cloth held taut by a single post.

Fence. A structure used as a boundary, separation, protection, or confinement, and is constructed of wood, plastic, metal, masonry, or other similar material and is used as a permanent barrier.

1. **Fence - Open.** A fence designed so that one may see through the fence when viewed in a direction perpendicular to the fence and with regularly distributed openings no less than two inches apart.
2. **Fence - Solid.** A fence that has, over its entirety, no distributed openings. A shadowbox design fence is considered a solid fence.

Flag. Flags of any nation, state, municipality, or political subdivision, flags officially designated as a national, state, or local symbol, or flags of fraternal, religious, and civic organizations. Pennants and sails are not considered flags.

Floodlight. A powerful light, typically in a grouping of several lights, used to illuminate the exterior of a building or sign.

Footcandle. A unit of measure of illuminance equal to one lumen of light spread over an area of one square foot.

Garage. A structure, either attached or detached, designed and/or used for the parking and storage of motor vehicles as an accessory structure to a dwelling. Garage also includes storage of other motorized vehicles such as recreational vehicles and golf carts.

Gazebo. A freestanding outdoor structure designed for recreational use and not for habitation.

Glare. Light emitting from a luminaire with an intensity great enough to reduce a viewers' ability to see, cause discomfort, and, in extreme cases, cause momentary blindness.

Grade. Defined in Section 2.4.

Gross Floor Area (GFA). Defined in Section 2.4.

Home Occupation. An activity carried out for economic gain by a resident, conducted as an accessory use in a resident's dwelling unit.

Hot Tub. A pool that has a maximum capacity of less than one thousand five hundred (1,500) gallons and has a maximum depth not greater than forty inches (40") when full. A hot tub can be heated or unheated and may also include personal athletic pools that meet the same size conditions noted above for hot tubs.

Housekeeping. The sharing of common living arrangements and domestic responsibilities by the occupants of a dwelling unit, including activities such as preparing and sharing meals, maintaining the residence, cleaning, shopping, paying household expenses, and using common living areas as a single housekeeping unit.

Infrastructure. Facilities and services needed to sustain residential, commercial, institutional, and other activities, including, but not limited to, water lines, sewer lines, and rights-of-way.

Lot. Defined in Section 2.4.

Lot Area. Defined in Section 2.4.

Lot, Corner. Defined in Section 2.4.

Lot Depth. Defined in Section 2.4.

Lot of Record. A lot that was legally created and exists as shown on a recorded plat or other instrument filed in the official public records.

Lot, Interior. Defined in Section 2.4.

Lot, Through. Defined in Section 2.4.

Lot Width. Defined in Section 2.4.

Lot Line. Defined in Section 2.4.

Lot Line, Corner. Defined in Section 2.4.

Lot Line, Front. Defined in Section 2.4.

Lot Line, Interior. Defined in Section 2.4.

Lot Line, Rear. Defined in Section 2.4.

Noncommercial Message. The expression of noncommercial ideas and messages. A noncommercial message does not promote a business, product, service, commercial entertainment, or other commercial activity, product, or service offered on or off the premises.

Off-Street Parking. The storage space for an automobile on premises other than streets or rights-of-way.

Owner. Any person, including the owner of the title or a mortgage whose interest is shown of record in the mortgage and conveyance records; a person shown as owner in the records of the tax assessor of the county in which the property is situated; or the agent of any such person and those in possession of a dwelling, dwelling unit, or premises.

Party Wall. A wall starting from the foundation and extending continuously through all stories to or above the roof that separates one building from another, but is in joint use by each building.

Pergola. An open structure, which may be either freestanding or attached to a structure, that forms a partially shaded pedestrian walkway, passageway, or sitting area, and is constructed of a semi-open roof and vertical posts that support cross-beams and a sturdy open lattice. It may also be used as an extension of a building entryway.

Personal/Private Recreation Game Court. Specifically designed and constructed playing areas intended for recreational use on private property, such as a residence. Common examples of personal recreation game courts are basketball courts and tennis courts. This does not include backstops and portable basketball nets.

Porch. An architectural feature that projects from the exterior wall of a structure, has direct access to the street level of the building, and is covered by a roof or eaves.

1. **Porch – Unenclosed.** A porch that is open on all sides that do not abut a principal building wall.
2. **Porch – Enclosed.** A porch enclosed by walls, screens, lattice, or other material. A screened-in porch is an enclosed porch.

Porte Cochere. A permanent structure built over a driveway or entry drive that provides temporary shelter to persons exiting a vehicle, but not serving as the only covered or enclosed vehicle shelter on-site.

Property Line. For the purposes of this Code, a property line is a lot line. (See lot line definition.)

Principal Building. A non-accessory structure in which a principal use of the lot on which it is located is conducted.

Principal Use. The main use of land or structures as distinguished from an accessory use.

Private Playground Equipment. Playground structures and playsets installed on private property, such as a residence. Common examples of private playground equipment include swing sets, slides, and seesaws.

Recreational Vehicle. A vehicle, vessel, or boat, which is designed for living quarters, recreation, and/or human habitation, and not used as a commercial vehicle. This includes, but is not limited to, the following:

1. Boat means any vessel used for water travel. A boat mounted on a trailer shall be considered one vessel.
2. Camper trailer means a folding or collapsible vehicle without its own motor power, designed as temporary living quarters for travel, camping recreation or vacation use.
3. Motorized home means a temporary dwelling designed and constructed for travel, camping, recreational or vacation uses as an integral part of a self-propelled vehicles.
4. Off-the-road-vehicle means a vehicle intended principally for recreational use off-road where state vehicle licenses are not required, such as a dune buggy, go-cart, or snowmobile.
5. Racing car or cycle means a vehicle intended to be used in racing competition, such as a race car, stock car or racing cycle.
6. Travel trailer means a vehicle without its own motor power, designed to be used as a temporary dwelling for travel, recreational, or vacation uses.
7. Truck camper means a structure designed primarily to be mounted on a pickup or truck chassis and designed to be used as a temporary dwelling for travel, camping recreational, or vacation uses. When mounted on a truck, such structure and truck shall together be considered one vehicle.
8. Vehicle trailer means a vehicle without its own motor power that is designed to transport another vehicle, such as a boat, motorcycle, or snowmobile, for recreational or vacation use and that is eligible to be licensed or registered and insured for highway use. A vehicle trailer with another vehicle mounted on it shall be considered one vehicle.

Right-of-Way. A strip of land dedicated for use as a public way. In addition to the roadway, it typically incorporates the curbs, parkways, sidewalks, and shoulders. Public alleys for vehicle access are also considered rights-of-way.

Satellite Dish Antenna. A dish antenna designed for transmitting signals to a receiver or receiving station or for receiving television, radio, data, communication or other signals from other antennas, satellites or other services.

Searchlight. An attention-getting device where an artificial light of high intensity is shined upward in a focused beam and can turn in any direction to attract attention to a location. Also known as sky-beams or sky spotlights.

Setback. Defined in Section 2.4.

Setback, Front. Defined in Section 2.4.

Setback, Interior Side. Defined in Section 2.4.

Setback, Corner Side. Defined in Section 2.4.

Setback, Rear. Defined in Section 2.4.

Shed. An accessory structure, often purchased pre-built or as a kit in pre-fabricated sections, that is not designed to be served by heat or plumbing and does not need to be placed on a permanent foundation. A shed is typically intended to store lawn, garden, or recreational equipment.

Sign. A lettered, numbered, symbolic, pictorial, or illuminated visual display designed to identify, announce, direct, or inform that is visible from a public right of way or public place and directs attention to a product, service, place, activity, person, institution, business, or solicitation.

Sign, A-Frame. A temporary sign ordinarily in the shape of the letter "A" or some variation thereof, which is displayed on the ground, not permanently attached to the ground, and usually two-sided, generally connected at the top and separated at the bottom.

Sign, Animated. A sign that uses moving or changing lights to depict action, movement, or the optical illusion of movement of part of the sign structure, sign, or pictorial segment, or including the movement of any illumination or the flashing or varying of light intensity to create a special effect or scene. Animated signs do not include electronic message signs.

Sign, Awning. An awning is a roof-like cover designed for protection from the weather or as a decorative embellishment, which projects from a wall or roof of a structure over a window, walkway, or door, with no supports that extend to the ground. An awning sign is a sign printed or displayed upon an awning.

Sign, Balloon. A sign or advertising device designed to be airborne or inflated and tethered to the ground or other structure. This includes any air-inflated signs and any signs that inflate and move via air inflation.

Sign, Cabinet Box Wall. A type of wall-mounted sign constructed as within a box where the flat sign face is not an integral part of the structure and is specifically constructed to allow the sign face to be changed without any alteration to the box structure, and may or may not be internally illuminated. A cabinet box wall sign does not include molded wall signs, routed metal signs, or similar designs. Generally, a cabinet box wall sign is designed by applying vinyl printed with the sign message onto acrylic/plexiglass sheets and then inserting such into the cabinet structure.

Sign, Canopy. A canopy sign is a sign printed, mounted, or installed upon a canopy. A sign canopy may be one of two types:

1. **Canopy - Non-Structural.** A roofed structure attached to a building, which is not integral to the structure, that is made of durable, weather-resistant material such as canvas, canvas-like material, nylon, or vinyl-coated fabric, placed to extend outward from the building and supported both by mountings on the structure wall and by supports that extend to the ground.
2. **Canopy - Structural.** A roofed structure constructed of permanent building materials, such as metal, brick, stone, wood or similar building materials, that is constructed as part of and attached to a building, and extends outward from the building and supported both by the structure and by supports that extend to the ground. Certain structural canopies may also be constructed as freestanding structures on the same lot with the principal use and/or structure.

Sign, Drive-Through. A sign constructed as part of a drive-through lane.

Sign, Electronic Message (EMS). A sign designed where a portion of the sign area uses changing light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the electronic display panel(s) to form a message or messages in text and/or image from where the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Time/temperature signs are not considered electronic message signs. Flashing signs, animated signs, and video display signs are not considered electronic message signs.

Sign, Flashing. A sign with an intermittent or sequential flashing light source used primarily to attract attention. Flashing signs do not include electronic message signs.

Sign, Monument. A sign, other than a ground pole sign, placed upon or supported by the ground independently of any other structure. The sign base of a monument sign must be a minimum of 75% to a maximum of 130% of the width of the sign face situated upon the base. A ground sign is considered a monument sign when the sign face is mounted on poles that are 18 inches or less in height.

Sign, Moving. A sign where the entire sign structure or a portion of which rotates, moves, elevates, or in any way alters position or geometry. A tri-vision sign where triangular prisms rotate inside a frame to show a new message and/or information are considered moving signs. Moving signs do not include clocks or barber poles.

Sign, Off-Premise. A permanent or temporary sign directing attention to a specific business, product, service, entertainment event, activity, or other commercial activity that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located. This includes any sign painted, pasted, or otherwise affixed to any tree, rock, fence, utility pole, hydrant, bridge, sidewalk, parkway, curb or street, bench, or trash receptacle that directs attention off-premises.

Sign, Portable Reader-Board. A sign whose principal supporting structure is intended, by design and construction, to rest upon the ground for support and may be easily moved or relocated for reuse. Portable reader-board signs include, but are not limited to, signs mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or with wheels removed. Portable reader-board signs do not include A-frame signs.

Sign, Projecting. A sign that is attached to a rigid structure that extends more than 12 inches beyond the surface of the structure to which it is attached.

Sign, Roof. A sign that is erected, constructed, or maintained on and/or extending above the roof structure or parapet of any building with the principal support attached to the roof structure.

Sign, Wall. A sign that is attached directly to an exterior wall of a building or dependent upon a building for support with the exposed face of the sign in a plane substantially parallel to the face of the wall. Window signs are not considered wall signs.

Sign, Window. A sign that is attached to, placed upon, or printed on the interior or exterior of a window or door of a building, or displayed on the interior within two feet of a window intended for viewing from the exterior of such a building. A window sign may be either permanent or temporary. Shadowbox design within display windows, where the window display is designed with a background enclosure against which signs are mounted that blocks view into the establishment, is considered a window sign and the entire area of the shadowbox is subject to the maximum sign area limitation.

Solar Panel. A photovoltaic device capable of collecting and converting solar energy into electricity.

Standpipe. A rigid vertical or horizontal pipe to which fire hoses can be connected, which may be building, ground, or roof mounted.

Stoop and Steps. An exterior floor typically, constructed of stone, concrete, and/or masonry, with a finished floor elevation higher than the adjacent ground level, often with steps leading up to it, and utilized primarily as an access platform to a structure. A stoop may be roofed and designed with railings, but cannot be enclosed.

Street. A public or private right-of-way that affords a primary means of vehicular, and may include cyclist and pedestrian, access to abutting property, A street does not include alleys or driveways.

Structural Alteration. Any change, other than incidental repairs, which would prolong the life of supporting members of a structure, such as the addition, removal, or alteration of bearing walls, columns, beams, girders or foundations.

Structure. A combination of materials to form a construction for use, occupancy, or ornamentation, whether installed on, above, or below, the surface of land or water.

Transparency. The required amount of window area as a percentage of the specified facade area. Doors are included in ground floor transparency when such doors are designed with glass or other transparent materials. Garage entrances are not included in ground floor transparency. Windows with shadowboxes on the interior, glass block, and printed window film, regardless of whether it allows views into or out of the building are not considered to meet a minimum transparency requirement.

Unified Control. The combination of two or more tracts of land wherein each owner has agreed that his tract of land will be developed under the same development approvals.

Use. The purpose or activity for which the land or structure is designed, arranged, or intended, or for which it is occupied or maintained.

Video Display Screen. A sign, or portion of a sign, that displays an electronic video, whether pre-recorded or streaming. This includes projection of an electronic video on a wall or other surface.

Yard. Defined in Section 2.4.

Yard, Front. Defined in Section 2.4.

Yard, Interior Side. Defined in Section 2.4.

Yard, Corner Side. Defined in Section 2.4.

Yard, Rear. Defined in Section 2.4.

Zoning Lot. A lot or combination of lots within a single block, which is designated by its owner or developer to be used, developed, or built upon as a unit. A zoning lot may coincide with a lot of record or may be comprised of one or more lots of record. Within this Code, the use of the term "lot" means a zoning lot.

Zoning Map. The map or maps that are a part of this Code and which delineate the boundaries of all mapped zoning districts within the physical boundary of the Village.

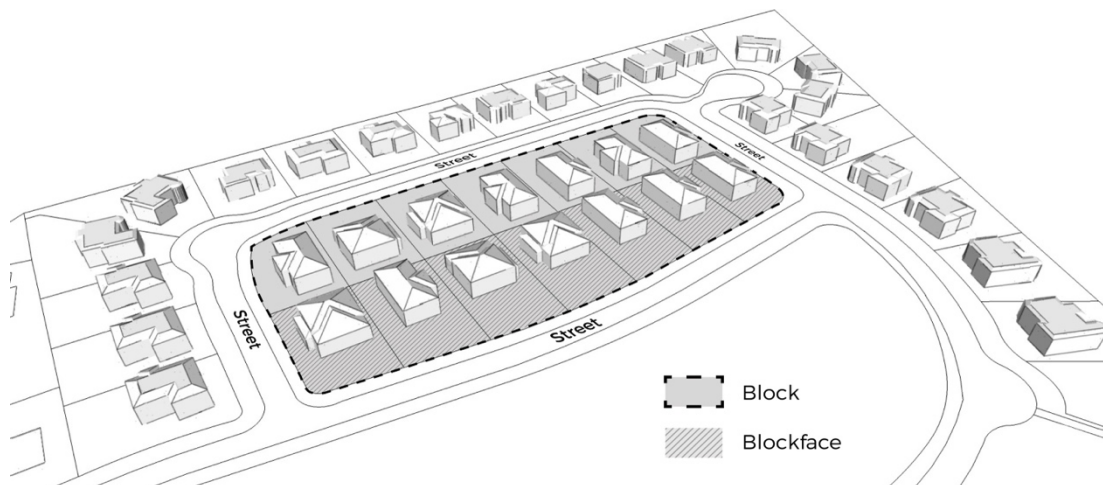
2.4 Rules of Measurement

This section provides the rules of measurement for the dimensional and design standards within the Code.

A. Block and Blockface

1. **Block.** A parcel or tract of land bounded by streets, or by a combination of streets, public parks, cemeteries, railroad rights-of-way, bulkheads, or shorelines of waterways, the equivalent of the foregoing as a line of demarcation, or the corporate boundary line of the Village.
2. **Blockface.** Measured as that portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets.

BLOCK AND BLOCKFACE



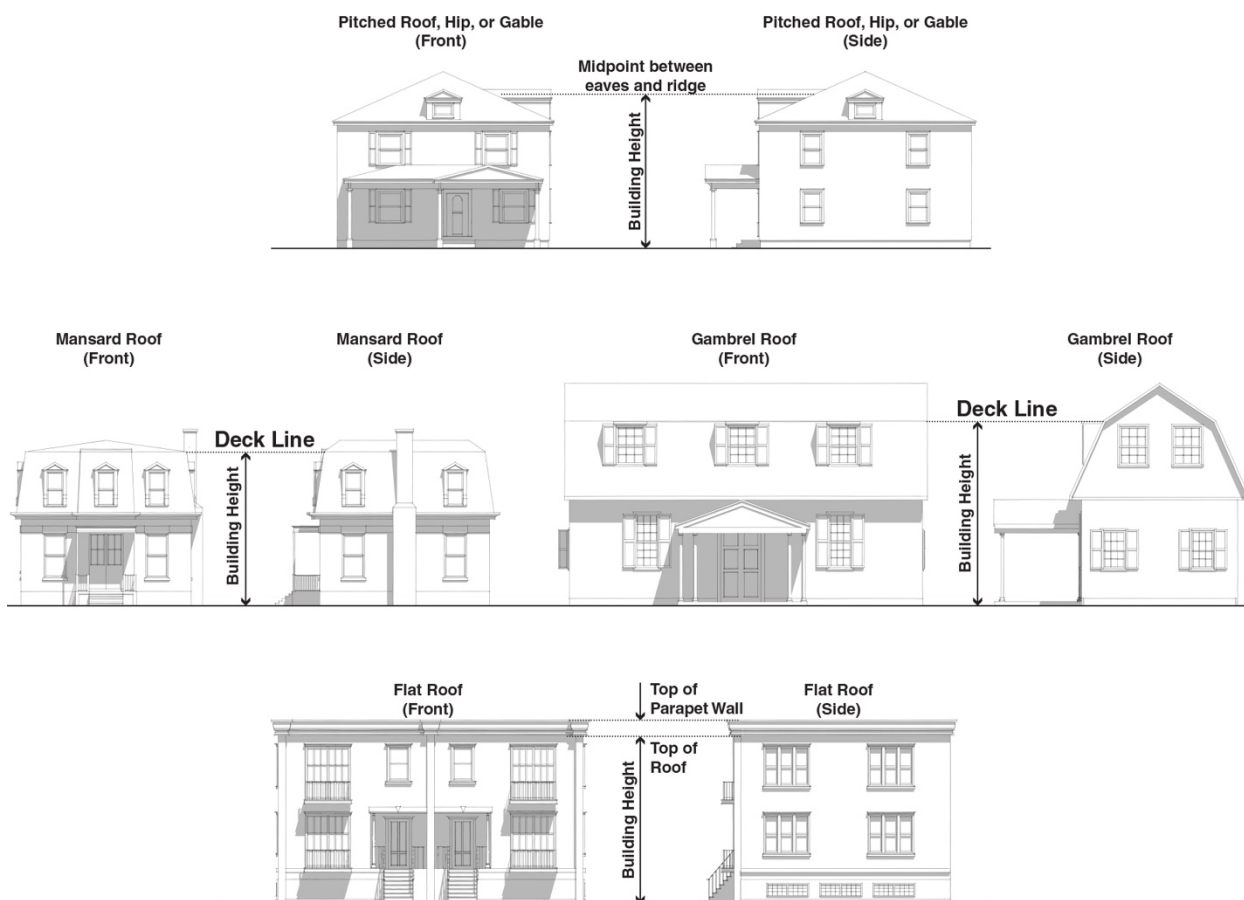
B. Building Coverage

1. That portion of the lot that is covered by principal buildings and freestanding roofed accessory structures.
 - a. When a lot contains waterbodies, the area of such waterbodies is not included in the calculation of lot area for purposes of determining building coverage. *For example, if a lot contains four acres, of which two acres are occupied by waterbodies, maximum building coverage based on lot area is calculated using the two acres of land area.*
2. Building coverage is measured by the building footprint.
3. Building footprint includes all parts of the principal building that rest directly on the ground including. This includes architectural features attached to the principal building, including, but not limited to, porches and covered/roofed patios.
4. Building coverage includes all freestanding roofed accessory structures, such as garages, sheds, and covered/roofed breezeways.

C. Building Height

1. The vertical distance measured from the finished grade at the front of the building.
2. Building height is measured:
 - a. To the highest point of the roof of a flat roof
 - b. To the deck line of a mansard or gambrel roof.
 - iii. To the mean height level between eaves and the ridge of a gable, hip, or pitched roof,
3. Building appurtenances such as chimneys, parapet walls up to 48 inches in height, skylights, steeples, flag poles, smokestacks, cooling towers, elevator bulkheads, monuments, stacks, ornamental towers and spires, water tanks and standpipes, or elevator or mechanical rooms are exempt from maximum height limitations. However, elevator and mechanical rooms are limited to no more than 10% of the roof area to be considered exempt from building height maximums.

BUILDING HEIGHT



D. Caliper

Tree caliper is the diameter of a tree trunk, measured at 4.5 feet above the adjacent ground.

E. Gross Floor Area (GFA)

The gross floor area (GFA) of a structure is the sum of the gross horizontal areas of all floors of the structure as measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.

F. Lot

A lot is a zoning lot as defined above. The following describes the types of lot configurations:

1. An interior lot is a lot other than a corner or through lot, bounded by two interior side lot lines.
2. A corner lot is a lot situated at the junction of, and abutting on, two or more intersecting streets.
3. A through lot is a lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.

G. Lot Area

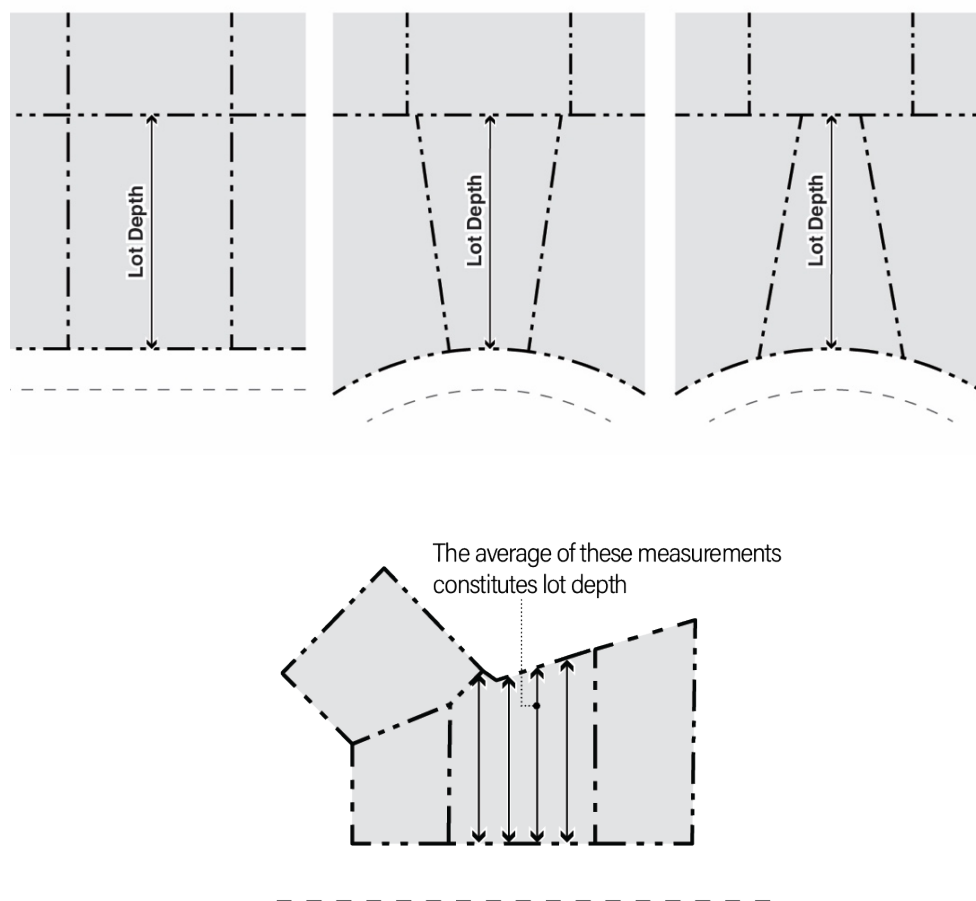
1. The total area within the boundaries of a lot, excluding any street right-of-way, usually defined in square footage.
2. For a townhouse development, the minimum lot area standards of the district determine the overall development site for the full townhouse development, not each individual townhouse. *For example, if the lot area requirement is 2,000 square feet per dwelling unit, a six unit townhome development would require 12,000 square feet of lot area for the overall development.*

H. Lot Depth

Lot depth is the horizontal distance between the front lot line and the rear lot line, measured in accordance with the following:

1. For a regularly shaped lot (rectangular or square where front and rear lot lines are generally parallel), the distance from the front lot line to the rear lot line as measured from the midpoint of the front lot line to the midpoint of the rear lot line.
2. In the case of irregularly shaped lot where the lot narrows towards the rear, the rear lot line used to measure lot depth is a calculated as a chord of at least ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line. Lot depth is measured from the midpoint of the front lot line to the midpoint of such chord.
3. For lots where the rear lot line is irregular and consists of multiple angles or segments so that a single measurement does not reasonably represent the lot, lot depth is the average of measurements taken at regular intervals along the front lot line.
 - a. Measurements must be taken at ten foot intervals along the front lot line and extend perpendicular to the front lot line to the rear lot line. Measurements at each side lot line is also included, regardless of spacing.
 - b. The average of these measurements constitutes lot depth.

LOT DEPTH



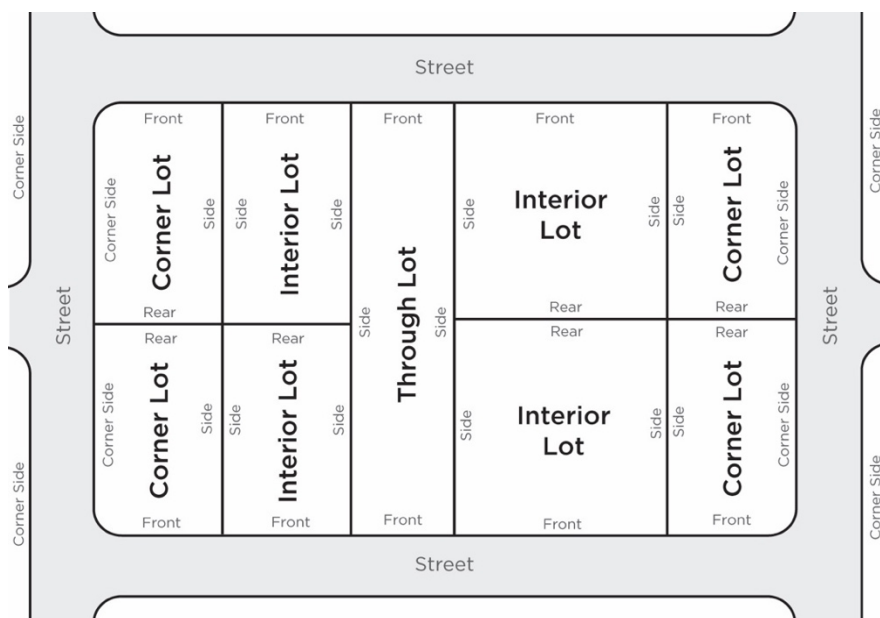
I. Lot Line

A line of record bounding a lot, as indicated on an approved, filed, and recorded subdivision plat, which divides one lot from another lot or from a public or private street or any other public or private space and includes:

1. A front lot line is the lot line separating a lot from a street right-of-way. The front lot line of a corner lot is the shortest street lot line of a corner lot abutting a street. A front lot line for a through lot is both lot lines that abut a street.
2. A rear lot line is the lot line opposite and most distant from the front lot line. In the case of triangular or similarly irregularly shaped lots, the rear lot line is a calculated line of ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
3. On a corner lot, the corner side lot line is perpendicular or approximately perpendicular to the front lot line and is the longer street abutting lot line of a corner lot.
4. On an interior lot, the interior side lot line is perpendicular or approximately perpendicular to the front lot line and abuts an adjacent lot.
5. Where a lot abuts a private easement used for access to the lot, the following additional lot line definitions apply:
 - a. When a lot fronts on both a private access easement and a street right-of-way, the lot line located along the street right-of-way is the front lot line. The lot line along the private access easement is a corner side lot line.

- b. When a lot fronts on only a private access easement, the lot line located along the private access easement is a front lot line.

LOT TYPES AND LOT LINES



J. Lot Width

- For regular lots, lot width is the horizontal distance between the side lot lines measured at right angles to its depth along a straight line parallel to the required front lot line.
- For a townhouse development, the minimum lot width standards of the district determine the overall development site for the full townhouse development, not each individual townhouse. *(For example, if the lot width requirement is 20 feet per dwelling unit, a six unit townhome development would require 120 feet of lot width for the overall development.)*

K. Sign Dimension Measurements

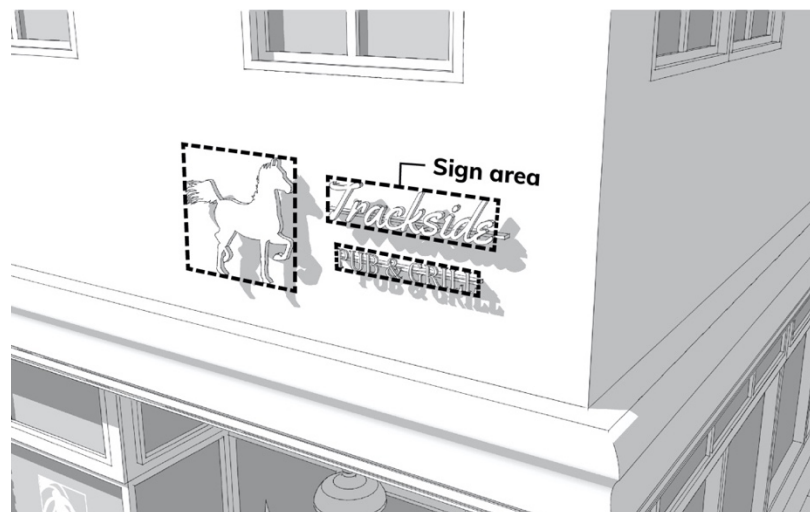
1. Calculation of Sign Area

- The sign area of each sign is the total exposed surface devoted to the sign's message, including all ornamentation, embellishment, symbols, logos, letters, characters, other figures, or frames, whether structural or decorative. The calculation of sign area does not include any supports or bracing. For channel letters or freestanding logos/symbols, the sign area is calculated as the total area of each square, circle, ellipse, rectangle, or triangle, or combination thereof, that encompasses each word, logo, image, background, and/or display.
- Window area for the purpose of calculating maximum area of window signs is calculated as a continuous surface until divided by an architectural or structural element. Mullions are not considered an element that divides window area. Total window area is calculated as length times width of the window area. Only the individual letters or logos of the window sign are used in the calculation of surface area. The transparent film around the perimeter of the individual letters or logos comprising the window sign and used to affix the window sign to the interior or exterior of a windowpane or glass door are exempt from the area calculations, provided that such portion of the transparent film maintains 100% transparency of the window.

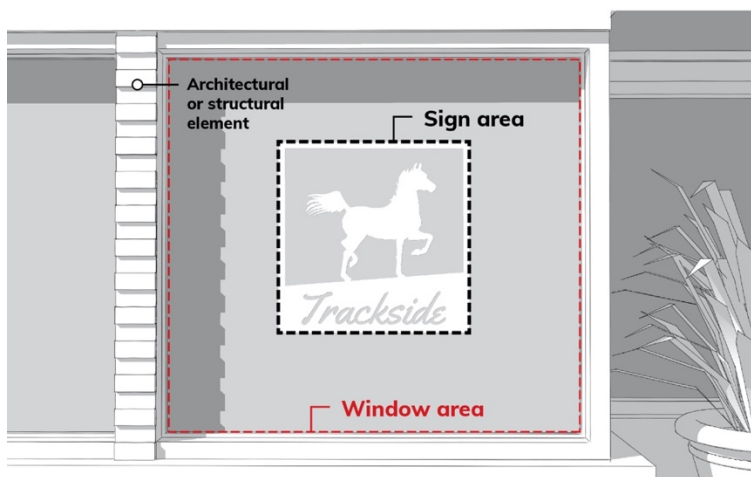
SIGN AREA - SIGN WITH BACKGROUND



SIGN AREA - CHANNEL LETTERS/FREESTANDING LOGOS



SIGN AREA - WINDOW SIGNS



2. Measurement of Sign Height

For ground signs, sign height is measured as the vertical distance measured from the ground at the base of the sign to the highest point of the sign, including any decorative elements.

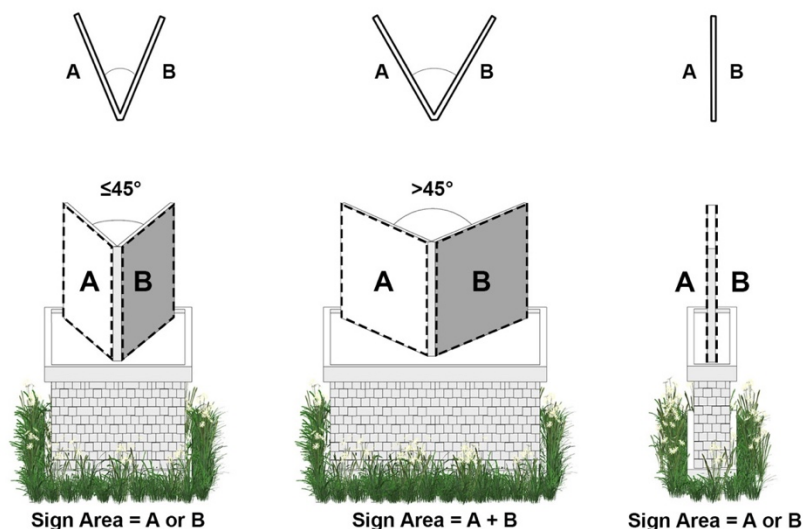
3. Measurement of Vertical Clearance

For building-mounted signs, vertical clearance is measured as the vertical distance measured from the ground directly below the sign to the lowest point of the sign.

4. Determination of Number of Sign Faces

If the interior angle between two sign faces is 45° (degrees) or less, the sign area is computed as the area of one face only. If the angle between two sign faces is greater than 45° (degrees), the total sign area is computed as the sum of the areas of the two faces.

NUMBER OF SIGN FACES



5. Sign Setback

A required sign setback is measured from the applicable lot line to the closest component of the sign or sign structure.

L. Transparency

The required amount of window area as a percentage of the specified facade area. Doors are included in ground floor transparency when such doors are designed with glass or other transparent materials. Garage entrances are not included in ground floor transparency.

1. The following do not meet the ground floor or upper floor transparency requirements and do not count in meeting the standard:
 - a. Windows with shadowboxes on the interior
 - b. Glass block
 - c. Printed window film, regardless of whether it allows views into or out of the building.

M. Yards and Setbacks

1. General Definitions

- a. A yard is the open space area between the building line of a principal building and the adjoining lot line.
- b. A required setback is the required minimum distance a principal building must be located from a lot line.
- c. A setback may be equal to or lesser than a yard.
- d. A setback is located along the applicable lot line for the minimum depth specified by the zoning district in which such lot is located.

2. Front Yard and Front Setback

The front yard and front setback extend the full width of the lot between side lot lines measured perpendicular to the front lot line.

- a. Front Yard: A front yard is located between the principal building line and the front lot line.
- b. Front Setback: A front setback is the required minimum distance per the zoning district that a principal building must be located from the front lot line.
- c. For through lots, both yards and setbacks located along a street must meet the required front setback of the district.

3. Interior Side Yard and Interior Side Setback

The interior side yard and interior side setback extend along the interior side lot line between the front and rear yard or setback, measured perpendicular to the interior side lot line.

- a. Interior Side Yard: An interior side yard is located between the principal building line and the interior side lot line.
- b. Interior Side Setback: An interior side setback is the required minimum distance per the zoning district that a principal building must be located from the interior side lot line.
- c. For single-family attached and townhouse developments, the interior side yard and interior side setback are only applicable to the unit that where there is no party wall (end units).

4. Corner Side Yard and Corner Side Setback

The corner side yard and corner side setback extend along the corner side lot line between the front yard or front setback and the rear lot line, measured perpendicular to the corner side lot line.

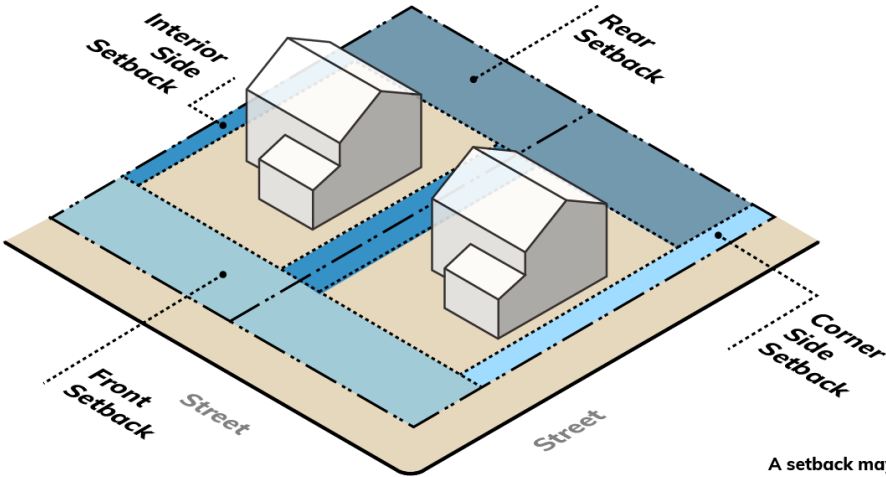
- a. Corner Side Yard: A corner side yard is located between the principal building line and the corner side lot line.
- b. Corner Side Setback: A corner side setback is the required minimum distance per the zoning district that a principal building must be located from the corner side lot line.

5. Rear Yard and Rear Setback

The rear yard and rear setback extend between interior side lot lines, measured perpendicular to the rear lot line.

- a.** Rear Yard: A rear yard is located between the principal building line and the rear lot line.
- b.** Rear Setback: A rear setback is the required minimum distance per the zoning district that a principal building must be located from the rear lot line.
- c.** In the case of a corner lot, the rear yard and rear setback extend between the interior side lot line to the required corner side setback, measured perpendicular to the rear lot line.

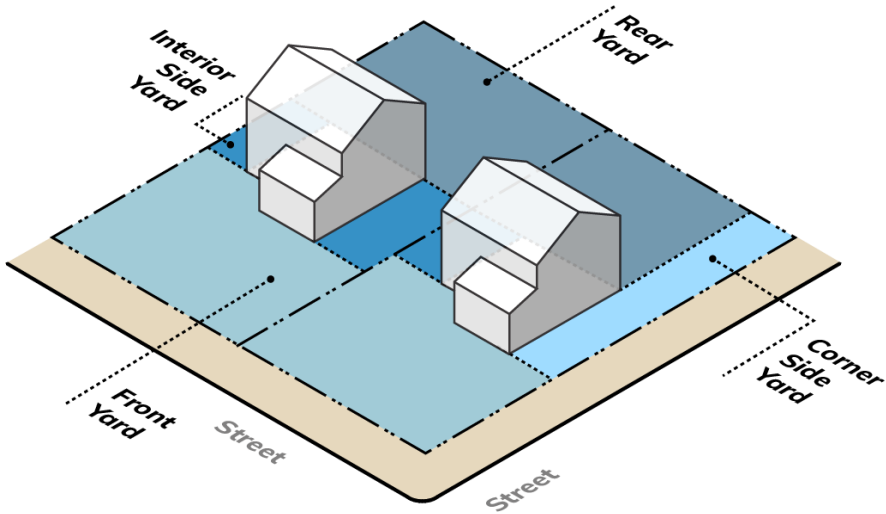
SETBACKS AND YARDS: REGULAR LOT
REQUIRED SETBACKS



A setback may be equal to or less than a yard

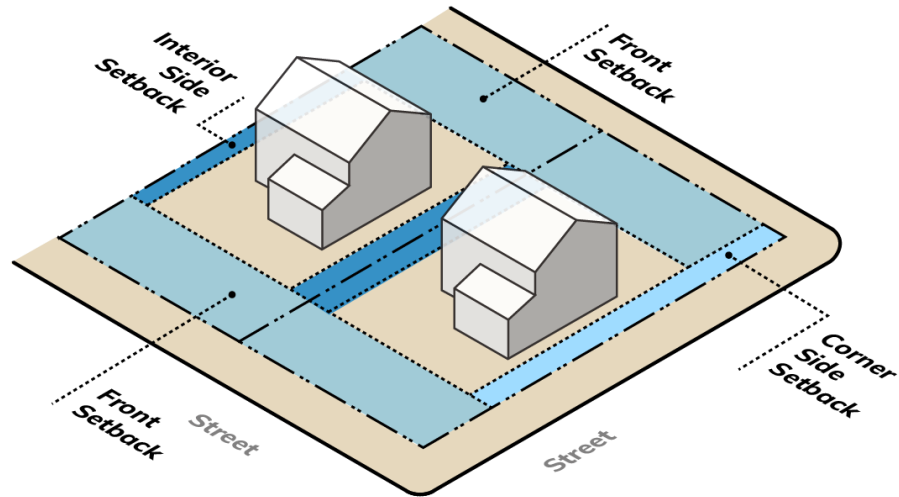
Setbacks

YARDS



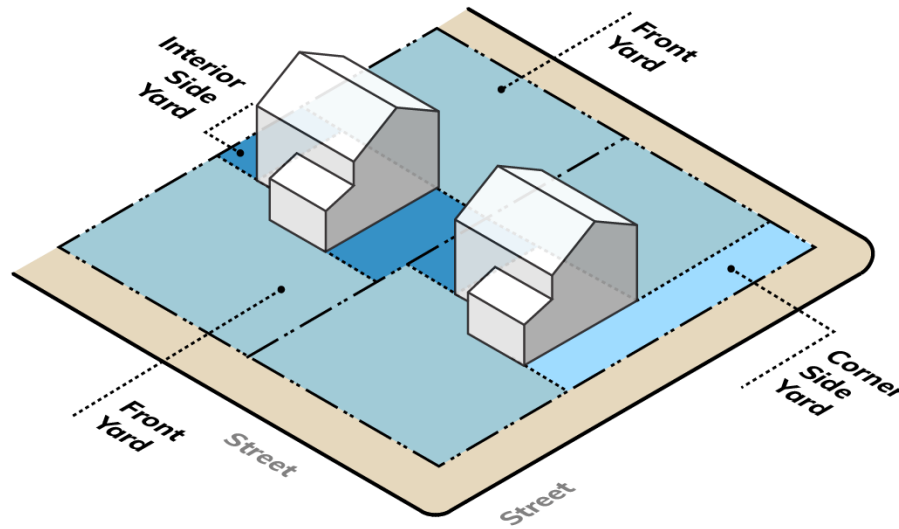
Yards

SETBACKS AND YARDS: THROUGH LOT
REQUIRED SETBACKS



Setbacks

YARDS



Yards

Chapter 3. Zoning Districts + Zoning Map

- 3.1 Zoning Districts
- 3.2 Zoning Map
- 3.3 Essential Services Exemptions
- 3.4 Annexation

3.1 Zoning Districts

To carry out the purpose and intent of this Code, the Village of North Barrington is divided into the following zoning districts:

A. Residential Districts

R-1 Single-Family Residential District
R-2 Single-Family Residential District
R-3 Single-Family Residential District

B. Business Districts

B-1 Retail Business District

C. Open Space and Recreation Districts

OS Open Space District
GC1 Golf Course District
GC2 Golf Course District
E Equestrian Estate District

3.2 Zoning Map

A. The location and boundaries of the districts established by this Zoning Code are set forth on the Zoning Map entitled Village of North Barrington Zoning Map, which is incorporated and made part of this Code.

B. The following rules apply with respect to the boundaries of the various zoning districts shown on the Zoning Map:

1. Where district boundary lines are indicated as following streets, alleys, other public ways, and railroad rights-of-way, they are construed as following the centerlines thereof.
 - a. All streets, alleys, other public ways, and railroad rights-of-way, if not otherwise specifically designated, are deemed to be in the same zoning district as the property immediately abutting upon such streets, alleys, other public ways and railroad rights-of-way.
2. Where district boundary lines are indicated as approximately following lot lines, such lot lines are construed to be such boundaries.
3. When distances are not specifically indicated on the Zoning Map, they are determined by reference to the description contained in the ordinance adopting them and any accompanying maps used to indicate the intentions of the ordinance. Written dimensions take precedence over scaled measurements.

3.3 Essential Services Exemptions

The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions, of overhead, surface, or underground gas, electrical, steam, or water, distribution or transmission systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, tunnels, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles, electrical substations, cable television transmission lines, gas regulator stations and other similar equipment and accessories, reasonably necessary for the furnishing of adequate service by the public utility or municipal department or commission or for the public health, safety, or general welfare, are exempt from the regulations of this Code. All installations must conform to Federal Communications Commission (FCC) and Federal Aviation Agency (FAA) rules and regulations, and of other authorities having jurisdiction.

3.4 Annexation

All land annexed to the Village will be classified as the R-1 Single-Family Residential District until such time as a map amendment is approved for another zoning district classification or where plans adopted in conjunction with the annexation have designated another district.

Chapter 4. Residential Districts

- 4.1 Purpose Statements
- 4.2 Uses
- 4.3 Dimensional Standards
- 4.4 Additional Development Standards

4.1 Purpose Statements

A. R-1 Single-Family Residential District

The R-1 Single-Family Residential District is intended to accommodate single-family neighborhoods on lots a minimum of five acres in area.

B. R-2 Single-Family Residential District

The R-2 Single-Family Residential District is intended to accommodate single-family neighborhoods on lots a minimum of two acres in area.

C. R-3 Single-Family Residential District

The R-3 Single-Family Residential District is intended to accommodate single-family neighborhoods on lots a minimum of 40,000 square feet in area.

4.2 Uses

Chapter 7 lists principal, accessory, and temporary uses for the residential districts.

4.3 Dimensional Standards

Table 4-1: Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a standard is listed for a specific use.

Table 4-1: Residential Districts Dimensional Standards			
	R-1	R-2	R-3
Bulk Standards			
Minimum Lot Area	5 acres	2 acres	40,000sf
Minimum Lot Width	200'	125'	115'
Maximum Building Height	35'	35'	35'
Maximum Building Coverage	10%	20%	35%
Setback Requirements			
Minimum Front Setback	30' From private driveway, alley or easement: 30'	30' From private driveway, alley or easement: 30'	30' From private driveway, alley or easement: 30'
Minimum Interior Side Setback	10% of lot width or 20', whichever is less; however, a minimum of 10' is required	10% of lot width or 20', whichever is less; however, a minimum of 10' is required	10% of lot width or 20', whichever is less; however, a minimum of 10' is required
Minimum Corner Side Setback	30' From private driveway, alley or easement: 30'	30' From private driveway, alley or easement: 30'	30' From private driveway, alley or easement: 30'
Minimum Rear Setback	20% of lot depth or 50', whichever is less; however, a minimum of 40' is required	20% of lot depth or 50', whichever is less; however, a minimum of 40' is required	20% of lot depth or 50', whichever is less; however, a minimum of 40' is required

4.4 Additional Development Standards

A. General Development Standards

See Chapter 8 for additional on-site development standards and requirements, including accessory structure regulations.

B. Off-Street Parking and Access

See Chapter 9 for off-street parking and access standards and requirements.

C. Landscape

See Chapter 10 for landscape standards and requirements.

D. Signs

See Chapter 11 for sign standards.

Chapter 5. Business Districts

- 5.1 Purpose Statements
- 5.2 Uses
- 5.3 Dimensional Standards
- 5.4 Design Standards
- 5.5 General Standards

5.1 Purpose Statements

A. B-1 Business District

The B-1 Business District is intended to accommodate retail and service-oriented businesses. The B-1 District allows a mix of commercial uses that serve the local community while maintaining a compatible and harmonious relationship with surrounding residential areas.

5.2 Uses

Chapter 7 lists principal, temporary, and accessory uses allowed within the business districts.

5.3 Dimensional Standards

Table 5-1: Business Districts Dimensional Standards establishes the dimensional standards for the business districts.

Table 5-1: Business Districts Dimensional Standards	
B-1 District	
Bulk Standards	
Minimum Lot Area	20,000sf
Minimum Lot Width	75'
Maximum Building Height	35'
Setback Requirements	
Minimum Front Setback	25'
Minimum Interior Side Setback	15'
Minimum Corner Side Setback	25'
Minimum Rear Setback	25'

5.4 Design Standards

A. Applicability

1. The design standards of this section apply to nonresidential developments in the business districts. Design standards apply to new construction and additions that increase the building square footage by 30% or more.
2. When standards indicate that they are applicable when facing a street, this does not apply to alleys.
3. Diagrams are for illustrative purposes only.

B. Façade Articulation

1. For single-tenant developments, a minimum of one prominent entrance facing a street is required. For multi-tenant developments, a prominent entrance is required for each individual nonresidential tenant facing a street.
2. Building facades facing a street must not contain blank wall areas that exceed 40 feet.
3. Building facades 100 feet in length or greater facing a street must include a repeating architectural pattern with a minimum of two of the following elements: color change; texture change; material change; a wall articulation change, such as a reveal, recess, offset, or pilaster; or building recesses or projections.

C. Fenestration/Transparency

1. The ground floor of a facade facing a street must maintain a minimum transparency of 50%, measured between two and eight feet from grade.
2. Upper floors of a facade facing a street must maintain a minimum transparency of 20% of the total wall area of the upper stories.

D. Building Materials

The following building materials are limited to 25% of each façade. They may also be used as a component of construction when not a surface finish material without limitation. This limitation is cumulative for the materials used below. All materials listed below that are used are counted toward the maximum limitation.

1. Plain concrete block
2. Mirrored glass
3. Exposed aggregate (rough finish) concrete wall panels
4. Exterior insulating finish systems (EIFS)
5. Wood structural panel sheathing (e.g., plywood, OSB, particleboard, etc.)
6. Plastic, not including light transmitting plastic
7. Vinyl
8. Metal panels unless they meet the following requirement: Metal panels (flat, textured, corrugated, batten, box rib, etc.) whether standalone, composite, or part of a layered or insulated panel, shall be permitted provided they are part of a complete, manufacturer warrantied cladding system, including integral anchorage to structural supports. Steel panels shall be minimum US Standard 26 gauge. Metal panels that meet this requirement are permitted as surface finish material without limitation.

COMMERCIAL DESIGN STANDARDS - EXAMPLE



- A = Blank wall limitation
B = Repeating architectural feature
C = Prominent entry
D = Ground-floor transparency
E = Upper-floor transparency

5.5 General Standards

A. General Development Standards

See Chapter 8 for additional on-site development standards and requirements, including accessory structure regulations.

B. Off-Street Parking and Access

See Chapter 9 for off-street parking and access standards and requirements.

C. Landscape

See Chapter 10 for landscape standards and requirements.

D. Signs

See Chapter 11 for sign standards.

Chapter 6. Open Space + Recreation Districts

- 6.1 OS Open Space District
- 6.2 GC1 Golf Course District
- 6.3 GC2 Golf Course District
- 6.4 E Equestrian Estate District

6.1 OS Open Space District

A. Purpose Statement

The OS Open Space District is designed to preserve and protect open space, such as parks, playgrounds, and natural areas, for recreational activities and conservation.

B. Uses

Chapter 7 lists principal, accessory, and temporary uses for the OS District.

C. Dimensional Standards

Table 6-1: OS District Dimensional Standards establishes the dimensional standards for the OS District.

Table 6-1: OS District Dimensional Standards	
	OS
Bulk Standards	
Minimum Lot Area	40,000sf
Minimum Lot Width	115'
Maximum Building Height	35'
Setback Requirements	
Minimum Front Setback	25'
Minimum Interior Side Setback	25'
Minimum Corner Side Setback	25'
Minimum Rear Setback	25'

D. General Standards

1. General Development Standards

See Chapter 8 for additional on-site development standards and requirements, including accessory structure regulations.

2. Off-Street Parking and Access

See Chapter 9 for off-street parking and access standards and requirements.

3. Landscape

See Chapter 10 for landscape standards and requirements.

4. Signs

See Chapter 11 for sign standards.

6.2 GC1 Golf Course District

A. Purpose Statement

The GC1 Golf Course District is intended to accommodate golf courses, driving ranges, and country clubs, providing for recreational spaces and community-oriented activities.

B. Uses

Chapter 7 lists principal, accessory, and temporary uses for the GC1 District.

C. Dimensional Standards

Table 6-2: GC1 District Dimensional Standards establishes the dimensional standards for the GC1 District.

Table 6-2: GC1 District Dimensional Standards	
	GC1
Bulk Standards	
Minimum Lot Area	100 acres
Maximum Building Height	35'
Setback Requirements	
Minimum Front Setback	50'
Minimum Interior Side Setback	50', unless adjacent to a residential district, then 100'
Minimum Corner Side Setback	50'
Minimum Rear Setback	50', unless adjacent to a residential district, then 100'

D. General Standards

1. General Development Standards

See Chapter 8 for additional on-site development standards and requirements, including accessory structure regulations.

2. Off-Street Parking and Access

See Chapter 9 for off-street parking and access standards and requirements.

3. Landscape

See Chapter 10 for landscape standards and requirements.

4. Signs

See Chapter 11 for sign standards.

6.3 GC2 Golf Course District

A. Purpose Statement

The GC2 Golf Course District is intended to accommodate a mix of golf courses, driving ranges, country clubs, single-family dwelling developments, and office spaces, fostering a balanced environment that supports recreational, residential, and professional uses. This district aims to allow for thoughtfully integrated housing and office developments that complement the area's recreational and low density residential character.

B. Planned Unit Development Required

1. All development in the GC2 Golf Course District requires a planned unit development.
2. The minimum lot area required for a planned unit development in the GC2 District is 500 acres.

C. Uses

Chapter 7 lists principal, accessory, and temporary uses for the GC2 District.

6.4 E Equestrian Estate District

A. Purpose Statement

The E Equestrian Estate District is to intended to accommodate a harmonious mix of equestrian facilities and single-family dwellings. The E District is designed to support horse ownership and related amenities, ensuring a low-density living environment that enhances the equestrian lifestyle.

B. Planned Unit Development Required

1. As of the effective date of this Code, all development in the E Equestrian Estate District requires a planned unit development. This does not apply to any additional contiguous parcels of land and lots that may be added to an E District existing prior to the effective date of this Code.
2. The minimum lot area required for a planned unit development in the E District is 60 acres.

C. Uses

Chapter 7 lists principal, accessory, and temporary uses for the E District.

EDITOR'S NOTE: Per discussion, we have retained the current standards for existing E District land. Anything new would require a PUD.

D. Previously Approved E Districts

E Districts approved prior to the effective date of this code are subject to the following standards.

1. District Standards

a. Additional contiguous parcels of land and lots may be added following the initial rezoning. Parcels of land and lots in the district may be sold, but the property as a whole must be developed and used as required by the E District.

i. Any map amendment to classify or reclassify lots or parcels of land into the E District, and any ordinance approving such classification or reclassification, must incorporate a site plan. The site plan will also constitute a preliminary and final plat.

ii. An approved site plan may provide for variations and deviations from strict conformance with the requirements of the Village's subdivision regulations and zoning code. Approval of any site plan incorporating preliminary and/or final plats of subdivision that contains deviations or variations from strict conformance is deemed an authorized waiver of such requirements to the extent of any such deviation or variation without regard to any more restrictive requirements.

iii. Further, these authorized deviations or variations are deemed fully lawful such that limitations applicable to legal nonconformities do not impair the legal right to rebuild any building or structure or reestablish any use permitted by virtue of such deviations or variations.

b. Development in the E District must meet the standards of the R-1 District, unless a specific permission or restriction applies in this Code.

c. Within the E District, a minimum of 45 acres of contiguous property must be developed for single-family detached residences on lots or parcels having an area a minimum of five acres; however, one residential lot or parcel having an area of less than five acres but not less than 4.5 acres is permitted.

d. One or more additional lot(s) may be added to an existing E District and lot(s) originally located within an existing E District or subsequently added thereto may be combined with other lots or parcels within the E District to establish or enlarge an equestrian center, provided that the lots or parcels intended for development with single-family detached residences continue to meet the minimum area requirements of this section.

e. The square footage of ground surface area to be covered with buildings, structures and other impervious surfaces cannot exceed 10% of the square footage of the lots or parcels which are developed, or are to be developed, for single-family detached residences.

2. General Development Standards

a. In addition to all fences otherwise authorized by the Village Code, a perimeter fence is permitted on or adjacent to all lot lines. Said perimeter fences cannot exceed five feet in height and must be designed to contain horses; this specifically includes the right to maintain low voltage electric fences.

b. Entrance features to each lot or parcel may contain wing walls each to be of a length of not greater than ten feet having a height of not greater than eight feet, including pylons and other structural elements. Entrances may feature entrance gates not exceeding eight feet in height. Said entrance gates may be electrified. The entrances to each lot or parcel may be lighted in a manner specified in any approved building permit issued for the construction of said entrance.

c. An accessory structure or as a part of an accessory structure is permitted a separate residential housing accommodation not to exceed 1,500 square feet of living space suitable for occupancy by not more than two adult persons (and any of their minor children) who are employed by the owner(s) of the principal residence in the capacity of housekeeper, caretaker, au pair, groomsman or in similar domestic capacities.

- d.** Recreational vehicles, trailers, boats, horse trailers, and similar accessory vehicles may be parked and stored anywhere on a lot or parcel except that all such uses or structures may not be located in a required minimum front yard of 50 feet and further provided that they must be screened from the view of any public right-of-way or adjacent lot or parcel.
- e.** Accessory buildings, structures, accessory vehicle storage structures and other accessory uses and structures must not be confined to the rear one-third of a residential lot or parcel but may be located anywhere on the lot or parcel except that all such uses or structures may not be located in a required minimum front yard of 50 feet.
- f.** With respect to those lots or parcels located within a Premier Equestrian Estate District which are developed, or are to be developed, for single-family detached residences, the following additional permissible uses and restrictions apply:
- g.** Up to four horses may be permitted for the single 4.5 acre lot provided for in this section. For each single-family detached residential lot or parcel containing five acres or more, the number of horses permitted is equal to eight-tenths horses per acre or part thereof, rounded to the next higher number. However, should any owner assemble and thereafter continue to maintain lots or parcels as a single homesite which, in the aggregate, constitute fifteen or more acres, the number of horses permitted is equal to 1.2 horses per acre or part thereof, rounded to the next higher number.
- h.** Within all portions of an E District, irrespective of whether the lots or parcels are developed, or intended to be developed with single-family detached dwellings or an equestrian center, Section 8.2 applies to all lots or parcels developed, or intended for development, as single-family detached residences.
- i.** Signage identifying a development within the premier equestrian estate district must be approved as part of the site plan approval process. The site plan must identify the location of all such signs, the dimensions of such signs, the materials to be used in the construction of such signs and any ground or back lighting proposed for such signs.
- j.** Signage identifying a particular single-family residence including the address of the resident, including the internal lighting or ground lighting of such signage, are exempt.

Chapter 7. Uses

- 7.1 General Use Regulations
- 7.2 Use Matrix
- 7.3 Use Definitions
- 7.4 Principal Use Standards
- 7.5 Accessory Use Standards
- 7.6 Temporary Use Standards

7.1 General Use Regulations

- A. No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district.
- B. All uses must comply with any applicable federal and state requirements, and any additional federal, state, or municipal ordinances.
- C. Any use that is not included in the use matrix is prohibited in all districts.
- D. All uses, whether permitted or special, must comply with the use standards of Sections 7.4 through 7.8, as applicable, as well as all other regulations of this Code and the Village.
- E. Short-term rentals are prohibited in the Village of North Barrington.
 - 1. Both the offering for short-term rental and the use of a short-term rental are expressly prohibited. Short-term rental means a residential dwelling, dwelling unit, single room within a dwelling, or portion of dwelling unit offered for rent for a period of 30 consecutive days or less to any person other than a member of the owner's immediate family.
- F. Accessory dwelling units (ADU) are prohibited in the Village of North Barrington.
 - 1. An ADU is an additional dwelling unit associated with and incidental to a principal dwelling on the same lot.
- G. Data centers are prohibited in the Village of North Barrington.
 - 1. A data center is a facility for the operation of specialized computer equipment for the primary purpose of storing, processing, and distributing large amounts of digital data for businesses, governments, or cloud service providers. Data center also includes facilities for mining one or more blockchain based cryptocurrencies. Physical characteristics of this use include specialized computer hardware, high density load electricity use, a high energy use intensity, and with a high load factor in addition to the use of equipment to cool the hardware and operating space.

7.2 Use Matrix

- A. Table 7-1: Use Matrix identifies the principal, accessory, and temporary uses allowed within each zoning district.
- B. P indicates that the use is permitted by-right in the district. S indicates that the use is a special use in the district and requires special use approval. If a cell is blank, the use is prohibited in the district.
- C. All uses in Table 7-1 are defined in Section 7.3 below.

Table 7-1: Use Matrix P = Permitted Use S = Special Use Blank Cell = Prohibited									
Principal Use	R-1	R-2	R-3	B-1	OS	GC1	GC2	E	Use Standards
Amusement Facility				S					Sec. 7.4.A
Animal Care Facility				P					Sec. 7.4.B
Art Gallery				P					
Arts and Fitness Studio				P					
Car Wash				S					
Community Center				P	P				
Community Residence	P	P	P						Sec. 7.4.C
Country Club						P	P		
Cultural Facility				P					
Day Care Center				P					Sec. 7.4.D
Day Care Home	P	P	P	P					Sec. 7.4.D
Dwelling - Single-Family	P	P	P	S			P	P	
Dwelling - Two-Family				S					Sec. 7.4.E
Dwelling - Townhouse				S					Sec. 7.4.F
Dwelling - Multi-Family				S					Sec. 7.4.G
Dwelling - Above the Ground Floor				S					
Eating and Drinking Establishment				S					
Educational Facility - Pre-School/Nursery School	S	S	S	P					
Educational Facility - Primary or Secondary	S	S	S	P					
Educational Facility - University or College				P					
Educational Facility - Vocational				P					
Equestrian Center								P	Sec. 7.4.H
Equestrian Use								P	
Financial Institution				P					
Funeral Home				P					
Gas Station				S					
Golf Course						P	P		
Government Facility/Office	S	S	S	P	P				
Healthcare Facility				S					
Hotel				S					
Lodge/Meeting Hall				S					Sec. 7.4.J
Medical/Dental Office				P					
Micro-Production of Alcohol				S					
Nature Preserve	P	P	P	P	P	P	P	P	

Table 7-1: Use Matrix P = Permitted Use S = Special Use Blank Cell = Prohibited									
Principal Use	R-1	R-2	R-3	B-1	OS	GC1	GC2	E	Use Standards
Office				P			P		
Park/Playground	P	P	P	P	P	P	P	P	
Personal Service Establishment				P					
Place of Worship	S	S	S	P					
Reception Facility				P					
Residential Care Facility				S					
Retail Goods Establishment				P					
Self-Storage Facility Indoor, Climate-Controlled				S					Sec. 7.4.K
Specialty Food Service				S					
Utility	S	S	S	S	S	S	S	S	
Vehicle Dealership/Rental				S					Sec. 7.4.L
Vehicle Repair/Service				S					Sec. 7.4.M
Wireless Telecommunications: Colocation or Stealth Antenna	P	P	P	P	P	P	P	P	Sec. 7.4.N
Wireless Telecommunications: Tower, Antenna, and/or Facility Building	S	S	S	S	S	S	S	S	Sec. 7.4.N
Accessory Use	R-1	R-2	R-3	B-1	OS	GC1	GC2	E	
Drive-Through Facility				S					Sec. 7.5.A
Home Occupation	P	P	P	P			P	P	Sec. 7.5.B
Outdoor Dining/Activity				S					Sec. 7.5.C
Outdoor Sales and Display				S					Sec. 7.5.D
Temporary Use	R-1	R-2	R-3	B-1	OS	GC1	GC2	E	
Real Estate Project Sales Office/Model Unit	P	P	P	P	P	P	P	P	Sec. 7.6.A
Temporary Contractor Office and Contractor Yard	P	P	P	P	P	P	P	P	Sec. 7.6.B
Temporary Outdoor Event	P	P	P	P	P	P	P	P	Sec. 7.6.C
Temporary On-Site Storage Container	P	P	P	P	P	P	P	P	Sec. 7.6.D

7.3 Use Definitions

Amusement Facility. A facility for spectator and/or participatory uses conducted within an enclosed building, such as movie theaters, bowling alleys, and pool halls. Participatory uses may or may not allow spectators. An indoor amusement facility may include additional uses as part of the principal use including, but not limited to, concession stands, restaurants, and retail sales. Indoor amusement facilities do not include any type of adult use, which is an establishment that provides goods or services of a sexual nature for an adult audience such as adult entertainment venues and adult motion picture theaters.

Animal Care Facility. An establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, animal training centers and clubs, and pet boarding facilities, where animals are boarded during the day and/or for short-term stays.

Art Gallery. An establishment that sells, loans, and/ or displays paintings, sculpture, photographs, video art, or other works of art.

Arts and Fitness Studio. An establishment where an art or activity is taught, studied, or practiced such as dance, martial arts, photography, pottery, metalsmithing, music, painting, gymnastics, pilates, or yoga. An art or fitness studio also includes private exercise studios for private sessions with trainers and/or private classes.

Car Wash. An establishment for the washing and cleaning of motor vehicles or other light duty equipment, whether automatic, by hand, or self-service. The car wash facility may be within an enclosed structure, an open bay structure, or other configurations.

Community Center. A facility used as a place of meeting, recreation, or social activity, that is open to the public and is not operated for profit, and offers a variety of educational and community service activities.

Community Residence. A group home or specialized residential care home serving unrelated persons with disabilities, which home is licensed or certified by the State of Illinois. Community residence does not include a residence which serves persons as an alternative to incarceration for a criminal offense, persons whose primary reason for placement is substance or alcohol abuse, or persons whose primary reason for placement is treatment of a communicable disease.

Country Club. A membership-based privately-owned club that offers a variety of recreational sports and facilities for dining and entertaining.

Cultural Facility. A facility open to the public that provides access to cultural exhibits and activities including, but not limited to, museums, cultural or historical centers, non-commercial galleries, historical societies, and libraries. A cultural facility may include additional uses as part of the principal use such as, but not limited to, retail sales of related items and restaurants.

Day Care Center. A facility where, for a portion of a 24-hour day, care and supervision is provided for children or the elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator.

Day Care Home. A residential dwelling where, for a portion of a 24-hour day, licensed care and supervision is provided by a permanent occupant of the dwelling for children or the elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator of the facility.

Drive-Thru Facility. That portion of a business where transactions occur directly with customers via a service window, kiosk, or other configuration that allows customers to remain in their vehicle.

Dwelling – Single-Family. A structure containing only one dwelling unit on a lot.

Dwelling - Two-Family A structure containing two dwelling units on a lot.

Dwelling – Townhouse. A structure consisting of three or more dwelling units, which are connected by party walls, each on its own lot. A townhouse is designed with no other dwelling or portion of other dwelling, directly above or below, where each unit has a separate exterior entrance and direct ground level access to the outdoors with no opening between units. A townhouse may also be referred to as single-family attached dwelling.

Dwelling – Multi-Family. A structure containing three or more dwelling units on a lot used for residential occupancy not designed as a townhouse dwelling as defined in this section.

Dwelling – Above the Ground Floor. Dwelling units located above ground-floor nonresidential uses.

Eating and Drinking Establishment. An establishment where food and/or drinks are prepared and provided to the public for on-premises consumption by seated patrons, carry-out, and/or delivery service. Restaurants and bars are considered eating and drinking establishments.

Educational Facility - Pre-School/Nursery School. A facility that offers early childhood programs in which children combine learning with play prior to attendance at primary/elementary school, including Montessori programs.

Educational Facility - Primary or Secondary. A facility that offers instruction at the elementary, middle, and/or high school levels. A primary educational facility may also include pre-school programs.

Educational Facility - University or College. A facility for post-secondary higher learning that grants associate, or bachelor, master, and/or doctoral degrees. Such facilities may include ancillary uses such as research facilities, dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, and similar uses.

Educational Facility - Vocational. A facility that offers instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school.

Equestrian Center. A facility designed for the care, training, riding, and boarding of horses. Equestrian centers may offer services such as horseback riding lessons, horse boarding, training programs, and equestrian competitions, and include amenities such as indoor and outdoor riding arenas, stables, paddocks, and trails.

Equestrian Use. Uses involving or relating to horses and ponies, whether the uses are for the exclusive use of the property owner or made available for hire to others including, but not limited to, boarding, exercising, grooming, riding lessons, and stabling.

Financial Institution. A bank, savings and loan, credit union, or mortgage office. Financial institution also includes check cashing establishments and currency exchanges. Financial institutions do not include alternative financial institution includes payday loans, tax refund anticipation loans, car title loans, and cash for gold establishments.

Funeral Home. An establishment where the dead are prepared for burial display and for rituals before burial or cremation, including chapels for the display of the deceased and the conducting of rituals before burial or cremation, and crematoriums.

Gas Station. An establishment where fuel for vehicles is stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. A gas station may also include retail uses and an accessory car wash bay.

Golf Course. A tract of land design with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, snack-bar, and pro-shop as additional uses as part of the golf course. A driving range may be included as part of a golf course. A driving range is a tract of land equipped with distance markers, clubs, balls, and tees for practicing the hitting of golf balls.

Government Facility/Office. Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public, such as city offices and post offices. Government offices include public safety or public works facilities.

Healthcare Facility. Facilities for primary health services and medical or surgical care to people, primarily in-patient overnight care, and including related facilities such as laboratories, outpatient facilities, dormitories, educational facilities, cafeterias, retail sales, and similar uses.

Home Occupation. An activity carried out for economic gain by a resident, conducted as an accessory use in the resident's dwelling.

Hotel. A commercial facility that provides sleeping accommodations and customary lodging services for a fee, without benefit of a residential lease or rental agreement. Related accessory uses may include, but are not limited to, meeting facilities, restaurants, bars, fitness rooms, and recreational facilities for the use of guests. Hotel does not include bed and breakfasts and short-term rentals, which are prohibited in the Village.

Lodge/Meeting Hall. A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business.

Medical/Dental Office. A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physical therapists, acupuncturists, and other licensed practitioners of the healing arts and holistic healing for the examination and treatment of persons solely on an outpatient basis. Medical/dental office includes laboratory facilities. Medical/dental office also includes drug treatment clinics, where a facility is licensed and authorized by the state to administer drugs, such as methadone or suboxone, in the treatment, maintenance, or detoxification of persons.

Micro-Production of Alcohol. A facility for the production and packaging of alcoholic beverages, such as beer, wine, spirits, cider, and mead, for distribution and consumption on-premises. Facilities include a tasting room and may include retail areas for the purchase beverages manufactured on-site and related items. Facilities must include a bar/tasting room and/or restaurant for consumption and tasting on-premises. It may also include retail to purchase beverages manufactured on-site and related items. A tasting room is an area within the premises of the brewery's production facilities where guests may sample the brewery's products.

Nature Preserve. Designated open space that preserves and protects natural features, wildlife, and critical environmental features. A nature preserve may include opportunities for passive recreation, such as hiking trails and lookout structures, and environmental education facilities.

Office. An establishment that engages in the processing, manipulation, or application of business information or professional expertise. Such an office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor engaged in the repair or sale of products for immediate purchase and removal from the premise by the purchaser. Office includes tutoring services that offer educational support and/or instruction to individuals or in small group settings.

Outdoor Dining/Activity. An outdoor area located outside the permanent enclosed area, and is used for seating for food and/or beverage consumption and may include participatory activities such as trivia. This includes, but is not limited to, areas such as patios, decks, rooftops, and open areas.

Outdoor Sales and Display (Accessory). Part of a lot used for outdoor sales and/or display of goods accessory to the principal use.

Park/Playground. A publicly-owned facility that serves the recreational needs of residents and visitors. Public park includes, but is not limited to, playgrounds, ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, skateboard parks, passive recreation areas, and gymnasiums. Public parks may also include non-commercial indoor or outdoor facilities, including zoos, recreational centers, and amphitheaters, additional uses such as, but not limited to, restaurant and retail establishments, and temporary outdoor uses such as festivals and performances.

Personal Service Establishment. An establishment that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, nail salons, electronics repair shops, laundromats, health clubs, dry cleaners, and the like. Personal service establishment does not include a body modification establishment (tattooing, body piercing, scarification), which is prohibited in the Village. This does not include a salon that provides cosmetic tattooing (microblading) or an establishment that only provides ear piercing services. Personal services establishment does not include any type of adult use, which is an establishment that provides goods or services of a sexual nature for an adult audience.

Place of Worship. A facility where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may include additional uses such as day care facilities, meeting rooms, food preparation and dining areas, auditoriums, dormitories, and/or classrooms for religious instruction.

Real Estate Project Sales Office/Model Unit. A real estate project sales office is a residential unit, commercial space, or standalone structure within a development that is temporarily used as a sales or leasing office. A model unit is a residential unit or commercial space within the development used for display purposes as an example of dwelling units or commercial spaces available for sale or lease within the development.

Reception Facility. A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, corporate events, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may occur as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

Residential Care Facility. A licensed care facility that provides 24-hour medical and/or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing care, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum.

Retail Goods Establishment. An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. A retail goods establishment does not include specialty food service. Retail goods establishment does not include any type of adult use, which is an establishment that provides goods or services of a sexual nature for an adult audience such as adult bookstores, adult video stores, and adult retail shops.

Self-Storage Facility: Indoor, Climate-Controlled. A facility for the storage of personal property where individual renters control and access individual storage spaces located within a fully enclosed building that is climate controlled. Accessory retail sales of related items, such as moving supplies, and facility offices may also be included.

Specialty Food Service. Specialty food service is an establishment where food products are prepared, processed, canned, and/or packaged and all processing is completely enclosed on-site and there are no outside impacts. Such business specializes in the sale of specific food products made on-site, such as a coffee roaster, nut roaster, and cheesemaker, and may offer areas for retail sales and/or eating and drinking areas that serve the products processed on-site. Catering businesses are considered a specialty food service. Specialty food service does not include bakeries, even if products are prepared on-site, which are considered an eating and drinking establishment.

Temporary Contractor Office and Contractor Yard. A temporary, portable, or modular structure utilized as a watchman's quarters, construction office, or equipment shed during the construction of a new development. This includes a contractor yard where materials and equipment are stored in conjunction with a construction project.

Temporary Outdoor Event. One or a combination of the following events:

1. **Temporary Entertainment Event.** A temporary entertainment event, such as the performance of live music, revue, or play within an outdoor space, carnivals, and festivals.
2. **Temporary Sales Event.** A temporary sales event where goods are sold, such as arts and crafts fairs, flea markets, and holiday sales, such as Christmas tree lots and pumpkin sales lots.

Temporary On-Site Storage Container. Temporary self-storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for.

Utility. Any facility, infrastructure, and/or equipment used for the generation, transmission, storage, or distribution of electric energy, natural or manufactured gas, water, stormwater, cable television, internet, telephone services, or wastewater, between the point of generation and the end user. A utility does not include wireless telecommunications towers, antennas and/or facilities, satellite dish antennas, waste management facilities, recycling collection facilities, or radio, television, or microwave transmission or relay towers. Utility also includes utility operation facilities where all activity occurs indoors.

Vehicle Dealership/Rental. An establishment that sells, leases, or rents new or used automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. Such use may maintain an inventory of the vehicles for sale or lease outdoors either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold, leased, or rented by the dealership. Vehicle dealerships do not include truck, trailer, boat, or heavy equipment sales, which are considered heavy retail, rental, and service.

Vehicle Repair/Service. A business that provides minor repairs to motor vehicles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, tire replacement, wheel servicing, alignment, and balancing, realignment, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, and wheel bearings, and similar minor repairs. This does not include major reconditioning of worn or damaged motor vehicles, collision service, including body, frame, or fender straightening or repair, painting of motor vehicles, interior (e.g., upholstery, dashboard, etc.) reconstruction and/or repairs, and restoration services.

Wireless Telecommunications. Towers, antennas, and facilities used to transmit and receive signals that facilitate wireless telecommunications. The following definitions describe the wireless telecommunications infrastructure described within the general definition for wireless telecommunications:

1. Antenna

A specific device, the surface of which is used to transmit and/or receive signals transmitted to or from other antennas. This does not include satellite dish antennae.

2. Facility

A structure used to house and protect the equipment necessary for processing telecommunications signals, which may include air conditioning equipment and emergency generators. Facility also includes any necessary equipment that facilitates wireless transmission.

3. Tower

A structure designed and constructed to support one or more wireless telecommunications antennae and including all appurtenant devices attached to it.

7.4 Principal Use Standards

All principal uses, whether permitted or special, must comply with the following use standards as applicable.

A. Amusement Facility

1. Amusement facilities must be located entirely within a principal structure. This does not include any permitted accessory outdoor dining/activity areas.

B. Animal Care Facility

These standards do not apply to animal shelters operated by a government agency or animals kept and trained by a public safety facility.

1. Animal care facilities must locate any exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A solid fence or wall a minimum of six feet and a maximum of eight feet in height is required along the boundary of all exterior exercise areas.
2. Animal care facilities must locate all overnight boarding facilities indoors.
3. All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

C. Community Residence

1. Community residences are limited to three residents, excluding any caretakers.
2. Community residences must be licensed by the State of Illinois.
3. Community residences must not alter the residential character of the structure.

D. Day Care Center and Day Care Home

1. Each day care center and day care home must have a State of Illinois license and/or registration.
2. A day care center must provide a pickup/drop off area. When located in a parking lot, the pickup/drop off area must not interfere with vehicle circulation, including blocking of the drive aisle.

3. The exterior of a day care home must maintain its original appearance as a single-family dwelling. No visitor/client parking may be located in the front yard.

E. Dwelling - Two-Family

1. The dwelling must have a primary entrance from a façade facing the street. The front entry must be a dominant feature on the front elevation of a home and an integral part of the structure, using features such as porches, raised steps and stoops, or decorative railings to articulate the front façade.
2. Windows, entrances, porches, or other architectural features are required on all street-facing facades to avoid the appearance of blank walls.
3. A 10% minimum transparency requirement applies to any street-facing façade and is calculated on the basis of the entire area of the façade.
4. Attached garages that take access from a front lot line or a corner side lot line are limited to 40% of the width of the building facade line or 24 feet, whichever is greater. Garage width is measured between the edges of the garage door; in the case of garages designed with multiple garage doors the distance is measure between the edge of the outermost doors.
5. Front-loaded attached garages cannot extend past the front building line of the structure.

F. Dwelling – Townhouse

1. There must be a unifying architectural theme for the entire development, utilizing a common vocabulary of architectural forms, elements, materials, and/or colors in the entire structure.
2. Building façades facing a street must be articulated through the use of architectural elements to break up blank walls and add visual interest.
3. A minimum transparency of 10% applies to any street-facing façade as calculated on the basis of the entire area of the façade.
4. Prohibited building materials are as follows:
 - a. The following building materials are prohibited on any façade:
 - i. Plain concrete block
 - ii. Exterior insulating finish systems (EIFS)
 - iii. T-111 composite plywood siding
 - b. The following building materials are limited to 30% of each façade. They may also be used as a component of construction when not a surface finish material without limitation. This limitation is cumulative for the materials used below. All materials listed below that are used are counted toward the maximum limitation.
 - i. Corrugated metal
 - ii. Aluminum, steel, or other metal sidings
 - iii. Exposed aggregate (rough finish) concrete wall panels
 - iv. Plastic
 - v. Vinyl

G. Dwelling - Multi-Family

1. There must be a unifying architectural theme for the entire development, utilizing a common vocabulary of architectural forms, elements, materials, and/or colors in the entire structure.
2. Building façades abutting a street must be articulated through the use of architectural elements to break up blank walls, add visual interest, and present a residential character. Such articulation must occur at intervals a maximum of 40 feet linear feet. Two or more of the following forms of building articulation must be incorporated:
 - a. Modulation of the façade through the use of architectural features such as projections, indentations, overhangs, awnings, bays, canopies, and cornices. Building modulations must either projected or be set back a minimum of two feet in depth, and must be a minimum of four feet in width.
 - b. Provision of a balcony, bay window, patio, porch, terrace, or visually prominent ground-level entry within each interval.
 - c. Changes in color, texture, or material. Such changes should occur at inside corners to convey solidity and permanence, and should not occur on a flat wall plane or an outside edge.
 - d. Provision of lighting fixtures or other building ornamentation such as artwork, trellises, or green walls within each interval.
3. A minimum transparency of 20% applies to any street-facing façade as calculated on the basis of the entire area of the façade.
4. Prohibited building materials are as follows:
 - a. The following building materials are prohibited on any façade:
 - i. Plain concrete block
 - ii. Exterior insulating finish systems (EIFS)
 - iii. T-111 composite plywood siding
 - b. The following building materials are limited to 25% of each façade. They may also be used as a component of construction when not a surface finish material without limitation. This limitation is cumulative for the materials used below. All materials listed below that are used are counted toward the maximum limitation.
 - i. Corrugated metal
 - ii. Aluminum, steel, or other metal sidings
 - iii. Exposed aggregate (rough finish) concrete wall panels
 - iv. Exterior insulating finish systems (EIFS)

H. Equestrian Center

The following standards apply to any equestrian centers approved prior to the effective date of the Code. Any equestrian centers proposed following the effective date of this Code must be approved as part of a planned unit development in the E District.

1. An equestrian center requires a minimum lot area of 15 acres and must be located within the E District.
2. The development of the equestrian center must be in substantial conformance with an approved site plan that is part of the ordinance and map amendment for zoning to an E District or approving any area within a premier equestrian estate district for the equestrian center. The site plan must depict the location, size, and materials to be used in the construction of all buildings and other structures to be located upon the lots or parcels comprising the equestrian center.

3. An equestrian center may include a single-family detached dwelling.
4. Equestrian uses allowed at an equestrian center are horse clinics and demonstrations and events related to horses. All parking for a clinic, demonstration, or other event must be located on site.
5. The equestrian center may contain such structures as may be necessary or convenient to the operation of an equestrian facility utilized for the equestrian uses. Nonresidential structures intended for equestrian uses may be built to standards applicable to agricultural buildings.
6. The maximum permissible number of horses to be located at an equestrian center is calculated by multiplying the total number of acres by 1.5.
7. There is no restriction on where horses may graze or be housed.
8. An equestrian center is permitted an accessory residential building not exceeding 3,500 square feet of floor area intended for occupancy by groomsman and caretakers and is limited to a maximum of eight bedrooms.
9. Accessory structures, accessory vehicle storage structures, recreational vehicles, trailers, boats, horse trailers, and similar accessory vehicles may be parked and stored anywhere within the of an equestrian center except with the exception of the first 30 feet of the front yard. They must be screened from the view of any public right-of-way or adjacent lot.
10. Should an approved site plan depict buildings, structures, or uses which, in the absence of a site plan, require a variance, the adoption of an ordinance approving a site plan for an equestrian center is deemed to grant relief from such regulation which is in conflict with the approved site plan.

I. Gas Station

1. All structures and all pump islands, compressed air connections, and similar equipment must be set back a minimum of 20 feet from interior side and rear lot lines, and ten feet from any front or corner side lot line.
2. The minimum distance a freestanding canopy for gas pumps must be from any street lot line is ten feet and 20 feet from any interior or rear lot line.
3. The ancillary uses of a retail goods establishment and no more than one car wash bay are permitted in connection with the principal gas station use.

J. Lodge/Meeting Hall

1. No more than 30% of the gross floor area may be used as office space for the lodge/meeting hall.
2. Lodges/meeting halls are permitted to serve meals and alcohol on the premises for members and their guests only.
3. Sleeping facilities are prohibited.

K. Self-Storage Facility: Indoor, Climate-Controlled

1. Storage units cannot be used for residential occupancy or business.
2. No plumbing connections are permitted in self-storage units.
3. All self-storage activities must be conducted exclusively indoors. Individual storage units may be accessed from inside the building only.
4. All facilities must meet any applicable design standards of the district.
5. Access to loading areas must be located to the interior or rear of the building.
6. Outdoor self-storage facilities are prohibited.

L. Vehicle Dealership/Rental

1. Any outdoor vehicle sales and/or storage area must be setback a minimum of 50 feet from any abutting residential district lot line.
2. Outdoor vehicle sales and/or storage areas must be surfaced with a paving material such as asphalt, cement, or other material that provides a durable and dustless surface and graded to drain all surface water accumulation.
3. Storage of vehicles stocked by the dealership or rental agency are permitted on a separate lot when such district allows vehicle sales and rental. The dealership or rental agency must own or lease such lot.
4. Major repairs, including engine repair, body work, frame straightening, painting, upholstering, or similarly intensive repair work are prohibited on the premises. All other repairs must be performed within a building on the premises.
5. No partially dismantled or wrecked vehicle may be stored outdoors.
6. Used car sales are allowed only as a component of a new car dealership. Standalone used car dealerships are prohibited.

M. Vehicle Repair/Service

1. All vehicle repair/service establishment structures must be set back a minimum of 20 feet from interior side and rear lot lines.
2. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than 15 days once repair is complete. Only vehicles that have completed servicing or are being serviced may be stored outdoors.
3. Repair of vehicles is prohibited outdoors.
4. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.
5. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

N. Wireless Telecommunications

1. Application Requirements

All applications to erect, construct, or modify any part of a wireless telecommunications system require site plan review and must include the following items:

- a. A site plan showing:
 - i. The location, size, screening, and design of all structures, including fences.
 - ii. The location and size of all outdoor equipment.
 - iii. Elevations showing antenna height.
 - iv. If the site plan is for a new wireless telecommunications facility, a landscape plan showing all screening.
 - v. If the site plan is for a new wireless telecommunications tower, indication of the fall zone as a shaded circle.
- b. A maintenance plan and any applicable maintenance agreement designed to ensure long-term, continuous maintenance, such as maintenance of landscape, keeping the area free from debris and litter, and immediate removal of any graffiti.

- c. A disclosure of what is proposed, demonstrating the need for the wireless telecommunications system in the proposed location. This is not required for co-location or stealth design antennas.
- d. The reason or purpose for the placement, construction, or modification in the proposed location with specific reference to the provider's coverage, capacity, and/or quality needs, goals, and objectives. This is not required if the proposal does not involve the erection of a new tower.
- e. The service area of the proposed wireless telecommunications system.
- f. If the proposal is for a new telecommunications tower, then a map showing co-location opportunities within the Village and within areas surrounding the borders of the Village must be provided and justification for why co-location is not feasible in order to demonstrate the need for a new tower.
- g. If the proposal is for a new telecommunications tower, certification by a licensed and registered professional engineer regarding the manner in which the proposed structure will fail. The certification may be utilized, along with other criteria such as applicable regulations for the district in question, in determining if additional setback should be required for the structure and other facilities.

2. Tower and Facility Building Setbacks

- a. In residential districts, all wireless telecommunications towers must be set back from any existing principal building on the lot and adjacent lots, measured at the nearest external wall or walls, and within the buildable area of any adjacent undeveloped lot, as defined by current setback requirements, no less than the tower height. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building.
- b. In nonresidential districts, all wireless telecommunications towers must be set back from all lot lines in accordance with the minimum setback requirements in the zoning district or 40 feet, whichever is greater.
- c. All wireless telecommunications facilities must be set back from all lot lines in accordance with the minimum setback requirements in the zoning district.

3. Height

The maximum height of a new wireless telecommunications tower is the minimum needed to function satisfactorily. The application for approval of a wireless telecommunications tower must demonstrate the minimum height needed for the tower to function, which will be reviewed and approved as part of site plan review.

4. Lighting and Marking

Wireless telecommunications systems must not be lit or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).

5. Stealth Design for Wireless Telecommunications Antennas

Stealth design for wireless antennas is encouraged and is considered a permitted use in all districts, subject to site plan review and approval. All applications for wireless telecommunications antennas must include all information required by this section. In addition to the standards of this section for wireless telecommunications antennas, stealth design must comply with the following regulations:

- a. To qualify as a stealth design, wireless telecommunications antennas must be enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer.
- b. Wireless telecommunication antennas must be mounted at least 30 feet above grade, as measured from grade to the base of the antenna, in addition to meeting the other requirements of this section. Wireless telecommunication antennas mounted lower than 30 feet are considered a conditional use.
- c. Antennas must be located on or in structures already permitted within zoning districts, such as water towers, clock towers, streetlights, penthouses, parapet walls (must be behind the parapet wall), and steeples, and must be designed to blend in with the structure.

- d. Antennas that co-locate on existing wireless telecommunications towers are also considered stealth design. However, such antennas cannot increase the overall height of the existing wireless tower.
- e. No antenna may increase the overall height of any structure on which it is mounted by more than 15 feet.

6. Specific Standards for Wireless Telecommunications Facility Buildings

- a. Buildings, cabinets, or shelters may house only equipment and supplies for operation of the wireless telecommunication tower. Any equipment not used in direct support of such operation must not be stored on the site.
- b. Commercial advertising is prohibited. Only signs that is part of the equipment as manufactured or warning signage is permitted.

7. Specific Standards for Wireless Telecommunications Towers

- a. The use of guyed towers is prohibited. Towers must be monopoles, meaning self-supporting with no wires, cables, or beams.
- b. Wireless telecommunications towers must be designed to accommodate other telecommunications providers. The area surrounding a tower must be of a sufficient size to accommodate accompanying wireless telecommunications facilities for other telecommunications providers.
- c. Unless otherwise required by the Federal Communications Commission, the Federal Aviation Administration or the City, towers must have a galvanized silver or gray finish.

7.5 Accessory Use Standards

A. Drive-Through Facility

- 1. All drive-through facilities must provide a minimum of four stacking spaces per lane or bay, unless additional stacking spaces are specifically required by this Ordinance.
- 2. Stacking spaces provided for drive-through uses must be:
 - a. A minimum of nine feet in width, as measured from the outermost point of any service window or bay entrance, to the edge of the driveway, and 18 feet in length. In the case of a recessed service window, the measurement is taken from the building wall.
 - b. Stacking spaces must begin behind the vehicle parked at a final point of service exiting the drive through aisle, such as a service window or car wash bay (this does not include a drive-through sign). Spaces must be placed in a single line behind each lane or bay.
- 3. All drive-through lanes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Drive-through lanes on corner lots must not route exiting traffic into adjacent residential neighborhoods.
- 4. The minimum width for a drive through lane is ten feet.
- 5. All drive-through facilities, including but not limited to drive-through signs stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-through facility, must be located to the side or rear of the building. Drive-through windows and lanes may not be placed between the street and the building.

B. Home Occupation

- 1. Home occupations are permitted in a dwelling unit as an accessory use provided that this use is clearly incidental and secondary to the primary use of the dwelling for residential purposes and does not change the character of the dwelling unit or adversely affect the surrounding residential district of which it is a part.

2. The home occupation may be conducted within the principal structure or within a permitted detached accessory structure.
3. A member or members of the immediate household occupying the dwelling may work in connection with the home occupation. One non-resident employee is permitted.
4. No alteration of any structure may be made that changes the residential character of that dwelling. Displays or activities that indicate from the exterior that a structure is being used for any purpose other than that of a residence are prohibited.
5. No commodities can be sold or services rendered that require receipt or delivery of merchandise, goods, or equipment other than by a passenger motor vehicle or by parcel or letter carrier mail services using vehicles typically employed in residential deliveries.
6. The home occupation and all related activity, including storage, equipment, and display, must be conducted completely within the principal building.
7. No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive, or other restricted materials may be used or stored on-site. There must be no perceptible noise, odor, smoke, electrical interference, vibration, or other nuisance emanating from the structure where the home occupation is located in excess of that normally associated with residential use.
8. The use or storage of tractor trailers, semi-trucks, or heavy equipment, such as construction equipment used in a commercial business, is prohibited.
9. The home occupation cannot create greater vehicular or pedestrian traffic than is average for a residential area. The home occupation and any related activity must not create any traffic hazards or nuisances in public rights-of-way.
10. No signs for the home occupation are permitted.
11. Repair and service of any vehicles, any type of heavy machinery, or any type of engine is prohibited. Small electronic repair, such as computers, is allowed.
12. Rental services, where any materials for rent are stored on-site and customers visit the residence to pick-up and return the product, are prohibited
13. Dispatching services, where workers report to the home for dispatching, are prohibited
14. Day care homes are not a home occupation and are regulated separately by this Code as a principal use.
15. Subject to the restrictions of this Code, in the E District, single-family detached dwellings may board, groom and train horses not belonging to said owners and such activities do not constitute a home occupation.

C. Outdoor Dining/Activity

This section regulates outdoor dining/activity areas that occurs on private property only.

1. Outdoor dining/activity areas must be established in conjunction with the principal use on the site.
2. No outdoor dining/activity areas may be located within parking areas including access aisles.

D. Outdoor Sales and Display

1. The regulations of this section apply to outdoor sales and display located entirely on the lot and accessory to a principal use of the site.
2. Accessory outdoor sales and display of merchandise must be merchandise that customarily sold on the premises.
3. All outdoor display of merchandise must be located adjacent to the storefront and not in drive aisles, loading districts, or fire lanes.

4. No display may be placed within five feet of either side of an active door, or within 20 feet directly in front of an active door.
5. A minimum clear width for pedestrian traffic of five feet must be maintained along any pedestrian pathway within the lot.

7.6 Temporary Use Standards

These regulations are for temporary uses located on private property. Temporary use permissions are granted to property, not individual temporary use permit applicants or temporary use operators. Where temporary uses are limited in timeframes, such as number of times per year, such timeframes apply to the property, not the permit applicant. Temporary uses require a temporary use permit unless specifically cited as exempt.

A. Real Estate Project Sales Office/Model Unit

1. A real estate sales office/model unit(s) is allowed for residential development.
2. The real estate sales office must be removed and/or closed within 30 days after the sale or rental of the last unit of the development. The model unit(s) must be closed within 30 days after the sale or rental of the last unit of the development.
3. All activities conducted within real estate sales office/model unit(s) must be directly related to the sale of properties within the particular development. Use as a general office of operation of any firm is prohibited.

B. Temporary Contractor Office and Contractor Yard

1. A temporary contractor office and contractor yard, including storage trailers, is allowed incidental to a construction project. A temporary contractor office may be located in a manufactured home.
2. A temporary use permit is not required for a temporary contractor office and contractor yard. A temporary contractor office and contractor yard is approved as part of a building permit.
3. The temporary contractor office and contractor yard must be removed within 30 days of completion of the construction project.

C. Temporary Outdoor Event

1. The timeframe of a temporary outdoor event, including number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit.
2. Temporary outdoor events in the residential districts are restricted to those events associated with and conducted by an institutional use within the district, such as a place of worship or educational facility, and must take place entirely on the lot containing the institutional use.
3. A management plan is required and must be approved as part of the permit application that demonstrates the following:
 - a. General layout of performance or sales areas, visitor facilities, such as any seating areas and restrooms, parking areas, and all ingress and egress points to the site.
 - b. An established set of operating rules addressing the governance structure of the event, hours of operation, maintenance, and security requirements.
 - c. The on-site presence of a manager during the event.
 - d. Provision for waste removal and for recycling.
 - e. The days and hours of operation, including set-up and take-down times.
 - f. A description of crowd control and security measures.

g. A lighting plan describing all temporary lighting to be installed.

h. A parking and loading management plan.

4. Any temporary structures must be removed within seven days of conclusion of the event.

5. No expansion into public right-of-way is allowed without additional required approvals.

D. Temporary On-Site Storage Container

1. The temporary storage of on-site storage containers is permitted without a temporary use permit for 21 days in one calendar month. A temporary use permit is required for temporary storage over 21 days.

2. Such on-site storage containers must be located on a graded surface of concrete, bituminous asphalt, or brick pavers.

Chapter 8. General Development Standards

- 8.1 General Development Standards
- 8.2 Animals
- 8.3 Exterior Lighting Controls
- 8.4 Fences and Walls
- 8.5 Refuse and Recycling Containers
- 8.6 Outdoor Storage
- 8.7 Accessory Structures
- 8.8 Permitted Encroachments

8.1 General Development Standards

A. Applicability of Dimensional Requirements

All structures must meet the dimensional requirements of the district in which the structure is located. No existing structure may be enlarged, altered, reconstructed, or relocated in a manner that conflicts with the requirements of the district in which the structure it is located unless a variance is approved.

B. Number of Structures on a Lot

1. Lots used for single-family or two-family dwellings are limited to one principal building per lot. Permitted accessory structures not considered a principal building.
2. For all other uses, there may be more than one principal building on a lot, but all principal buildings must comply with the standards of the zoning district.

C. Lot Access

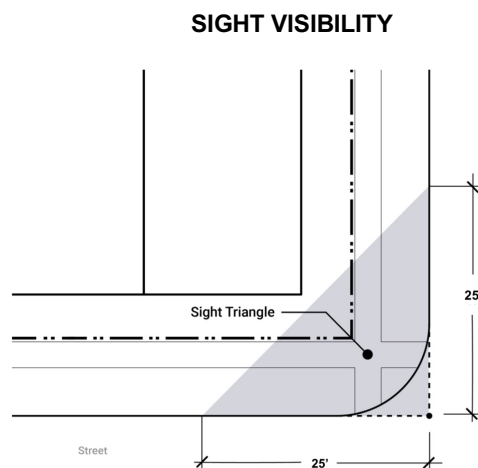
All buildings must be constructed on a lot that has access to a public or private street.

D. Structures Prohibited in Utility Easements

1. Permanent structures, including buildings, retaining walls, and decks, and accessory structures are prohibited within utility easements unless otherwise approved by the authorizing agency.
2. If any structures are located within a utility easement and repair or replacement of the utility is needed, the Village or utility is not responsible for the repair or replacement of any structures that may be damaged.

E. Sight Visibility

On a corner lot no building, structure, landscape (trees and shrubs), fence, or sign may be erected or placed in such a manner that impedes vision between a height of 3.5 feet and seven feet above the centerline grade of the intersecting street in the area bounded by the front and corner side lot lines of such corner lot and a line joining points along said streets rights-of-way lines 25 feet from the point of intersection.



8.2 Animals

A. Keeping of Animals

The keeping of the animals is permitted as an accessory use in the R-1 District on a tract or parcel of land that is three or more acres in area. No more than three animals are permitted for every five acres, or portions thereof, with the total not to exceed six total animals. Permitted animals are as follows:

1. Horses
2. Donkeys
3. Mules
4. Sheep
5. Goats
6. Cattle
7. Other Animals: For any type of animal not otherwise specified as prohibited in the Code, and excluding domestic household pets, no more than three such animals are permitted for each five acres, with the total not to exceed six animals.

B. Prohibited Animals

1. Swine are prohibited in any district.
2. Dangerous animals are prohibited in any district, as defined by priority by the Illinois Compiled Statutes, by Federal law, or by common definition.

C. Animal Houses and Grazing Near Dwelling

Animals must be housed or grazed 200 feet or more from an adjacent property owner's dwelling.

8.3 Exterior Lighting Controls

A. Lighting Plan Required

1. A lighting plan is required as part of new construction for all nonresidential uses, mixed-use, multi-family, and townhouse developments. Other developments are exempt from a required lighting plan but are subject to applicable lighting standards of Item B below.
2. A lighting plan must include the following:
 - a. A plan showing all light pole locations, building-mounted lights, bollard lights, and all other lighting.
 - b. Specifications for luminaires, lamp types, and poles, including photographs or drawings of proposed light fixtures.
 - c. Pole and luminaire details including pole heights and mounting height of building-mounted lights.
 - d. Photometric plans that show the footcandle measurement at lot lines.
 - e. Other information and data reasonably necessary to evaluate the required lighting plan.

B. Lighting Standards

1. The maximum allowable footcandle at any lot line is as follows:
 - a. 0.5 footcandle at the lot line when abutting a residential use.
 - b. 1.0 footcandle at the lot line when abutting a nonresidential use or a street lot line.
2. No exterior lighting may be installed on golf courses, tennis courts, or other outdoor recreational facilities other than security lighting necessary for the safety and protection of persons and property. However, the Zoning Board of Appeals may recommend to the Board of Trustees a variation to provide for exterior lighting for recreational facilities for property zoned the GC1 District, and the variation may be limited as deemed advisable, subject to the approval of the Board of Trustees.
3. All luminaires must be either full cutoff luminaire design
4. The maximum total height of a freestanding luminaire is 15 feet.
5. All outdoor luminaires must be located and adequately shielded so that there is no glare onto adjacent lots or onto the public right-of-way.
6. For those uses required to submit a lighting plan, per item A above, all public area lighting sources must have a correlated color temperature (CCT) at or below 3200°K.

C. Exceptions to Lighting Standards

1. Luminaires used for public roadway illumination or installed by a utility to light public rights-of-way are not subject to these requirements.
2. All temporary emergency lighting required by public safety agencies, other emergency services, or construction are not subject to these requirements.
3. Shielded, directional accent lighting or uplighting is permitted but must be aimed at a building facade, sign, or accent feature, such as landscape, and directed so that glare is not visible from adjacent properties. However, such lighting must not exceed 0.5 footcandle at any lot line.
4. Security lighting installed with a motion vacancy sensor.
5. Temporary holiday and seasonal lighting designs are not subject to these requirements.
6. Flags of any nation, state, municipality, or political subdivision, and flags officially designated as a national, state, or local symbol, or flags of fraternal, religious, and civic organizations are permitted uplighting. All lighting must be directed onto the flag and flagpole.
7. Certain temporary uses may use lighting that does not meet the requirements of this section. When such temporary uses are allowed, approval of the lighting plan is required as part of the temporary use permit.

D. Prohibited Lighting

1. Flickering or flashing lights.
2. Searchlights, laser source lights, or any similar high intensity.
3. The use of neon or LED lighting to outline doors, windows, architectural features, and building facades. This does not apply to uplighting of architectural features and building facades as permitted in item C above.
4. Any light fixture that can be confused with or construed as a traffic control device.

8.4 Fences and Walls

A. General Regulations

1. Fences are permitted in a front or corner side yard subject to the following standards:
 - a. Fences are limited to 36 inches in height.
 - b. Fences must be designed as open fences and constructed of wrought iron, aluminum, or split rail.
2. In all other yards fences are limited to a maximum height of 48 inches to any point, including vertical posts, columns, or pillars.
3. Where a fence is installed to contain animals per Section 8.2 above, and excluding domesticated animals, such fence is allowed up to 60 inches in height.
4. Where a fence is installed around a swimming pool, such fence must be a minimum of 48" in height up to a maximum of 60 inches in height.
5. Where a fence is installed to enclose a sports court, when such court is permitted, fences are allowed up to 12 feet in height and may be constructed of chainlink.
6. Fence height is the distance between the topmost element of the fence and the adjacent underlying grade. Underlying grade is the average grade measured over a length of three feet perpendicular to the exterior side of the fence
7. Fences are subject to the following materials restrictions:
 - a. All fences must be constructed of wood, stone, brick, wrought iron, aluminum, or synthetic materials that are molded and give the appearance of wood, stone, brick or wrought iron fences.
 - b. No barbed wire, razor wire, other sharp or hazardous materials are allowed for use on any type of fence.
 - c. No aboveground electrically charged fences are permitted.
 - d. Underground magnetically coupled dog fences (commonly known as invisible fences) are allowed.
 - e. Any fence or part thereof that is of the form, shape, or structure of a chainlink, meshlike, or wire fabric, made of any material including, but not limited to, metal or plastic, is prohibited.
8. Every fence must be constructed as an open fence.
9. The column, pillar, post, or other supporting element of a wall or fence cannot exceed 12 inches in width.
11. All fences must be located completely within the property. All framing and posts on a fence must face the interior of the property.
12. Fences are prohibited within any waterways, wetlands, floodplains, or ponds, or otherwise as prohibited by Village Code provisions regulating waterways, wetlands, floodplains and ponds.
13. All fences must comply with all applicable Village Codes, including the building code. All fences must be constructed and maintained to preserve their structural integrity and appearance.
14. Garden fences are permitted subject to the following standards. A garden fence is a permanent or temporary fence, designed for the protection of vegetation. Garden fences do not require a permit.
 - a. Garden fences are permitted in the front yard but cannot be located within the required front setback.
 - b. Garden fences are permitted in all other yards but must be located a minimum of ten feet from any lot line.

- c. The area enclosed by garden fences cannot exceed 3% of the total area of the lot on which the garden fence is located.
- d. Garden fences are limited to eight feet in height.
- e. Garden fences are prohibited within the primary septic field area of any property.
- f. Garden fences cannot be constructed of chainlink wire, barbwire, razor wire, corrugated metal, snow fence material or be of stockade type.

B. Maintenance

- 1. Fences must be maintained in sound structural condition so as not to endanger life or property.
- 2. Any fence which, through lack of repair, type of construction, or otherwise, imperils life or property, is deemed a nuisance. The Village will notify the owner of the property on which such a fence is located of the existence of such nuisance.
- 3. The owner must abate the nuisance within 30 days after such notice is sent by the Village by certified mail, return receipt requested, or is hand delivered to a resident of the property who is over the age of 14 years.
- 4. In the case of immediate danger to life or property the Village may require immediate abatement.

8.5 Refuse and Recycling Containers

These provisions do not apply to standard personal refuse and recycling bins, approximately 96 gallons or less in size.

A. Refuse and recycling containers are prohibited in the front or corner side yard.

B. All refuse and recycling containers must be fully enclosed on three sides by a solid fence, wall, or wall extension of the principal building a minimum of six feet in height. If a wall extension is used, it must be constructed as an integral part of the building's architectural design.

C. The enclosure must be gated and such gate must be solid. This requirement does not apply to refuse containers located adjacent to an alley.

8.6 Outdoor Storage

A. The storage of materials, supplies, equipment, vehicles, and similar items outdoors accessory to and used by the principal use of land is prohibited unless specifically allowed by this Code.

B. A golf course may store equipment for landscape and maintenance outdoors. Such storage must be located a minimum of 25 feet from any lot line.

8.7 Accessory Structures

All accessory structures are subject to the requirements of item A below. In addition, certain specific accessory structures have additional permissions or restrictions as per item B below. All accessory structures are subject to the following regulations, unless otherwise permitted or restricted by specific regulations of this section or Code.

A. General Regulations

- 1. No accessory structure may be constructed prior to construction of the principal building to which it is accessory. Where there is no principal building as part of the use, no accessory structure may be constructed until the use is approved.
- 2. Certain accessory structures may be prohibited in specific yards. The use of the term "yard" refers to the area between the principal building line and applicable lot line (see definitions in Article 2). The distinction is made because certain principal buildings may be built further back than the required district setback lines, thereby creating a yard larger than the minimum setback dimension of the district.

3. No detached accessory structure may be located in a front or corner side yard unless specifically allowed by this Code.
4. Sheds are limited to 250 square feet in area. The footprint of any other detached accessory structure cannot exceed the footprint of the principal building.
5. The maximum height of detached accessory structures is 22 feet, unless otherwise permitted or restricted by this Code.
6. Detached accessory structures must be located 15 feet from a lot line, unless otherwise permitted or restricted by this Code.
7. A detached accessory structure connected to a principal structure by a breezeway, a wall, or extension of a building wall is considered detached and subject to all applicable dimensional and locational requirements for detached accessory structures. An accessory structure that is attached to any principal structure by an enclosed breezeway constructed of solid material that expands the closed-in livable space is considered part of the principal structure, as is the breezeway.
8. The exterior of an accessory structure must be clad in wood, stucco, or brick only, except for greenhouses; therefore, any metal or plastic exterior materials on an accessory structure are prohibited.

B. Regulations for Specific Accessory Structures

These specific accessory structures are subject to the requirements of item A above unless otherwise permitted or restricted by the specific regulations of this section.

1. Amateur (ham) Radio Equipment

- a. Towers that solely support amateur (ham) radio equipment are permitted in the rear yard only and must be located 15 feet from any lot line. Towers are limited to the maximum building height of the district plus an additional ten feet.
- b. If a taller tower is technically necessary to engage successfully in amateur radio communications, a special use permit is required and the operator must provide evidence that a taller tower and/or antenna is technically necessary to engage successfully in amateur radio communications. In addition, the applicant must provide evidence that the tower will not prove a hazard.
- c. Antennas may be building-mounted and are limited to a maximum height of ten feet above the structure. If a taller antenna is technically necessary to engage successfully in amateur radio communications, conditional use approval is required. The applicant must provide evidence that the antenna will not prove a hazard.

2. Bee Hives and Apiary

- a. The keeping of honeybees of the European species *Apis mellifera*, except for *Apis mellifera scutellata* Lepeletier, is permitted on any lot of 40,000 square feet or greater.
- b. Two full beehives and two nucleus hives are permitted on residential lots of 40,000 square feet. One additional beehive and one additional nucleus hive are permitted for each additional 10,000 square feet of property. There shall be no limit on the number of hives permitted on parcels with an area of 200,000 square feet or more.
- c. Nucleus hives consist of five or fewer frames and are kept for the purposes of queen and pest management.
- d. All hives and related structures that form the apiary are permitted in the rear yard. They are also permitted within the interior side yard but not within the required interior side setback.
- e. Setbacks are required as follows:
 - i. Hives and related structures that form the apiary must be located a minimum of 30 feet from any adjoining improved alley, easement for purposes of ingress or egress, or road right-of-way, and a minimum of 10 feet from all other property lines.

- ii. In the case of an unimproved right-of-way, this provision may be modified by the Building and Zoning Officer, in consultation with the appropriate local roadway authority.
- iii. Hives must be located a minimum of 30 feet from dwellings, nonresidential buildings, patios, porches, gazebos, decks, swimming pools, or permanently affixed play equipment, on an adjacent property. This limitation does not apply to storage structures, such as garages and sheds.
- f. A sign, identifying the presence of beehives on the property must be posted so as to be reasonably visible within close proximity of the apiary.
- g. A supply of water must be continuously available and located on the parcel. Water supply must be designed to allow bees to access water. Water requirements are in effect from April 1st through November 20th, or any and all days on which the temperature exceeds 55° for three consecutive days.
- h. In any instance in which a hive exhibits unusually aggressive characteristics, as verified by an Illinois apiary inspector, the property owner must destroy, move to another parcel, or requeen the hive within 14 days of said verification.
- i. All honeybees must be kept in hives with removable combs, and kept in good repair and usable condition.

3. Chicken Coop and Chicken Yard

- a. The keeping of hens (the female of the chicken species *Gallus gallusdomesticus*) is permitted on residential lots of 40,000 square feet or greater. No more than six hens are permitted.
- b. Hens must be kept in a secure enclosed outdoor coop to offer protection from weather elements and from predators and trespassers.
- c. Coops must provide at least three square feet per hen and allow the hens ingress and egress to an enclosed chicken yard. Coops cannot exceed eight feet in height.
- d. Coops must be covered with uniform materials and must be maintained with all parts secure. Any repairs must maintain consistency with the original structure in appearance and condition. The coop must be replaced, removed, or repaired in the event of significant deterioration or unsightliness.
- e. Coops can be connected with an enclosed chicken yard, which must be fenced. Hens are not allowed to roam outside of the fenced yard unless attended. Hens must be returned to the secured chicken coop each night.
- f. Chicken yards constructed with wire mesh fencing materials must retain a flat, uniform plane in a well-maintained, safe condition.
- g. Chicken coops and chicken yards are permitted in the rear yard. They are also permitted within the interior side yard but not within the required interior side setback.
- h. Chicken coops and chicken yards cannot be located between the principal building and any improved alley or easement used for ingress or egress or any road right-of-way. In the case of an unimproved right-of-way, this provision may be modified by the Building and Zoning Officer, in consultation with the appropriate local roadway authority.
- i. Chicken coops and chicken yards must be located a minimum of 30 feet from dwellings, nonresidential buildings, patios, porches, gazebos, decks, swimming pools, or permanently affixed play equipment, on an adjacent property. This limitation does not apply to storage structures, such as garages and sheds.
- j. The keeping of roosters is prohibited.
- k. Chicken coops and chicken yards must be cleaned on a regular basis so as to remain free from undue accumulated waste, and no significant odors are detected on adjacent properties.
- l. All feed for hens must be kept in containers with tightly fitted lids that are rodentproof.

m. Outdoor slaughter of chickens is prohibited.

n. Nothing herein is intended to affect the assessed value of real property, it not being the intention of the Village that the maintenance of hens be utilized to claim an agricultural classification for real estate assessment purposes.

4. Dog Runs

1. Dog runs are permitted in the rear yard only.

2. Fences for dog runs are subject to the following:

a. Dog run fences are limited to a single enclosure of a maximum of 100 square feet in size and must be attached to the primary residential structure on the property.

b. No one side of the fence shall exceed 20 feet in length.

c. Chainlink fences are permitted but cannot exceed seven feet in height.

5. Garage, Detached

a. Detached garages are permitted in the rear, corner side, and interior side yards.

i. Detached garages in the rear and interior side yards must be 15 feet from any lot line.

ii. Detached garages in the corner side yards must be 30 feet from any lot line.

b. Detached garages must be located at or behind the front building line.

c. Detached garages in the rear and interior side yards must be set back a minimum of 20 feet from the lot line where access to the garage is taken.

d. The area above vehicle parking spaces in a detached garage cannot contain any plumbing fixtures.

6. Flagpoles

Flagpoles are limited as follows:

a. Residential Districts: A maximum of one flagpole no taller than 22 feet in height.

b. Nonresidential Districts: A maximum of three flagpoles no taller than 35 feet in height.

7. Mechanical Equipment

Mechanical equipment includes heating, ventilation, and air conditioning (HVAC) equipment, electrical generators, power storage, pool pumps, and similar equipment.

a. Ground-Mounted Equipment

i. Ground-mounted mechanical equipment is permitted in the rear yard. It is also permitted within the interior side yard but not within the required interior side setback.

ii. For multi-family, nonresidential, and mixed-use developments, ground-mounted mechanical equipment must be screened from public view along the right-of-way by year-round landscaping or a decorative wall or solid fence that is compatible with the architecture and landscaping of a development site. The wall, fence, or plantings must be of a height equal to or greater than the height of the mechanical equipment being screened.

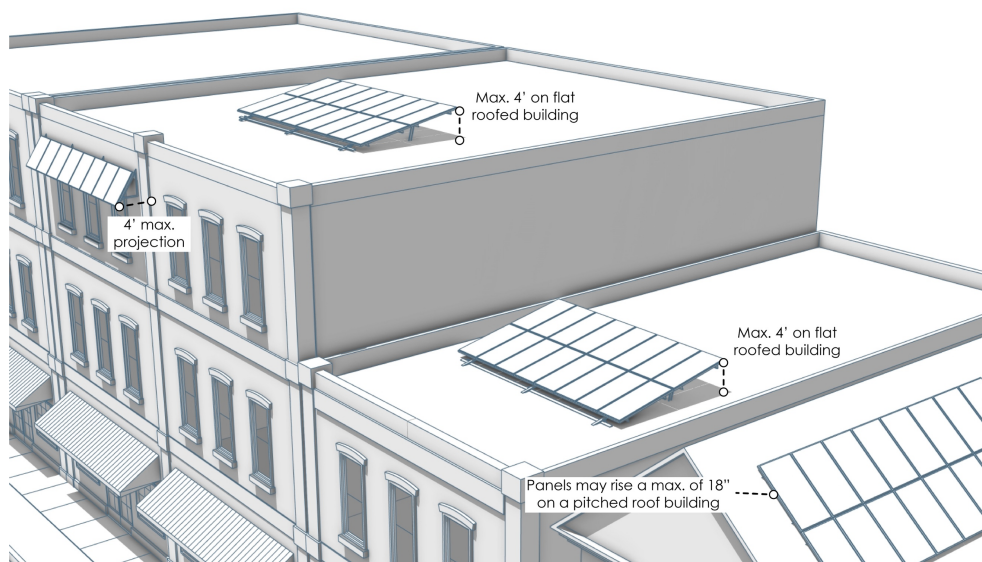
b. Roof-Mounted Equipment

All roof mounted equipment must be set back from the edge of the roof a minimum distance of one foot for every two feet in height. Where roof-mounted equipment cannot meet this requirement, there must be either a parapet wall to screen the equipment or the equipment must be housed in solid building material that is architecturally integrated with the structure.

8. Solar Panels

- a. Solar panels may be building-mounted or freestanding, subject to the regulations of this section.
- b. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.
- c. A building-mounted system may be mounted on the roof or wall of a principal building or accessory structure.
 - i. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches.
 - ii. On flat roofed buildings, the roof-mounted solar panel system is limited to a maximum height of four feet above the surface of the roof. Roof-mounted solar energy systems are excluded from the calculation of building height.
 - iii. Wall-mounted solar panels may project up to four feet from a building façade and must be integrated into the structure as an architectural feature. Wall-mounted panels cannot encroach more than three feet into a required setback.
- d. A freestanding solar energy system is permitted only in the rear yard and must meet the following standards. A freestanding solar energy system may not be the only use on a lot. The system is limited to a maximum of 20 feet in height, measured to the highest point of the structure including the solar panel.

SOLAR PANELS



9. Sports Court

- a. Sports courts for residential uses are permitted in the rear yard only.
- b. When a sports court is included as part of any other use, such as a country club or recreational facility, such sports courts are subject to the following setbacks:
 - i. A sports court must be located 250 feet from any lot line that abuts a residential district.
 - ii. A sports court must be located 25 feet from any other lot line.

10. Swimming Pool and Hot Tub

- a. All pool fences must comply with Village Code provisions and regulations which apply to swimming pools, including Appendix G of the International Residential Code.
- b. Aboveground swimming pools are prohibited.
- c. Hot tubs may utilize, in lieu of a fence, a safety cover capable of supporting a weight of 100 pounds across any one foot radius area of the covered hot tub within any region of the cover.

8.8 Permitted Encroachments

An encroachment is the extension or placement of an architectural feature into a required setback. Permitted encroachments are indicated in Table 8-1: Permitted Encroachments Into Required Setbacks.

- A. When an architectural feature regulated by Table 8-1 is allowed within a yard, it is also allowed within the required setback, subject to any additional standards.
- B. When an architectural feature regulated by Table 8-1 is prohibited from encroachment into a required setback, it may be allowed within the corresponding yard, subject to any additional standards or prohibitions.
- C. Unless specifically allowed by this Code, no architectural feature may project into a right-of-way or over a lot line.
- D. Unless specifically listed in Table 8-1, an encroachment into a required setback is prohibited.

Table 8-1: Permitted Encroachments Into Required Setbacks Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Awning (Non-Sign) Max. of 5' into setback Min. vertical clearance of 8'	Y	Y	Y	Y
Balcony Max. of 5' into setback Min. vertical clearance of 9'	Y	Y	N	Y
Bay Window Max. of 24" into setback Min. vertical clearance of 8"	Y	Y	Y	Y
Canopy (Non-Sign) Max. of 5' into setback Min. vertical clearance of 8'	Y	Y	N	Y
Chimney Max. of 3' into setback	Y	Y	Y	Y
Decks, Ground Floor, Attached Max. height of first finished floor Prohibited in front yard Min. 15' from a lot line	N	Y	Y	Y
Decks, Upper Floor, Attached Prohibited in front yard Min. 15' from a lot line	N	N	N	Y
Eaves and Cornices Max. of 3' into setback	Y	Y	Y	Y
Pergola – Attached Prohibited in front yard Min. 15' from a lot line	N	N	N	Y
Porch – Unenclosed Max. of 8' into front and corner side setback Min. 15' from any lot line (Enclosed porches are considered part of the principal structure)	Y	Y	Y	Y

Table 8-1: Permitted Encroachments Into Required Setbacks Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Porte-Cochere <i>Min. of 15' from any lot line</i>	Y	Y	N	Y
Sills and belt courses <i>Max. of 3' into setback</i>	Y	Y	Y	Y
Stoop and Steps <i>Max. of 5' into setback</i> <i>Height limited to first floor entry height</i>	Y	Y	Y	Y

Chapter 9. Off-Street Parking + Access

- 9.1 General Parking Facility Requirements
- 9.2 Off-Street Parking Spaces and Parking Lot Location
- 9.3 Off-Street Parking Facility Design
- 9.4 Commercial Vehicle Storage
- 9.5 Recreational Vehicle Storage

9.1 General Requirements

- A. The provision of off-street parking is not required by this Code. However, any parking facilities that are provided must comply with the standards of this Code.
- B. The provision of off-street loading is not required by this Code.
- C. The sale, repair, or dismantling or servicing of any vehicles, equipment, materials, or supplies within parking facilities is prohibited.
- D. The property owner is responsible for ensuring that parking facilities are only used by residents, tenants, employees, visitors, and/or other authorized persons.
- E. Within all parking facilities, accessible spaces for persons with disabilities are required and must be in compliance with the standards required by the Illinois Accessibility Code, the ADA Standards for Accessible Design, and ADA Accessibility Guidelines for Buildings and Facilities published by the United States Access Board.

9.2 Off-Street Parking Spaces and Parking Lot Location

A. Single-Family and Two-Family Dwellings

- 1. Parking spaces for single-family and two-family dwellings must be located on the same lot as the dwelling.
- 2. Parking for single-family and two-family dwellings must be within garages, on parking pads, and on driveways.
- 3. Driveways for single-family dwellings may be constructed with gravel.
- 4. Two-family dwelling driveways must be paved with all-weather materials or permeable pavement. Gravel is prohibited for two-family dwelling driveways.

B. Townhouse and Multi-Family Dwellings

- 1. For townhouse and multi-family dwellings:
 - a. Off-street parking areas must be located on the same lot as the dwelling
 - b. Parking lots may be located in any yard but must meet all parking lot landscape requirements (Chapter 10).
- 2. Parking for townhouse dwellings is permitted within individual garages and the associated driveways. Parking is also permitted within parking lots within the site designed for resident use.

C. Nonresidential Uses

- 1. Off-street parking areas must be located on the same lot as the nonresidential use.
- 2. Parking lots may be located in any yard but must meet all parking lot landscape requirements (Chapter 10).

9.3 Off-Street Parking Facility Design

A. Dimensions

Parking spaces and drive aisles within a parking facility must be designed in accordance with the minimum dimensions in Table 9-1: Off-Street Parking Space Minimum Dimensions. Other parking angles other than those described in Table 9-1 are permitted but must be approved by the Building and Zoning Officer and provide evidence of safe and efficient parking configuration and traffic circulation.

Figure 9-1: Off-Street Parking Space Minimum Dimensions					
Parking Angle	Stall Width (A)	Stall Depth (B)	Aisle Width Two-Way (C)	Aisle Width One-Way (D)	Vertical Clearance
0° (Parallel)	8.5'	20'	24'	12'	7' 6"
90° (Head-In)	8.5'	19'	24'	24'	7' 6"
60°	8.5'	21'	N/A	18'	7' 6"
45°	8.5'	17'	N/A	12'	7' 6"

B. Access

1. All off-street parking facilities must have vehicular access from a street, driveway, alley, or cross-access connection.
2. Townhouse developments are prohibited from constructing individual curb cuts for each dwelling unit along a public street.
3. All off-street parking facilities must have an internal pedestrian circulation system that allows for safe passage between parking areas the use it serves. This includes, but is not limited to, interconnected sidewalks, striped walkways, and separated walkways.
4. All parking facilities must be designed with vehicle egress and ingress points that least interfere with traffic movement.
5. Parking facilities must be designed to allow the driver to proceed forward into traffic, rather than back out; this does not apply to single-family and two-family dwellings.
6. Dead end parking lots without a turnaround space are prohibited.

C. Surfacing

All parking lots must be paved with all-weather materials such as asphalt, concrete, or brick. Permeable pavement is also permitted. Permeable paving includes, but is not limited to, porous concrete, porous asphalt, permeable interlocking concrete pavers, and concrete grid pavers. Gravel is prohibited.

D. Striping

Off-street parking facilities for uses other than single-family and two-family dwellings must delineate parking spaces with paint or other permanent materials, which must be maintained in clearly visible condition. Striping is only required for group parking facilities within townhouse dwellings and not spaces located on the townhouse lot.

E. Curbing and Wheel Stops

1. Curbing and wheel stops are required when a parking space abuts required landscape areas, pedestrian walkways, structures, fences, or the edge of the parking lot along a lot line. Such curbing must be constructed of permanent materials, such as concrete or masonry, a minimum height of six inches above ground level, and permanently affixed to the paved parking area.
2. Wheel stops within the interior of the parking lot are prohibited.

F. Lighting

Parking facility lighting must be in accordance with Section 8.3 (Exterior Lighting Controls).

G. Landscape

Parking facility landscape must be in accordance with Chapter 10.

H. Parking Structure Design

1. Parking structures must meet all district setbacks.
2. On facades that front on public streets, façade design and screening must mask the interior ramps.
3. On portions of the ground floor façade where parking spaces are visible, a decorative fence and landscape or a kneewall is required to screen parking spaces. Such fence or kneewall must be a minimum of four feet in height.
5. For parking structures with rooftop open-air parking, a four foot parapet wall is required for screening.

9.4 Commercial Vehicle Storage

A. Residential Lots

1. Commercial vehicles with or without the logo of the commercial business painted on or applied to the vehicle may be stored on a residential lot in permitted parking areas subject to the following:
 - a. Such vehicles must be standard size passenger motor vehicles. This includes, but is not limited to, sports utility vehicles (SUVs), standard passenger size livery vehicles, vans, and pick-up trucks.
 - b. Any vehicle that meets the criteria of item 2 below is not considered a standard size passenger motor vehicle.
2. All other commercial vehicles including, but not limited to, semi-truck tractor units, with or without attached trailers, commercial and vehicle trailers, flatbed trucks, box vans and box trucks, sprinter vans, shuttle buses, buses, tow trucks, construction vehicles, high lift pallet trucks, livery vehicles that exceed standard passenger vehicle size, such as limousines and motorcoaches, food trucks/food trailers, any vehicles with exterior mounted antennas or satellite dishes, or other large commercial vehicles are not permitted to be parked outdoors on a residential lot. Parking of such vehicles is permitted only within an enclosed structure. This limitation does not apply within the industrial districts.
3. The above limitations do not apply to commercial vehicles engaged in loading or unloading on the premises during such period, or vehicles associated with current work being done on the premises during the time work is being conducted.

B. Nonresidential Lots

On nonresidential lots, commercial vehicles with the logo of the commercial business painted on or applied to the vehicle that are being operated and stored in the normal course of business, such as signs located on delivery trucks, promotional vehicles, moving vans, and rental trucks, are permitted to be stored on the lot in areas related to their use as vehicles. All such vehicles must be in operable condition.

9.5 Recreational Vehicle Storage

- A.** No recreational vehicle or trailer licensed to transport recreational vehicles or equipment may be stored outdoors within the front yard except on a driveway and for no more than seven days within a calendar month, with a minimum of 14 days between storage periods.
- B.** Recreational vehicles six feet or less in height, height as measured to the highest point of the vehicle, may be stored behind the front building line or in the rear yard.
- C.** Recreational vehicles more than six feet in height, as measured to the highest point of the vehicle, must be stored in the rear yard and located at least five feet from any lot line.
- D.** Year round shielding is required and may be provided by one of the following or a combination: residences, fencing, accessory structures, and/or landscape.

- E.** The area devoted to recreational vehicle storage must be on an all-weather dustless material.
- F.** There is no limit on the storage of recreational vehicles within fully enclosed permanent structures.
- G.** No recreational vehicle may be used for living, sleeping, or housekeeping purposes in any district and may not be hooked up to any public utilities.
- H.** All recreational vehicles must be maintained in mobile condition. No recreational vehicle may be parked or stored in such manner as to create a dangerous or unsafe condition on the lot where it is parked or stored. If the recreational vehicle is parked or stored, whether loaded or not, so that it may tip or roll, it is considered a dangerous and unsafe condition.

Chapter 10. Landscape

- 10.1 Purpose
- 10.2 Landscape Plan
- 10.3 Selection, Installation, and Maintenance
- 10.4 Parking Lot Landscape
- 10.5 Buffer Yards

10.1 Purpose

The landscape requirements established by this Article are intended to preserve and enhance the appearance and character of the Village, increase the compatibility of adjacent uses, and minimize the potential negative impacts to neighboring uses. The requirements of this Article control landscape on private property only.

10.2 Landscape Plan

A. Landscape Plan Required

A landscape plan is required for all development with the exception of single-family and two-family dwellings. A landscape plan must be prepared by a registered landscape architect.

B. Landscape Plan Submittal

The following is required within the landscape plan:

1. The location and dimensions of all existing and proposed structures, property lines, easements, pavements, curbs, parking spaces and drives, rights-of-way, refuse disposal and recycling areas, pedestrian and bicycle paths, fences, mechanical equipment, overhead utility wires, outdoor use areas, underground and overhead utilities and piping, and drainage facilities.
2. The location, quantity, size, name, and condition, both botanical and common, of all existing plant materials on-site, indicating plant material to be retained and removed.
3. The location of all required landscape and the quantity, size, spacing, condition, and name, both botanical and common, of all proposed plant material.
4. The existing and proposed grading of the site indicating contours at one foot intervals. Proposed berming must also be indicated using two foot contour intervals.
5. Elevations of all proposed fences, stairs, and retaining walls.
6. Irrigation systems if installed.
7. The zoning district of the subject property and the zoning district of abutting lots.
8. Any other details as determined necessary by the Zoning Administrator.

C. Changes to Approved Landscape Plans

Changes to the landscape plan that do not result in a reduction in the net amount of required plant material may be approved by the Zoning Administrator. Any changes to the approved landscape plans require the submission of revised plans for review.

10.3 Selection, Installation, and Maintenance

A. Selection and Design

1. All plants must meet minimum quality requirements and be free of defects, of normal health, height, leaf density, and spread as defined by the American Standard for Nursery Stock, ANSI Z60.1, latest available edition, American Horticulture Industry Association (AmericanHort).
2. All plant materials must be capable to withstand the seasonal temperature variations of northeastern Illinois, as well as the individual site microclimate.
3. The use of native or naturalized vegetation is required. Invasive species are prohibited.

4. All landscaping must be installed according to sound horticultural practices in a manner designed to encourage quick establishment and healthy growth, and per the ANSI A 300 Standard Practice for Tree, Shrub, and other Woody Plant Maintenance, most current edition and parts, and American Standard for Nursery Stock, current edition.

5. Placement of plant material to support site sustainability is encouraged to leverage passive heating and cooling strategies and to reduce the energy consumption needs of the development.

B. Landscape Plantings

1. Shade and Ornamental Trees

a. Shade trees must be installed at a minimum caliper of two inches as measured from 2.5 feet above grade level from the base of the tree. Shade trees must have a minimum expected maturity height of at least 35 feet.

i. Shade trees planted under overhead power lines must be installed at a minimum caliper of 1.5 inches as measured at 2.5 feet above grade level from the base of the tree. Such shade trees must have a maximum expected maturity height of 15 feet.

b. Single stem ornamental trees should have a minimum trunk size of two inches in caliper at planting. Multiple stem ornamental trees should have a minimum height of seven feet at planting.

2. Evergreen Trees

Evergreen trees must be installed at a minimum height of six feet at planting and have a minimum expected mature spread of eight feet.

3. Shrubs

Shrubs must be evergreen and at least 18 inches in height at planting and an average height of three to four feet expected as normal growth within four years.

C. Existing Trees and Shrubs

All existing trees and shrubs that are maintained on a site and in good health may be counted toward any required on-site landscape of this Article.

D. Tree Diversity

Diversity among required trees is required for visual interest and to reduce the risk of losing a large population of plants due to disease. Table 10-1: Tree Diversity Requirements indicates the percentage of diversity required based on the total quantity of species being used. *(For example, if a development requires 45 trees, no more than 18 trees (40%) can be of one species, and there must be a minimum of five different species within the 45 trees.)* When the calculation of tree diversity requirements results in a fraction, the fraction is rounded up.

Table 10-1: Tree Diversity Requirements		
Total Number of Trees per Plant Type	Maximum Number of One Species	Minimum Number of Species
1-3	100%	1
4-7	60%	2
8-13	45%	3
10-22	40%	5
23-35	25%	8
36-50	30%	10
50+	15%	15

E. Maintenance

1. Trees and vegetation, irrigation systems, fences, walls, and other landscape elements are considered elements of a development in the same manner as parking, building materials, and other site details. The applicant, developer, landowner, or successors in interest are jointly and severally responsible for the regular maintenance of all landscaping elements in good condition.

2. All landscaping must be maintained free from disease, pests, weeds, and litter. All landscape structures such as fences and walls must be repaired and replaced periodically to maintain them in a structurally sound and aesthetically pleasing condition.
3. Any landscape element that dies, or is otherwise removed or seriously damaged, must be removed and replaced within 30 days.
4. All installed plant material must be fully maintained, including watering, fertilization, and replacement as necessary.

F. General Landscape Requirement

All portions of a lot not covered by structures or paved surfaces must be landscaped with trees, shrubs, live groundcover, and other plantings.

10.4 Parking Lot Landscape

A. Required Parking Lot Landscape

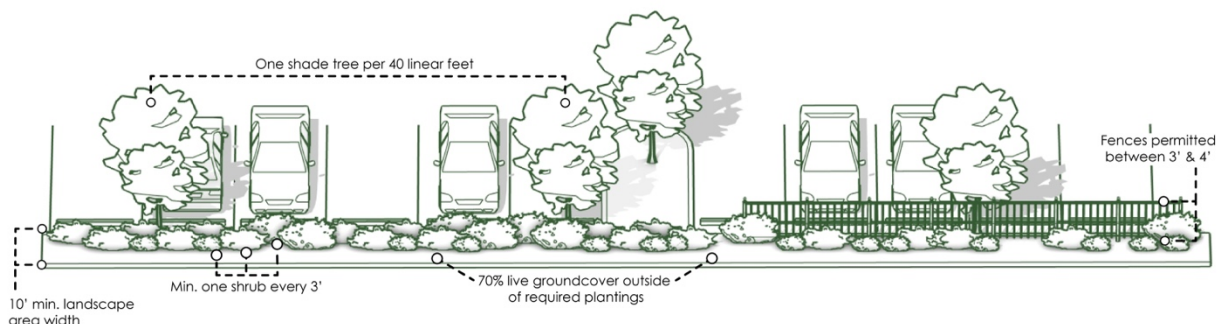
Parking lot landscape is required as follows:

1. New construction of a parking lot.
2. When an existing parking lot is fully reconstructed and/or reconfigured.
3. When an existing parking lot is expanded by an additional 25% or more spaces (viz., the total number of spaces after expansion is 125% or more of the spaces existing prior to expansion).

B. Parking Lot Perimeter Landscape

1. A landscape treatment is required along all edges of a parking lot of five or more spaces abutting the street. The landscape treatment must run the full length of the street edge, except for points of ingress or egress.
2. The landscape area for parking lot landscape along a street must be a minimum of ten feet in width. In addition, there must be a minimum linear clear distance of 18 inches between the perimeter landscape area and any wheel stops or curbs to accommodate vehicle bumper overhang.
3. The perimeter landscape area must be planted as follows:
 - a. A minimum of one shade tree must be planted for every 40 linear feet of landscape area, spaced linearly on-center. Trees may be spaced at various intervals based on specific site requirements, but the total number of trees planted must be no less than one per 40 linear feet of landscape area.
 - b. A minimum of one shrub must be planted for every three linear feet of landscape area, spaced linearly on-center.
 - c. Fences or walls are permitted within this area. Such fences or walls must be constructed of high quality, durable materials such as masonry, stone, brick, iron, or any combination thereof. Chain link is prohibited. If installed, fences must be a minimum of three feet in height to a maximum of four feet in height.
 - d. A minimum of 70% of the landscape area outside of required tree and shrub masses must be planted in live groundcover, perennials, and/or additional trees and shrubs above the required minimums. Rain gardens, bioswales, and similar stormwater management landscape elements meet this requirement.

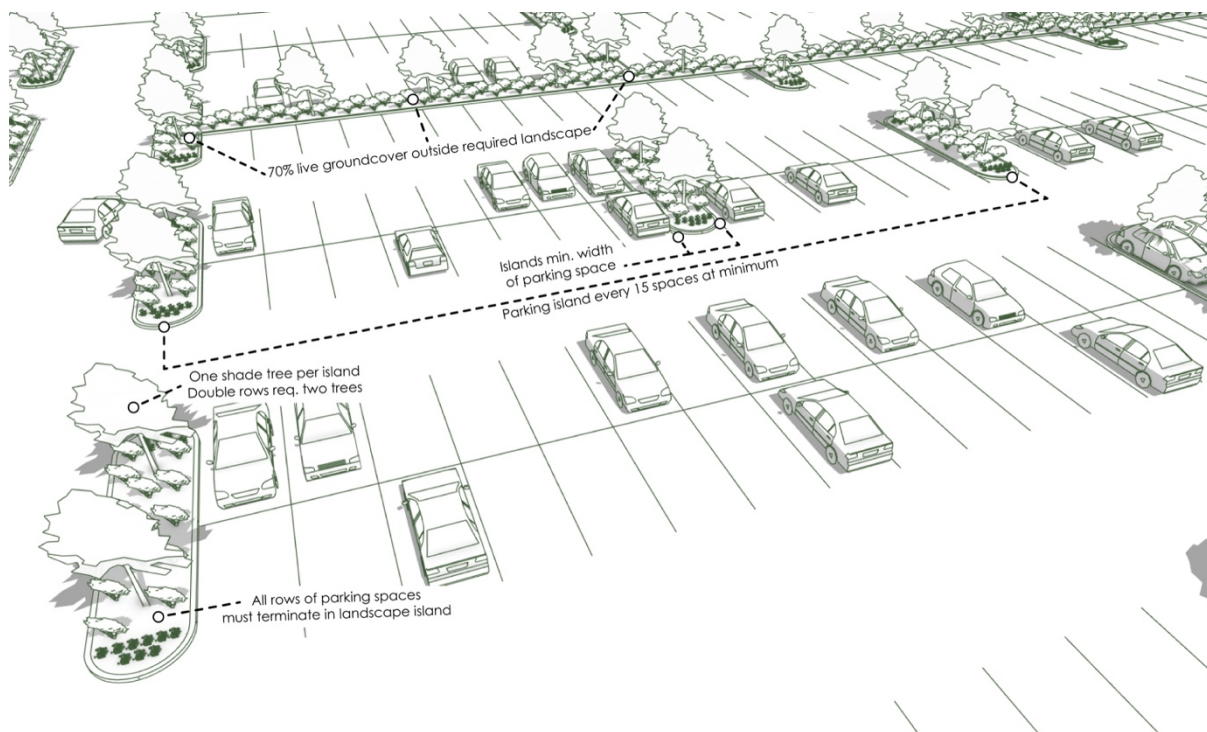
PARKING LOT PERIMETER LANDSCAPE



C. Interior Parking Lot Landscape

1. Any parking lot of ten or more spaces is required to install interior parking lot landscape.
2. One parking lot island must be provided at a minimum between every 15 parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands must be no less than the amount required of one island for every 15 spaces. In addition, all rows of parking spaces of 15 or more spaces must terminate in a landscape island. A landscape island is also required where a parking space abuts a drive aisle.
3. Parking lot islands must be, at minimum, the same dimension as a parking stall. Double rows of parking must provide parking lot islands that are, at minimum, the same dimension as the double row.
4. A minimum of one shade tree must be provided for every parking lot island. Islands for double rows of parking must provide a minimum of two shade trees.
5. A minimum of 70% of the landscape area outside of required trees must be planted in live groundcover and/or perennials. Fully vegetated, non-turf, green infrastructure stormwater control measures also meet this requirement.
6. The use of stormwater management elements, such as sunken islands, perforated curbs, rain gardens and bioswales, is encouraged in landscape areas.
7. All landscaping in or adjacent to a vehicular use area must be protected from vehicular damage by a raised concrete curb six inches in height or equivalent barrier.

INTERIOR PARKING LOT LANDSCAPE



10.5 Buffer Yards

A. General Requirement

1. Buffer yards are located within rear and interior side setbacks and must be reserved for planting material and screening as required by this section. No parking spaces or accessory structures are permitted within the required buffer yard.
2. Where the use standards of Article 7 require specific buffer yards and/or screening, such standards control over the standards of this Article.

B. Required Buffer Yards

1. A rear or Interior side setback buffer yard is required in the following situations. Buffer yards apply when uses or districts share a lot line. When such uses are separated by a street or alley, buffer yards do not apply.
 - a. Where a multi-family dwelling abuts a single-family, two-family, or townhouse dwelling. The multi-family dwelling is responsible for the installation and maintenance of the buffer yard.
 - b. Where a nonresidential use abuts a single-family, two-family, or townhouse dwelling. Nonresidential use does not include a park. The nonresidential use is responsible for the installation and maintenance of the buffer yard.
 - c. Where a nonresidential district abuts a residential district. This does not include a park. The nonresidential district is responsible for the installation and maintenance of the buffer yard.

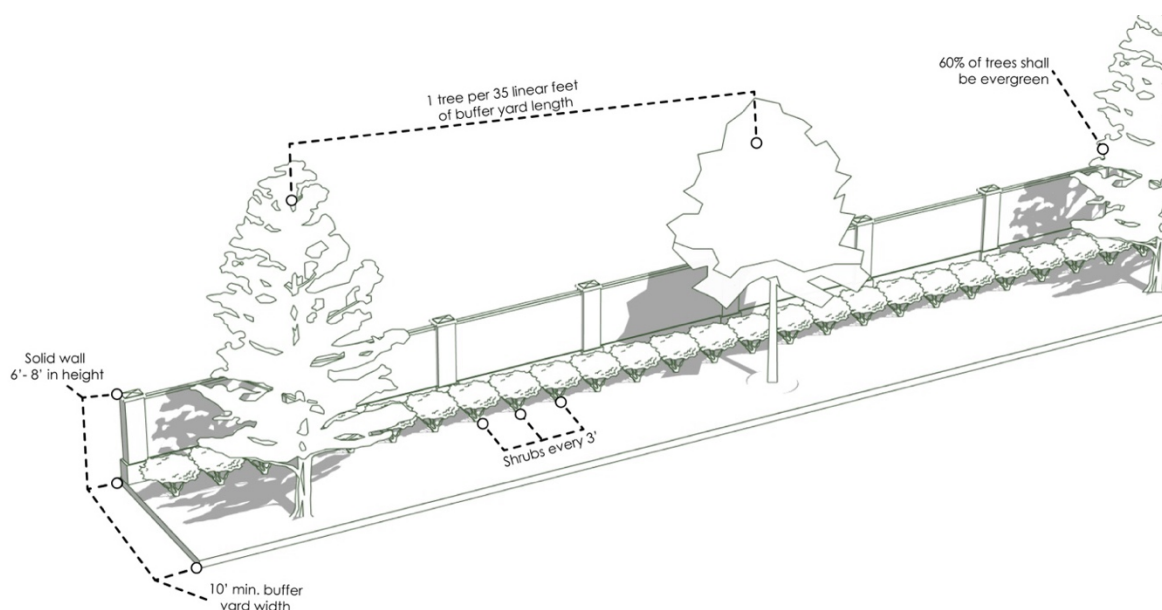
2. When a buffer yard is required by this section, and a site does not have a buffer yard or the existing buffer yard on the site does not meet the standards of this section, a buffer yard must be installed when any of the following actions occur:

- a. New construction of a principal building. This includes construction of additional principal buildings within an existing development.
- b. Expansion of a principal building by 30% or more of gross floor area.
- c. When a parking lot is expanded by an additional 25% or more spaces (viz., the total number of spaces after expansion is 125% or more of the spaces existing prior to expansion).
- d. Expansion of lot area.

C. Buffer Yard Design

1. The buffer yard must be a minimum of ten feet in width.
2. A solid fence or wall a minimum of six feet and a maximum of eight feet in height must be erected along 100% of the yard length at the lot line.
3. One shade or evergreen tree must be planted for every 35 linear feet. 60% of such trees must be evergreen. Trees must be planted toward the interior of the lot. Trees may be spaced at various intervals based on specific site requirements, but the total number of trees planted must be no less than one per 35 linear feet of buffer yard length.
4. One shrub must be planted for every three linear feet of landscape area, spaced linearly. A minimum of 50% of required shrubs must be evergreen. Shrubs must be planted toward the interior of the lot. Shrubs may be spaced at various intervals based on specific site requirements, but the total number of shrubs planted must be no less than one per three linear feet of buffer yard length.
5. The remainder of the buffer yard must be planted in live groundcover, perennials, and/or additional trees and shrubs above the required minimums.

BUFFER YARDS



Chapter 11. Signs

- 11.1 Purpose
- 11.2 General Standards
- 11.3 Illumination
- 11.4 Prohibited Signs
- 11.5 Exempt Signs
- 11.6 Signs - Sign Permit Required

11.1 Purpose

The purpose and objectives of these sign regulations are as follows:

- A. Promote the safety of persons and property by regulating signs so as not to confuse or distract motorists or to impair drivers' ability to see pedestrians, obstacles, other vehicles, or traffic directional signs.
- B. Promote efficient communication of messages.
- C. Reduce visual clutter.

11.2 General Standards

All signs constructed, erected, modified, or altered must comply with the following standards.

A. Exceptions

All signs constructed, erected, modified, or altered must comply with the standards of this Article, whether such signs do or do not require a sign permit, with the exceptions listed in this section. The following signs are not regulated by this Code:

1. Signs within a building or enclosed space within a development that are not visible from a public right-of-way.
2. Signs installed by federal, state, or local governments.
3. Logos and labels on mechanical equipment, recycling bins, trash containers, and similar equipment, which are part of the equipment as manufactured and/or installed.
4. Flags of nations, states, and cities, or fraternal, religious, and civic organizations.
5. Address numbers.
6. Holiday/seasonal displays.

B. Location Restrictions

1. No sign may be erected in a location that violates the building code, fire code, and other applicable Village codes.
2. No permanent sign may be erected on private property without the consent of the property owner or their authorized agent. Any sign installed on private property without authorization may be removed by the property owner without notice and disposed of.
3. No sign may be erected in a manner that obstructs access to any ingress or egress, fire escapes, fire hydrants, fire department connections, standpipes, and similar fire safety connections.
4. No sign can be placed on a building in such a manner as to obstruct windows, doors, or cover architectural details. This does not include permitted window signs placed on windows and doors.

C. Tree Protection

1. Sign placement, including projections from a building facade, must protect all trees. Existing trees may not be removed or significantly trimmed to install a sign or create more visibility for a sign.
2. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees, shrubs, or other vegetation located:
 - a. Within the right-of-way of any public street or road unless the work is done pursuant to the expressed written authorization of the Village or other agency having jurisdiction over the streets.
 - b. On property that is not under the ownership or control of the person doing or responsible for such work, unless the work is done pursuant to the expressed authorization of the person owning the property.

D. Audio Components

Audio components are prohibited as part of any sign, except for the following:

1. Drive-through sign: For drive-through signs, the audio component is limited to communication between the customer and service window.
2. Signs owned and/or operated by a government agency.
3. Gas station pump video screens.

E. Construction Standards

1. Supports and braces must either be designed as an integral part of the overall sign or obscured from public view to the extent practicable.
2. All signs attached to a building must be installed and maintained so that wall penetrations are watertight and the structure does not exceed allowable stresses of supporting materials.
3. All signs must be designed and constructed in compliance with the building code, electrical code, and all other applicable codes.
4. Glass comprising any part of a sign must be safety glass.
5. All electrical fixtures, devices, circuits, conduits, raceways, or similar features must be installed and maintained in compliance with the current electrical code.
6. Conduits, raceways, and other components of a sign illumination system must be designed as an integral part of the overall sign structure and obscured from public view to the extent technically practicable.

F. Permitted Materials for Signs

1. Permanent sign structures must be constructed of brick, wood or simulated wood, stone, concrete, metal, or plastic.
2. Solid awnings and structural canopies must be constructed of permanent building materials.
3. Awning, canopy, and banner signs may also be constructed of durable weather resistant material such as canvas, nylon, or vinyl-coated fabric.

G. Required Maintenance

1. All signs must be kept in a safe and well-maintained condition and appearance, and must be repainted or otherwise maintained by the property owner or business owner to prevent corrosion or deterioration caused by the weather, age, or any other condition.
2. All signs must be maintained to prevent any kind of safety hazard, including faulty or deteriorated sign structures, a fire hazard, or an electrical shock hazard.

3. All unused sign hardware or wiring must be removed.
4. No sign frame may remain unfilled or allow any internal part or element of the sign structure to be visible.
5. Painting, cleaning, or other normal maintenance and repair of a sign are exempt from requiring a sign permit. This does not include any structural changes or any changes in the electrical components of the sign, including the removal or replacement of electrical components. Any activity that increases the sign area, sign height, or any sign dimension, or moves the location of a sign, requires a sign permit.
6. The changing of a sign face requires a sign permit.

11.3 Illumination

- A. Any sign illumination, including gooseneck reflectors, external illumination, and internal illumination, must be designed, located, shielded, and directed to prevent the casting of glare or direct light upon roadways and surrounding properties, and prevent the distraction of motor vehicle operators or pedestrians in the public right-of-way.
- B. The sign face of internally illuminated signs must function as a filter to diffuse illumination. The sign face must cover all internal illumination components so that no exposed bulbs are visible.
- C. All external illumination of a sign must concentrate the illumination upon the sign face.
- D. The use of bare bulbs as external illumination is prohibited.
- E. The use of neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited. This includes any illumination installed within the interior within two feet of doors and windows.
- F. No sign illumination may be combined with reflective materials, such as mirrors, polished metal, or highly-glazed tiles, which would increase glare.
- G. Illuminated signs are limited to the following footcandles at any lot line:
 1. 0.5 footcandle at the lot line when abutting a residential use.
 2. 1.0 footcandle at the lot line when abutting a nonresidential use or a street lot line.

11.4 Prohibited Signs

The following sign types are specifically prohibited.

- A. Animated signs
- B. Cabinet box wall signs.
- C. Electronic message signs and electronic video display screens.
- D. Feather flags/sails
- E. Flashing signs
- F. Inflatable signs
- G. Marquees
- H. Moving signs, including any sign that rotates, revolves, or has any visible moving part, or any sign that gives the appearance of movement, including signs designed to be moved by wind or other natural elements
- I. Off-premise permanent signs (also known as billboards)
- J. Off-premise temporary signs

- K.** Painted signs
- L.** Portable readerboard signs
- M.** Projecting signs
- N.** Roof signs
- O.** Signs that constitute a traffic hazard, including signs that:
 - 1. Interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal, or device because of its position, shape, or color.
 - 2. May be confused with any public safety lighting.
 - 3. Mislead, interfere with, or confuse traffic.
- P.** Snipe signs, also called bandit signs, which are signs painted, pasted, or otherwise affixed to any tree, rock, retaining wall, fence, utility pole, hydrant, bridge, sidewalk, curb or street, bench, or trash receptacle
- Q.** Strobe lights, moving or fixed spotlights, beacons, floodlights/searchlights
- R.** Vehicle signs with the exception of those signs painted on or applied to vehicles, trucks, or buses that are operated and stored in the normal course of business, such as signs located on delivery trucks, moving vans, and rental trucks, and such vehicles are properly parked or stored in areas related to their use and all such vehicles are in operable condition

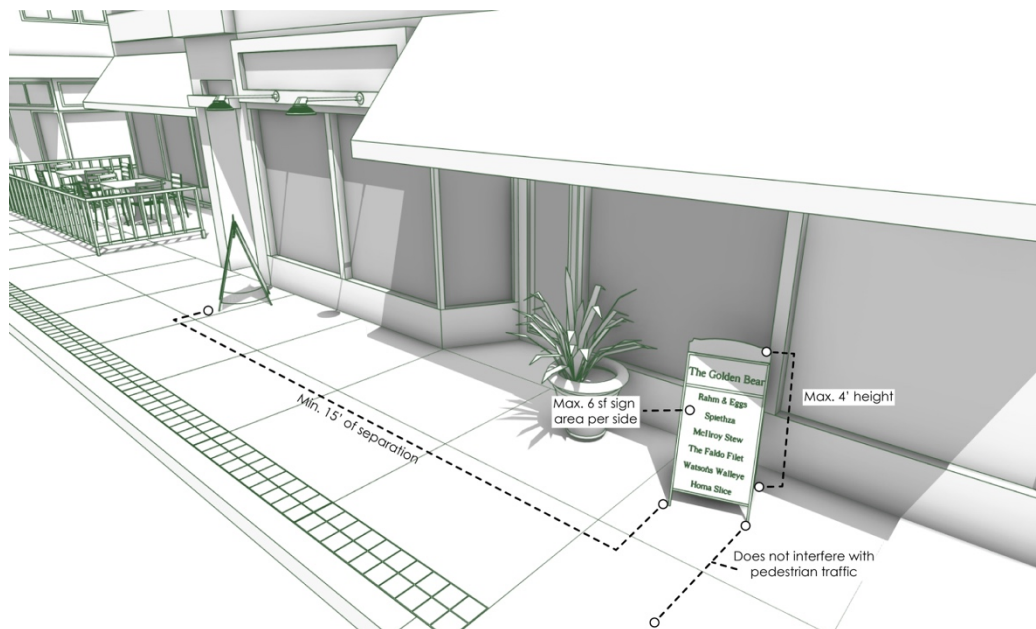
11.5 Exempt Signs

The following signs are permitted without a sign permit but are subject to the standards of this section.

A. A-Frame Sign

- 1. A-frame signs are permitted for nonresidential uses.
- 2. One A-frame sign is permitted per establishment, including one for each tenant in a multi-tenant development. A minimum 15 foot separation is required between all A-frame signs.
- 3. An A-frame sign must be placed entirely on private property and must not interfere with any internal pedestrian circulation paths or violate standards of accessibility as required by the ADA or other accessibility codes.
- 4. A-frame signs are limited to six square feet in area per side and four feet in height.
- 5. The placement of A-frame signs outdoors is limited to business hours only. A-frame signs must be stored indoors at all other times.
- 6. A-frame signs must not be used outdoors when high winds, heavy rain, snow, or other weather conditions exist.
- 7. Illumination of A-frame signs is prohibited.
- 8. No A-frame sign may have any type of electronic component.

A-FRAME SIGN



B. Conservancy Easement Signs

1. One sign is permitted on all properties that have been designated a conservancy, a woodland conservancy, or a scenic easement.
2. Signs must be installed prior to the issuance of a building permit and commencement of any construction on the property.
3. Signs on a conservancy easement are limited to 14 inches by 18 inches in size and a maximum height of six feet.

C. Construction Activity

On a lot where active construction is taking place to improve the structure or site, a temporary sign is permitted subject to the following.

1. Such signs are permitted in all districts on all sites with such construction activity.
2. One sign is permitted per street frontage.
3. Signs may be constructed as either freestanding signs, wall signs, or a sign mounted on a fence.
4. Freestanding signs must be located ten feet from any lot line.
5. Signs are limited to 18 square feet in area and six feet in height.
6. Signs may not be illuminated.
7. Such signs may be installed only after approval of a building permit for such activity. Signs must be removed once construction is complete or the building permit expires, whichever occurs first.

D. Culturally or Historically Significant Sites

1. A site or building with cultural or historical significance is permitted a permanent sign. Such signs are permitted in any district.
2. Signs on culturally or historically significant sites or buildings may be constructed as either freestanding or wall signs, subject to the following:
 - a. Signs are limited to four square feet in area.
 - b. Freestanding signs are limited to four feet in height and must be located five feet from any lot line.
 - c. Wall mounted signs must be placed so as to be an integral part of the structure, cut into stone or masonry, or be a permanently affixed plaque of metal or other durable material.
 - d. Freestanding signs must be made of durable materials, such as bronze, stone, or concrete.
 - e. Signs may be externally illuminated.
3. Signs on culturally or historically significant sites or buildings are limited to one per street frontage.

E. Noncommercial Message

Noncommercial messages are permitted in all districts. Examples include, but are not limited to, signs advocating a public issue, recommending a candidate for public office, alerts, or warnings.

1. Noncommercial messages are permitted in all districts.
2. Noncommercial messages may be installed as freestanding, wall-mounted, or window-mounted.
3. There is no limit on the number of signs permitted on a lot.
4. Freestanding signs are limited to a maximum sign area of 16 square feet in area.
5. No sign may be illuminated.
6. Signs cannot be used for any on-premises or off-premises advertising.

F. Parking Lot and Parking Structure Circulation Points

1. Parking lots and parking structures in all districts are permitted permanent signs at parking lot and/or structure circulation points in accordance with this section.
2. Circulation points include, but are not limited to, entrances/exits, driveway intersections, drive-through lanes, fire zones, pedestrian aisles, and parking lot drive aisles. Such signs that are not visible from the public right-of-way and internal to the development are not subject to this Article.
3. Signs at parking lot and structure circulation points may be internally or externally illuminated.
4. Signs are limited to four square feet in area and four feet in height.
5. A freestanding sign must be five feet from any lot line.
6. Signs cannot be used for off-premises advertising.

G. Real Estate Activity

When a structure or lot is offered for sale, lease, or rent, such lot is permitted a temporary sign as follows:

1. Such signs are permitted in all districts. Signs must be located on the site of the property for sale, lease, or rent.
2. Signs are limited to one per street frontage.

3. Signs may be constructed as either freestanding, wall, or window signs.
4. Signs within the residential districts are limited to six square feet in area. Signs within the nonresidential districts are limited to 24 square feet in area.
5. Freestanding signs are limited to six feet in height and must be located within five feet from any lot line.
6. Such signs may not be illuminated.
7. Signs must be removed within 72 hours of final closing, lease, or rental.
8. Signs used in conjunction with a promotional activity related to the sale, lease, or rent of the structure or lot may be installed 24 hours prior to event and must be removed within eight hours of the end of the event. Sign related to a promotional activity are limited to area and height permissions of this section. Such signs must be located on the property for sale, lease, or rent.

H. Residential Nameplates

1. Residential nameplates are limited to one square foot in area and a limit of two per dwelling unit.

I. Window Sign

1. Window signs are permitted for all nonresidential uses in all districts.
2. All window signs, whether temporary or permanent, are limited to no more than 20% of the surface of each window area. Window area is counted as a continuous surface until divided by an architectural or structural element. Mullions are not considered an element that divides window area.
3. Window signs may not be illuminated with the exception of one square foot of area.

WINDOW SIGN



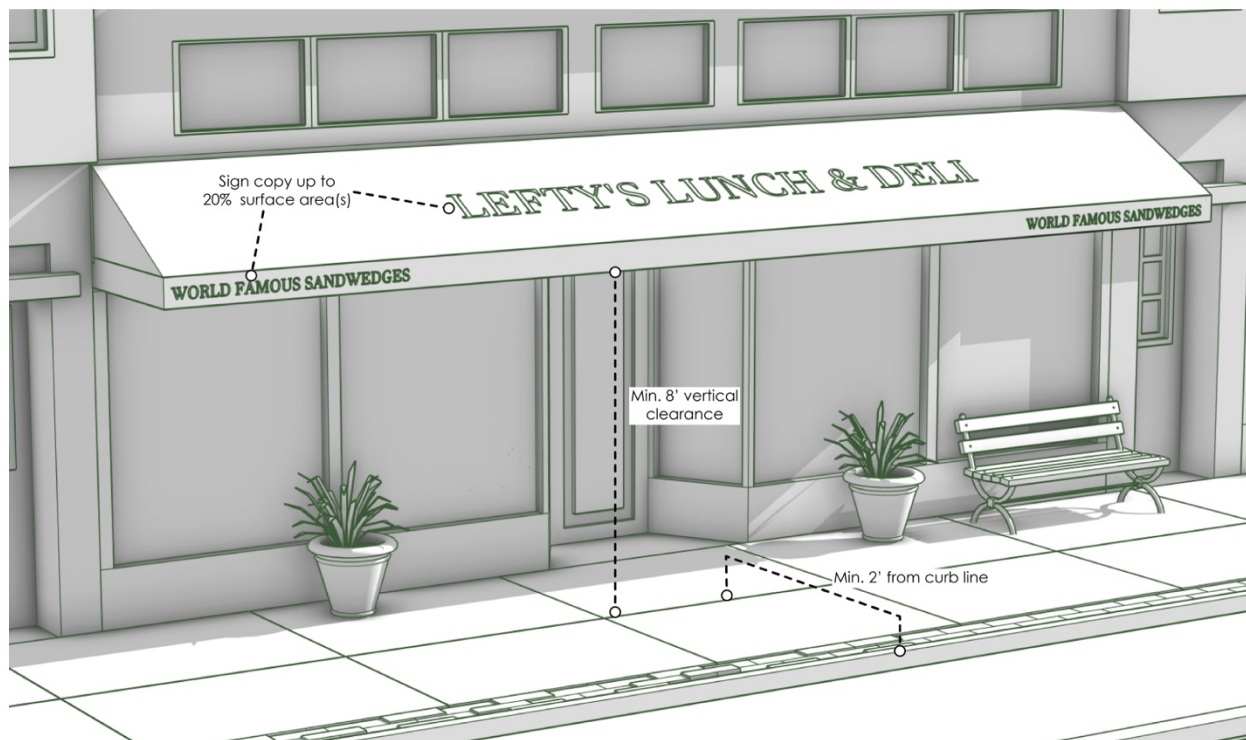
11.6 Signs - Sign Permit Required

This section describes the types of signs allowed with a sign permit. Specific regulations on each sign type may include further restrictions on which districts and/or uses within a district may utilize these sign types.

A. Awning Sign

1. Awning signs are permitted for multi-family dwellings and nonresidential uses in any district.
2. Awning signs must maintain a minimum vertical clearance of eight feet.
3. Awning signs may encroach into the public right-of-way but must be located at least one foot from the curb line.
4. Sign copy on any awning sign surface is limited to 20% of each surface area. A valance is considered a separate surface area.
5. Solid awnings are permitted lettering attached to and located above the awning to a maximum height of 18 inches.
6. Awning signs may be externally illuminated. All lighting must be focused on the printed area.
7. Back-lit awnings are prohibited.

AWNING



B. Banner

1. A banner is permitted for nonresidential uses in the nonresidential districts and for institutional uses in all districts.
2. Banners are limited to a display period of seven days. Banners are limited to a maximum of four display periods per year. There must be 30 days between display periods.

3. Banners are limited to a maximum area of 32 square feet.
4. One banner is permitted per establishment with frontage on the ground floor.
5. Banners must be securely attached to a building wall. No banner may extend above the first floor of a building.

C. Canopy Sign

Canopy signs are divided into two types: non-structural and structural.

1. Non-Structural Canopy Signs

- a. Non-structural canopy signs are permitted for multi-family dwellings and nonresidential uses in all districts.
- b. Non-structural canopy signs must maintain a minimum vertical clearance of eight feet.
- c. Non-structural canopy signs may encroach into the public right-of-way but must be located at least one foot from the curb line. Support posts must maintain a minimum separation of five feet between posts and five feet between the posts and any building wall.
- d. Sign copy on any canopy sign surface is limited to 20% of each surface area.
- e. Non-structural canopy signs may only be externally illuminated and lighting must be focused on the printed area.
- f. Back-lit canopies are prohibited.

2. Structural Canopy Signs

a. Permissions for Structural Canopy Signs

Structural canopy signs are permitted as follows:

- i. Structural canopy signs attached to the principal structure are permitted for multi-family dwellings and nonresidential uses in all districts.
- ii. Freestanding structural canopy signs are permitted for gas station and drive-through facilities in any district.

b. Structural Canopy Signs Attached to Principal Structure

Structural canopy signs attached to the principal structure are subject to the following:

- i. Canopy signs attached to the principal structure may encroach into the public right-of-way but must be located at least one foot from the curb line.
- ii. Support posts must maintain a minimum separation of five feet between posts and five feet between the posts and any building wall.
- iii. Canopy signs attached to a building must maintain a minimum vertical clearance of eight feet.
- iv. For structural canopies attached to a principal building, sign copy is limited to 20% of each surface area. Such signs are permitted lettering attached to and located above the canopy to a maximum height of 18 inches.
- v. Structural canopy signs may be internally or externally illuminated. If externally illuminated, the lighting must be focused on the sign.

c. Freestanding Structural Canopy Signs

Freestanding structural canopy signs are subject to the following:

- i. Freestanding structural canopy signs are subject to the setback requirements of the district where they are located or ten feet from a lot line, whichever is greater.

ii. Freestanding structural canopy signs are limited to a maximum height of 25 feet. Height is measured to the highest point of the canopy.

iii. For freestanding structural canopies, sign copy is limited to a maximum of 30% of the area of each façade. No sign may be mounted above the top of the roof of the structural canopy, but a sign mounted on the structural canopy façade may extend a maximum of six inches above the roofline.

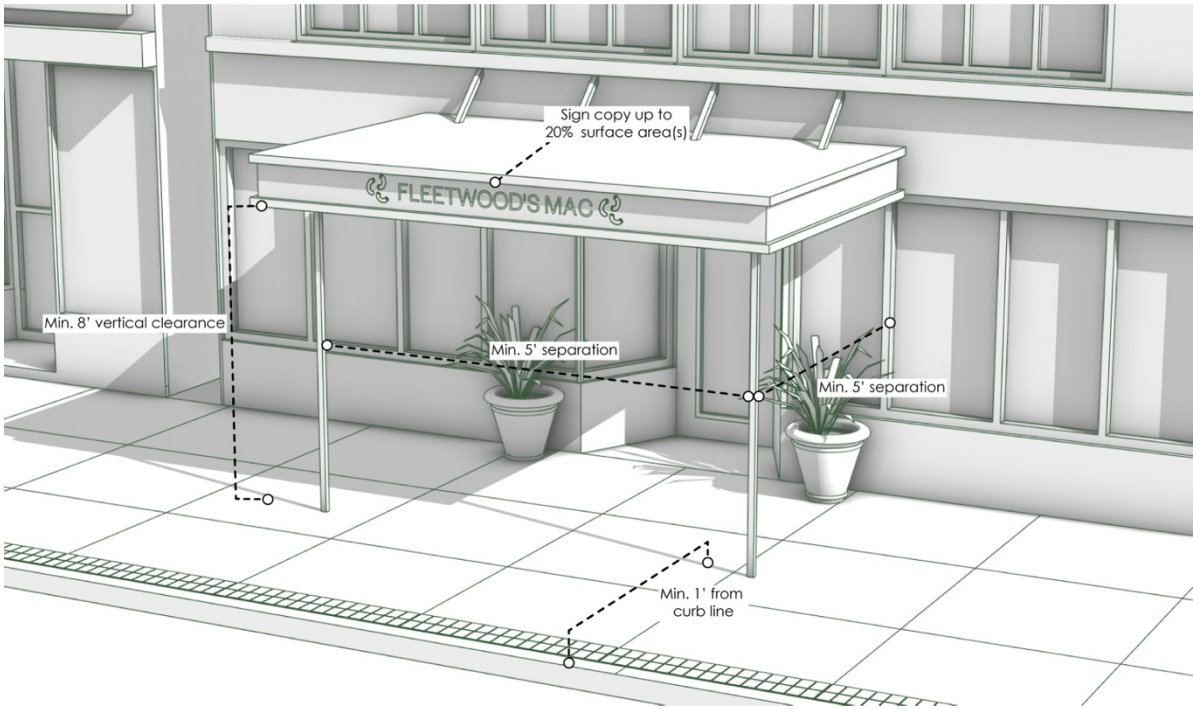
iv. Freestanding structural canopy signs may be internally or externally illuminated. If externally illuminated, the lighting must be focused on the sign. Freestanding structural canopies are permitted an illuminated band along each facade of the canopy, which is limited to 10% of the overall height of the facade of the canopy.

CANOPY SIGNS

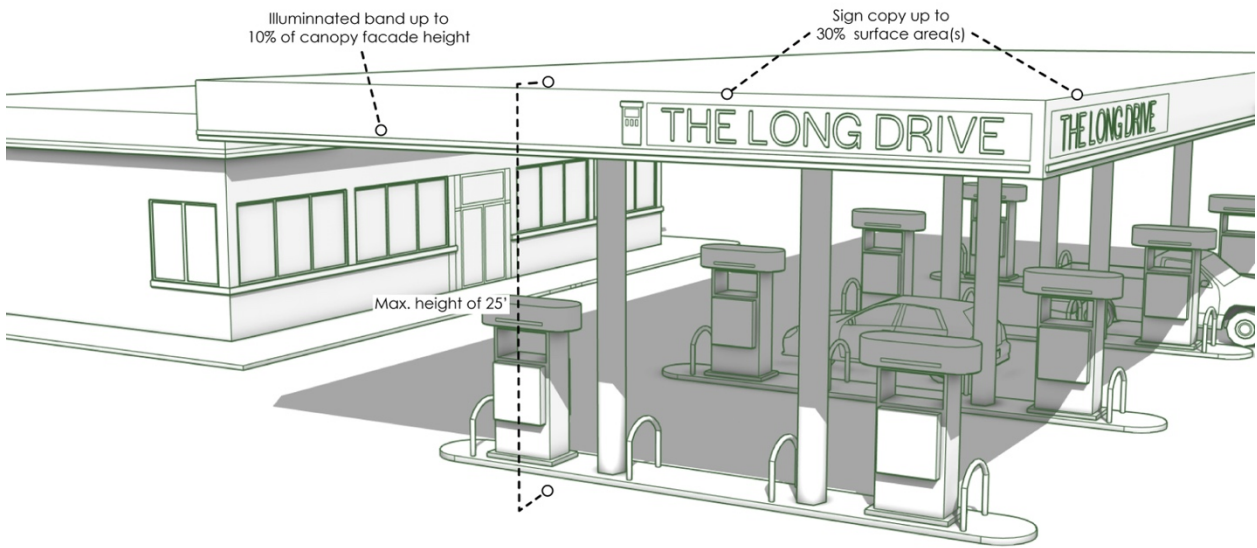
CANOPY SIGN - NONSTRUCTURAL



CANOPY SIGN - STRUCTURAL



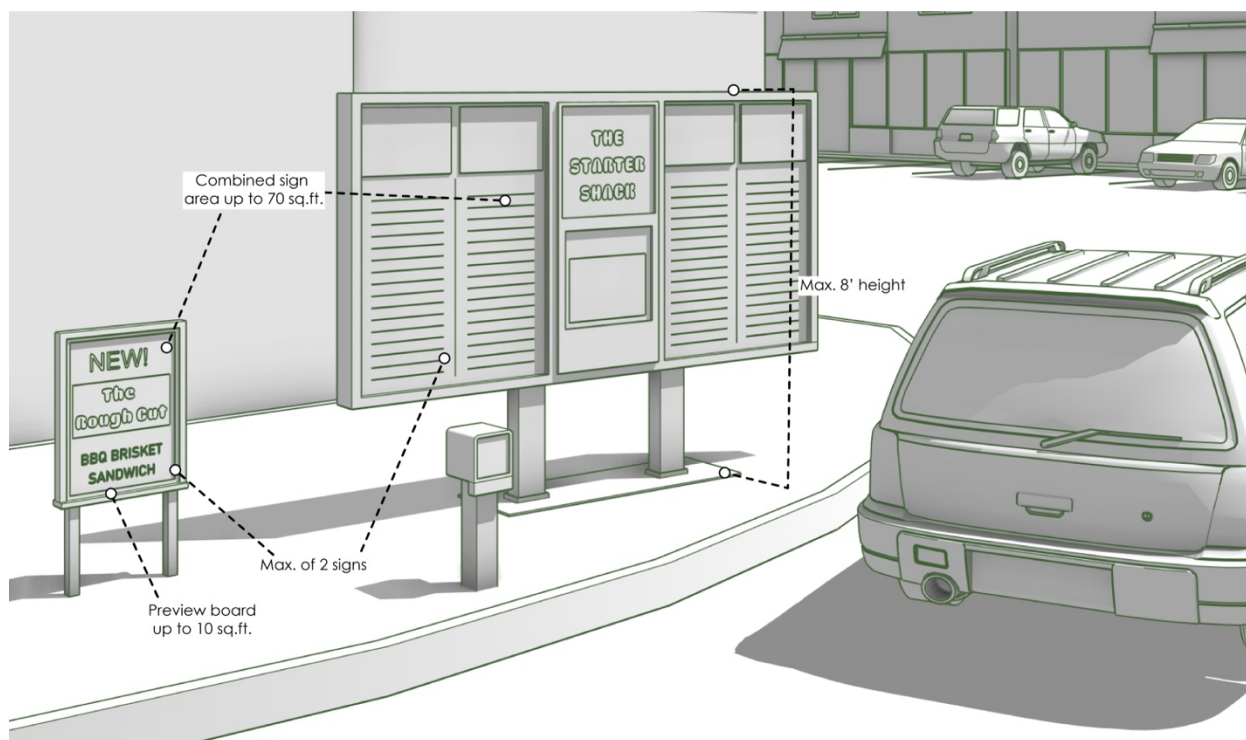
CANOPY SIGN - FREESTANDING



D. Drive-Through Sign

1. Drive-through signs are permitted for all drive-through facilities.
2. Drive-through signs are limited to a maximum of two per drive-through lane.
3. Drive-through signs are limited to 70 square feet in sign area and eight feet in height. The drive-through sign may be designed as separate freestanding signs grouped together.
4. One preview board per lane is permitted. Preview boards are designed as a separate sign installed a distance earlier in the drive-through lane. A preview board is limited to a total maximum area of ten square feet.
5. Drive-through signs are permitted an additional six square feet of sign area for temporary signs attached to the top or sides of the drive-through sign.
6. Drive-through signs must be located a minimum of 20 feet from any residential district lot line. This is measured from sign face to lot line, including any public right-of-way.
7. Drive-through signs may be internally illuminated. Drive-through signs may also contain an electronic screen for interaction with each customer.

DRIVE-THROUGH SIGN

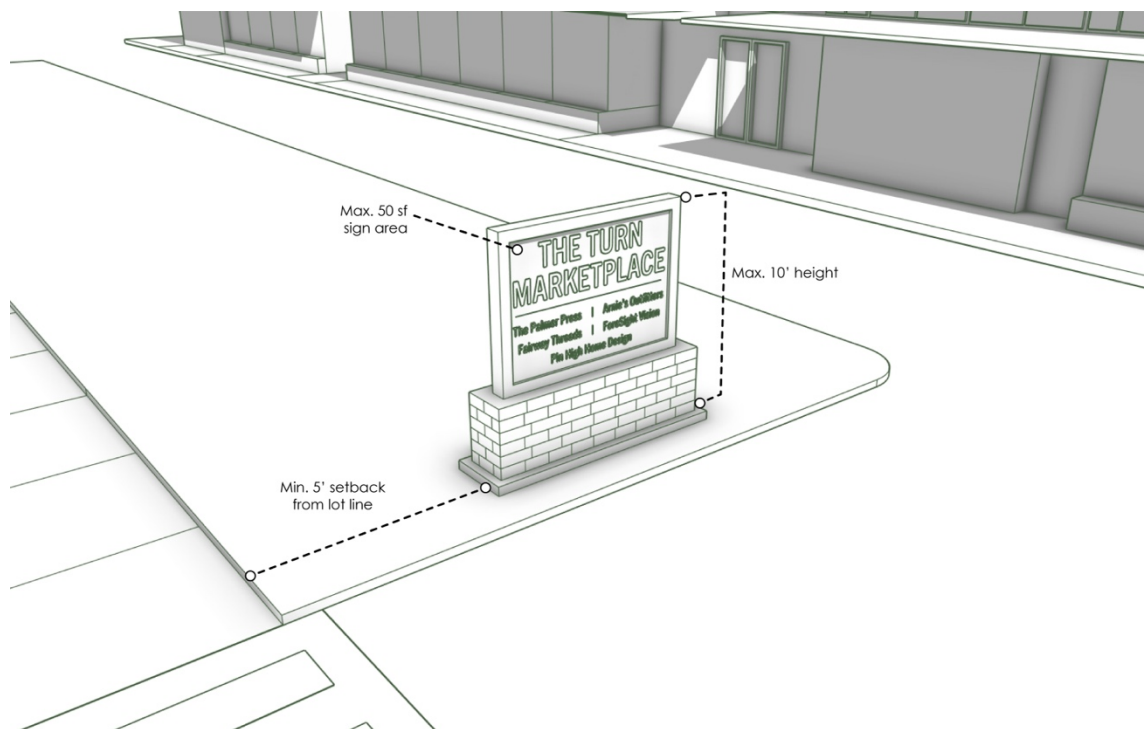


E. Ground Signs

1. Ground signs are permitted for nonresidential uses.
2. Ground signs are limited to a maximum sign area of 50 square feet.
3. Ground signs are limited to a maximum height of ten feet above the adjoining ground level.
4. One ground sign is permitted along each street frontage.

5. A ground sign must be located five feet from a lot line and cannot encroach into the right-of-way or extend beyond the lot lines. Ground signs cannot encroach into any internal pedestrian walkway or driveway.
6. Ground signs may be internally or externally illuminated. If externally illuminated, all light must be directed onto the sign face.

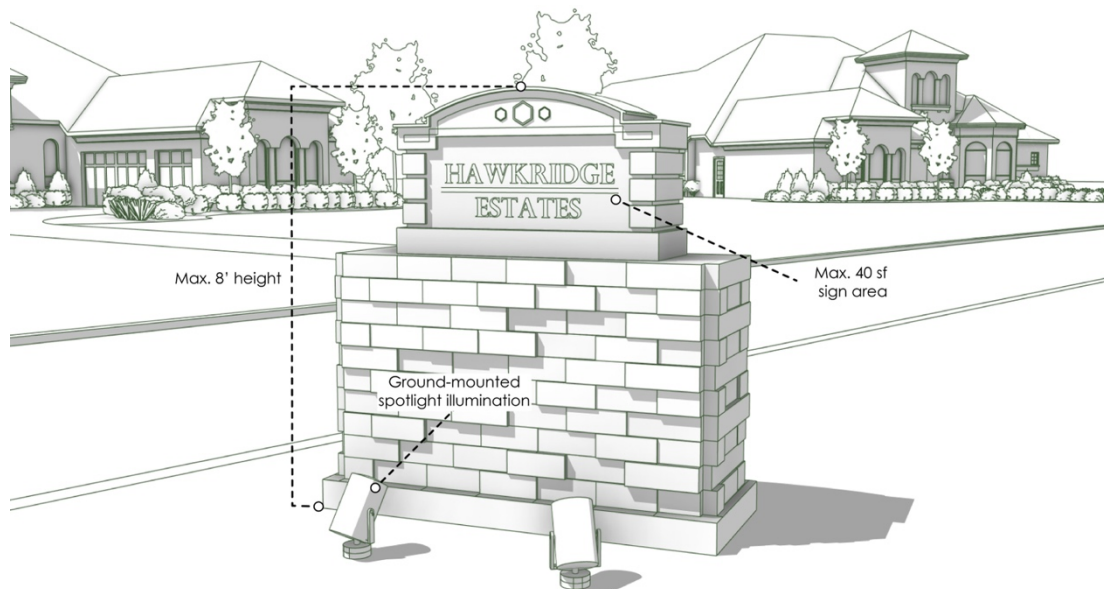
GROUND SIGN



F. Residential Subdivision Sign

1. A ground sign identifying may be installed at each entry of a residential subdivision.
2. The area of a subdivision ground sign is limited to 40 square feet.
3. The height of a subdivision ground sign is limited to eight feet.
4. A subdivision ground sign may only utilize one of the following methods of illumination:
 - a. Gooseneck lighting mounted on the sign
 - b. Ground-mounted spotlight
5. Only white or clear incandescent illumination sources is permitted.

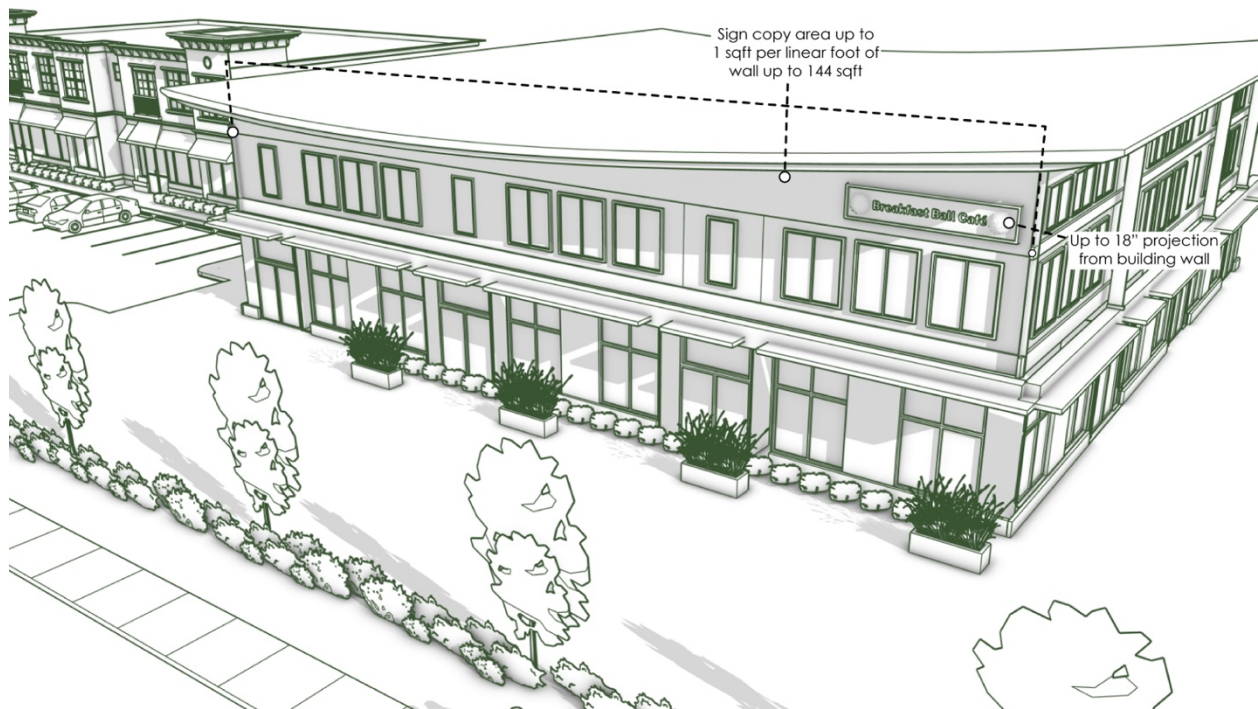
RESIDENTIAL SUBDIVISION SIGN



G. Wall Sign

1. Wall signs are permitted for all nonresidential uses in any district.
2. Wall signs are permitted on each facade of a structure that faces a street or parking area.
3. For a single tenant structure, the maximum total wall sign area is 1.0 square feet per each linear foot of building wall where the wall sign(s) will be mounted up to a maximum total permitted wall sign area on any façade of 144 square feet. The square footage from different facades cannot be combined to create a larger sign on anyone facade.
4. For a structure that contains multiple tenants, each tenant that has exterior business façade area is permitted a total wall sign area of 1.0 square feet per each linear foot of business frontage up to a maximum total permitted wall sign area of 144 square feet, along their individual frontage(s).
5. The number of individual wall signs on a façade is not limited, however the cumulative sign area of all signs on a facade cannot exceed the maximum allowable total wall sign area per facade.
6. No wall sign may be painted on a wall or other structure.
7. Wall signs may be internally or externally illuminated. If externally illuminated, all light must be directed onto the sign face.
8. Wall signs must be safely and securely attached to the building wall. Wall signs must project 18 inches or less from the building wall.
9. No wall sign affixed to a building, including sign support structure, may project beyond the ends or top of the wall or higher than the roofline or parapet of the structure to which it is attached.

WALL SIGN



Chapter 12. Code Administrators

12.1 Village Board

12.2 Plan Commission

12.3 Zoning Board of Appeals

12.4 Building and Zoning Officer

12.1 Village Board

The Village Board has the following powers pursuant to this Code:

- A.** To make final decisions on zoning text and zoning map amendments.
- B.** To make final decisions on special uses.
- C.** To make final decisions on variances.
- D.** To make final decisions on planned unit developments.

12.2 Plan Commission

The Plan Commission has the following powers pursuant to this Code:

- A.** To make recommendations on zoning text and map amendment.
- B.** To make recommendations on special uses.
- C.** To make recommendations on planned unit developments.

12.3 Zoning Board of Appeals

The Zoning Board of Appeals has the following powers pursuant to this Code:

- A.** To make recommendations on variances.
- B.** To hear zoning appeals.

12.4 Building and Zoning Officer

The Building and Zoning Officer has the following powers pursuant to this Code. The Building and Zoning Officer may designate one or more persons to act as their designee; however, a decision may only be rendered once.

- A.** To make final decisions on site plan review.
- B.** To issue sign permits.
- C.** To issue temporary use permits.
- D.** To render zoning interpretations.

Chapter 13. Zoning Approvals

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13.1 Application

A. Submittal

All zoning applications must be filed with the Village Administrator, or their designee. The application must be on forms provided by the Village and filed in such quantity and with such submittals as required by the instructions.

B. Optional Pre-Application Conference

Prior to formal submittal of an application, the applicant may, at their option, schedule a pre-application conference with the Village Administrator, or their designee. The purpose of a pre-application conference, which does not require a formal application or fees, is to provide informal advice and assistance to the applicant. Any opinions or advice provided are not binding with respect to any official action that may be taken on the formal application. No decision is made on the application.

C. Completeness

1. The application must include all information, plans, and data as specified in the application requirements. Any required plans must be at a scale sufficient to permit a clear and precise understanding of the proposal, unless specifically required to be at a set scale.
2. The Village Administrator, or their designee will examine all applications to determine completeness. If the application does not include all the submittal requirements for the application, the Village Administrator will reject the application and provide the applicant with the reasons for the rejection. The Village Administrator will take no further steps to process the application until all deficiencies are remedied.
3. After an application is determined to be complete, any substantive change made by the applicant to the application requires resubmittal of the entire application and a new completeness review. However, such revisions do not require an additional payment of fees. Once the application is under consideration by the appropriate body, additional information or revisions requested during review do not constitute a change to the application.

D. Fees

Each application must be accompanied by the required filing fee. The failure to pay such fee when due is grounds for refusing to process the application and renders the application incomplete. If an application is submitted by the Village Board or Plan Commission, fee requirements are waived.

E. Withdrawal of Application

An applicant has the right to withdraw an application at any time prior to the final decision, including the ability to withdraw the application if it has been tabled. The applicant must submit a request for withdrawal in writing. There will be no refund of fees.

F. Consideration of Successive Applications

1. Within one year of the date of denial, a subsequent application for the same zoning approval will not be reviewed or heard unless there is substantial new evidence available, or if a significant mistake of law or of fact affected the prior denial.

2. If the application is resubmitted earlier than one year from the date of denial, the subsequent application must include a detailed statement of the grounds justifying its consideration. The Village Administrator, as applicable, will make a determination as to whether the subsequent application is appropriate for resubmittal prior to the expiration of the one year wait requirement. If they find that there are no new grounds for consideration of the subsequent application, the application will be summarily, and without hearing, denied.

13.2 Notice

A. Required Notice

Table 13-1: Zoning Approvals Required Notice indicates the types of notice required for zoning applications. If the specific requirements of a zoning approval process contains contradictory information to Table 13-1, the specific requirements of that process control.

Table 13-1: Zoning Approvals Required Notice			
Zoning Application	Notice Type		
	Published	Mailed	Posted
Zoning Text Amendment Notice for Public Hearing	•		
Zoning Map Amendment Notice for Public Hearing	•	•	•
Special Use Notice for Public Hearing	•	•	•
Variance Notice for Public Hearing	•	•	•
Planned unit development Notice for Public Hearing	•	•	•

B. Published Notice

When published notice is required in Table 13-1, the Village will publish notice in one or more newspapers published in the Village or, if no newspaper is published within the Village, then in one or more newspapers with a general circulation within the Village. The notice must include the date, time, place, and purpose of such hearing, as well as the common address and Parcel Identification Number (PIN) of the subject property if applicable. Notice must be published no less than 15 days in advance of the scheduled hearing date.

C. Mailed Notice

When mailed notice is required in Table 13-1, the Village is responsible for the mailing. The applicant must deliver unsealed, addressed, and stamped envelopes not less than 20 days in advance of the date of the hearing.

1. Written notice must be sent by first class mail, postage prepaid, to all owners, as determined from current real estate tax records, of property located within 250 feet of any lot line of the property.
2. Notice must be mailed no less than 15 days in advance of the scheduled hearing date.
3. Distance is measured from the property line in each direction from the subject property. Such measurement excludes rights-of-way of streets. Notice must be given to no less than the three closest property owners on the same side of the street and, in addition, the three closest property owners on the opposite side of the street from the applicant's property.
4. The notice must include the date, time, place, and purpose of such hearing, as well as the common address and Parcel Identification Number (PIN) of the subject property if applicable.
5. Nothing in this section is intended to prevent the applicant or the Village or applicant from giving additional notice as they deem appropriate.
6. If the taxpayer of record of any property on which notice is to be sent cannot be found at their last known address, the notice requirements are deemed satisfied.

D. Posted Notice

1. The Village will post a sign on the site of the subject property no less than 15 in advance of the scheduled hearing date. Signs must be posted along each street frontage and any additional areas deemed necessary by the Village.
2. Signs must be maintained throughout the process until final action has been taken on the request.
3. The applicant is responsible for removing the sign after the final governmental action.

13.3 Fees

Zoning fees are \$300.00 per application in addition to any other applicable requirements of the Village Code, including the bond and reimbursement requirements of Chapter 8, Sections 1-8-4 and 1-8-5 of the Village Code.

13.4 Text and Map Amendments

A. Purpose

The regulations imposed and the districts created by this Code may be amended from time to time in accordance with this section. This process for amending the Zoning Code text or the Official Zoning Map is intended to allow modifications in response to omissions or errors, changed conditions, or changes in Village policy. Amendments are not intended to relieve particular hardships or confer special privileges or rights upon any person or party.

B. Initiation

1. Text amendments may be proposed by the Village Board or the Plan Commission.
2. Map amendments may be proposed by the owner of the property involved or the Village Board or the Plan Commission.

C. Authority

The Village Board, after receiving a recommendation from the Plan Commission will take formal action on requests for zoning text and map amendments.

D. Procedure

1. An application for an amendment to this Code must be filed with the Village Administrator in accordance with this Article. The Village Administrator, upon receipt of a complete application, will transmit the application along with all pertinent data to the Plan Commission for review and recommendation, with a copy to the Village Board.
2. The Plan Commission, upon receipt of any application for amendment, will hold a public hearing.
3. The Plan Commission will submit recommendations, based upon the approval standards of item E below, to the Village Board following the close of the public hearing.
4. Upon receipt of the Plan Commission recommendation, the Village Board will act on the application. The Village Board must take action in the form of approval, approval with modifications, or denial.

E. Approval Standards

The Plan Commission recommendation and the Village Board decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the Village Board will consider the following standards. Approval of amendments is based on a balancing of these standards.

1. Approval Standards for Map Amendments

- a. The compatibility with the existing use of the property and zoning of nearby property.
- b. The extent to which the proposed amendment creates nonconformities.

- c. The trend of development, if any, in the general area of the property in question.
- d. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

2. Approval Standards for Text Amendments

- a. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.
- b. The extent to which the proposed amendment creates nonconformities.
- c. The consistency of the proposed amendment with the intent and general regulations of this Code.
- d. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

F. Written Protest

In the case of a written protest against any proposed map amendment, signed and acknowledged by the owners of 20% of the frontage proposed to be altered, or by the owners of 20% of the frontage immediately adjoining or across an alley therefrom, or by the owners of 20% of the frontage directly opposite the frontage proposed to be altered as to such regulations or district, filed with the Building and Zoning Officer, such map amendment cannot be passed except by the favorable vote of two-thirds of all members of the Village Board.

13.5 Special Use

A. Purpose

This Code is based upon the division of the Village into districts within which the use of land and buildings, and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use in the particular location.

B. Initiation

A property owner in the Village may file an application for a special use. A property owner may only propose a special use for property under their control.

C. Authority

The Village Board, after receiving a recommendation from the Plan Commission will take formal action on requests for special uses.

D. Procedure

1. An application for a special use must be filed with the Village Administrator in accordance with this Article. The Village Administrator, upon receipt of a complete application, will transmit the application along with all pertinent data to the Plan Commission for review and recommendation, with a copy to the Village Board.
2. The Plan Commission, upon receipt of any application for a special use, will hold a public hearing.
3. The Plan Commission will submit recommendations, based upon the approval standards of item E below, to the Village Board following the close of the public hearing.
4. Upon receipt of the Plan Commission recommendation, the Village Board will act on the application. The Village Board must take action in the form of approval, approval with conditions, or denial.

E. Approval Standards

The listing of a use as a special use within a district does not constitute an assurance or presumption that such special use will be approved. Rather, each special use must be evaluated on an individual basis, in relation to all applicable standards of this Code. Such evaluation will determine whether approval of the special use is appropriate at the particular location and in the particular manner proposed. The decision must make findings to support each of the following:

1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or 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 the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage, and/or 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.

F. Conditions and Guarantees

Prior to the granting of a special use, the Plan Commission may recommend and the Village Board may stipulate conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as deemed necessary to protect the public interest and to secure compliance with the standards and requirements specified in this section. In all cases where special uses are granted, the Village Board may require such evidence and guarantees as they may deem necessary as proof that the required conditions will be complied with.

G. Transferability

The ownership of a special use may be changed if the use remains unchanged. However, a change in ownership must be recorded with the Building and Zoning Officer and the new owner, through duly notarized documentation, agrees to the terms and conditions set forth in the resolution or Code granting the special use.

H. Modifications to Approved Special Uses

Any modifications to the conditions of approval for a previously approved special use must be resubmitted as a new special use application. Any modifications that meet Code standards are permitted, subject to the regulations of this Code and any conditions imposed as part of approval. Any increase in intensity of the special use requires a new special use approval.

I. Expiration

A special use approval expires if any one of the following conditions occurs and no request for an extension of the special use validity is granted or pending. The original approving body may grant an extension for a period of validity, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration.

1. When an approved special use is changed to another use.
2. For special uses approved in conjunction with new construction or additions or enlargements to an existing structure, the special use approval expires within one year of the date of approval if a building permit has not been applied for.
3. For special uses approved in conjunction with an existing structure or on lot where no structure is planned, the special use approval expires within one year of the date of approval if the licenses or permits required for the operation or maintenance of the use have not been applied for.

13.6 Variance

A. Purpose

The purpose of the variance process is to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of the zoning regulations of this Code that create practical difficulties or particular hardships.

B. Initiation

A property owner in the Village may file an application for a variance. A property owner may only propose a variance for property under their control.

C. Authority

The Village Board, after receiving a recommendation from the Zoning Board of Appeals, will take formal action on requests for variances.

D. Procedure

1. An application for a variance must be filed with the Village Administrator in accordance with this Article. The Village Administrator, upon receipt of a complete application, will transmit the application along with all pertinent data to the Zoning Board of Appeals for review and recommendation, with a copy to the Village Board.
2. The Zoning Board of Appeals, upon receipt of any application for a variance, will hold a public hearing.
3. The Zoning Board of Appeals will submit recommendations, based upon the approval standards of item E below, to the Village Board following the close of the public hearing.
4. Upon receipt of the Zoning Board of Appeals recommendation, the Village Board will act on the application. The Village Board must take action in the form of approval, approval with conditions, or denial.
5. The Zoning Board of Appeals may recommend and the Village Board may impose such conditions and restrictions upon the variance as may be deemed necessary for the protection of the public health, safety, and welfare.
6. The Zoning Board of Appeals may recommend and the Village Board may grant a variance that is less than that requested when it has been decided that the applicant is entitled to some relief of the hardship, but not to the entire relief requested in the variance application.

E. Approval Standards

The Board of Zoning Appeals may recommend and the Village Board may authorize a variance from the strict application of this Code to relieve such difficulties or hardship only in accordance with the following criteria:

1. The strict application of the terms of this Code will result in hardship or practical difficulty unless the specific relief requested is granted.
2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship or practical difficulty upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.
4. The relief requested is the minimum necessary to eliminate the hardship or practical difficulty.
5. The variance, if granted, will not alter the essential character of the locality.

F. Limitations

1. No variance may allow a principal, accessory, or temporary use that is prohibited in the district.
2. The variance granted is the minimum adjustment necessary for the reasonable use of the land.

G. Expiration

An approved variance will expire one year from the date of approval unless a building permit is applied for within such period. The Zoning Board of Appeals may grant an extension for a period of validity so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration.

13.7 Planned Unit Development

A. Purpose

Planned unit developments (PUD) are intended to encourage and allow more creative and flexible development of land than is possible under district zoning regulations and provides enhanced design and amenities to the Village. The underlying zoning district dimensional, design, and use regulations apply to a PUD unless specifically modified through approval. Through the flexibility of the planned unit development technique, a PUD is intended to:

1. Encourage flexibility in the development of land and in the design of structures.
2. Encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of other sections of this Code.
3. Allow for development design that is architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning controls.
4. Combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different uses in an innovative and functionally efficient manner.
5. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, structures, circulation patterns, and utilities.
6. Encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affecting flooding, soil, drainage, and other natural ecologic conditions.
8. Facilitate the implementation of adopted Village land use policies, particularly with respect to areas planned for potential redevelopment.

B. Initiation

The entire property proposed for the planned unit development must be in single ownership or under unified control. All owners of the property must be included as joint applicants on all applications and all approvals will bind all owners.

C. Authorization

1. A planned unit development is authorized in all districts.
2. A planned unit development in the residential districts requires a minimum of five acres. There is no minimum on other districts.
3. A planned unit development must be granted in accordance with the procedures and standards of this section. Unless specifically excepted as part of the planned unit development approval, the requirements of the underlying district apply.
4. Planned unit development approval is separate from subdivision approval. PUD approval may be granted first, whereby subdivision approval would be granted subsequently in compliance with the approved PUD design.

D. Exceptions From District Regulations

1. A planned unit development is subject to the underlying district dimensional, design, and use regulations unless an exception is specifically granted. The Plan Commission may recommend and the Village Board may grant exceptions to the district dimensional, design, and use regulations where a planned unit development is located.
2. Exceptions from district regulations may be granted for planned unit developments if the exceptions:
 - a. Enhance the overall merit of the planned unit development.
 - b. Enhance the quality of the design of the structures and the site plan.

- c. Will not cause excessive adverse impact on neighboring properties.
- d. Are compatible with adopted Village plans and policies, and in keeping with the intent of this Code.

3. The underlying district dimensional, design, and use regulations apply, unless an exception is granted as part of the planned unit development approval. To be granted such exceptions, the applicant must demonstrate enhanced design and amenities. In no case may an exception to district regulations be granted unless the applicant demonstrates such enhanced design and amenities. Design characteristics and amenities to be considered in this determination include, but are not limited to, the following examples:

- a. Community gathering spaces and amenities including plazas, public art, and outdoor seating areas.
- b. Use of sustainable design, energy efficient design concepts, and new building technologies.
- c. Preservation of existing environmental features.
- d. Preservation of historic features and adaptive reuse of existing buildings.
- e. New open space and recreational amenities such as parks and playgrounds, natural water features and conservation areas, jogging trails and fitness courses, dog parks, skate parks, and similar recreational features.
- f. Improvement of existing on-site and off-site infrastructure.

E. Procedure

The approval of a planned unit development includes a pre-application consultation and development plan approval.

1. Pre-Application Consultation

- a. Prior to formal submittal of an application, a pre-application conference with the Village Administrator is required. The Village Administrator may include additional Village staff in the pre-application conference.
- b. At a pre-application consultation, the applicant must provide information as to the location of the proposed planned unit development, the proposed uses, proposed improvements, the enhanced design and amenities, anticipated exceptions to this Code, and any other information necessary to explain the planned unit development.
- c. The purpose of such pre-application consultation is to make advice and assistance available to the applicant before preparation of the concept plan or development plan, so that the applicant may determine whether the proposed planned unit development is in compliance with the provisions of this Code and other applicable regulations, and whether the proposed planned unit development aligns with the adopted policies of the Village.
- d. The pre-application conference does not require formal application, fee, or filing of a planned unit development application. Any opinions or advice provided by the Village Administrator are in no way binding with respect to any official action that may be taken on the subsequent formal application. No decision will be made on the application.

2. Development Plan

a. Filing and Notice

All applications must be filed with Village Administrator in accordance with this Article. Once it is determined that the application is complete, staff will schedule the application for consideration by the Plan Commission.

b. Action by Plan Commission

- i. Upon receipt of a complete application, the Plan Commission will consider the development plan at a public hearing.
- ii. The Plan Commission must evaluate the application based upon the evidence presented, pursuant to the approval standards of this section.

iii. The Plan Commission will recommend approval, approval with conditions, or denial of the application.

iv. After the close of the meeting, the Plan Commission will forward its recommendation to the Village Board.

c. Action by Village Board

i. The Village Board may take action on the development plan following receipt of the Plan Commission recommendation at a public meeting.

ii. The Village Board will take action in the form of approval, approval with conditions, or denial of the planned unit development.

d. Conditions

The Plan Commission may recommend, and the Village Board may impose, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the planned unit development as deemed necessary for the protection of the public health, safety, and welfare. Such conditions and restrictions must be reflected in a revised development plan.

e. Approval Standards

The recommendation of the Plan Commission and decision of the Village Board must make a finding that the following standards for a planned unit development have generally been met.

i. The proposed planned unit development will not be injurious to the use and enjoyment of other property in the vicinity.

ii. The proposed planned unit development will not impede the normal and orderly development and improvement of surrounding property.

iii. There is provision for adequate utilities and infrastructure, drainage, off-street parking and loading, pedestrian access, and all other necessary facilities.

iv. There is provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets.

v. The location and arrangement of structures, parking areas, walks, landscape, lighting, and other site design elements, are compatible with the surrounding neighborhood and adjacent land uses.

F. Effect of Approval

After development plan approval, the development plan will constitute the regulations applicable to the subject property. The planned unit development must be developed in accordance with the development plan, rather than the district regulations otherwise applicable to the property. Violation of any condition is a violation of this Code and constitutes grounds for revocation of all approvals granted for the planned unit development.

G. Modifications to Approved Development Plans

No adjustments may be made to the approved development plan, except upon application to the Village in accordance with the following. An application for a change to an approved development plan must be submitted to the Village Administrator. Applications must include a written description of the proposed change, including the reason for such change, and a notation of the location on the appropriate part of the approved development plan.

1. Administrative Modifications

The Building and Zoning Officer may approve the following administrative modifications to an approved development plan when it is determined by the Building and Zoning Officer that such changes are in substantial conformance with the approved development plan. Any changes considered a minor or major modification, as defined in this section, cannot be approved as an administrative modification. The Building and Zoning Officer may choose to classify a modification that meets the criteria of this section as a minor modification to be approved by the Plan Commission. No notice is required for an administrative modification.

a. Changes required during construction when related to final engineering issues such as topography, drainage, underground utilities, structural safety, or vehicular circulation, to be confirmed by the Village Engineer.

- b. Changes in building location of no more than ten feet that continue to meet the requirements of this Code and any conditions of the final plan approval.
- c. Changes in the location of walkways, vehicle circulation ways, and parking areas of up to ten feet that continue to meet the requirements of this Code and any conditions of the final plan approval.
- d. Interior modifications to any structure that do not increase the area of the building footprint.
- e. Changes in building design, including building materials, that continue to meet the requirements of this Code and any conditions of the final plan approval.
- f. Modification of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this Code.
- g. Modifications to the approved landscape plan that do not result in a reduction of the total amount of plant material required and conform with all landscape requirements.
- h. Modification of existing signs or the addition of new signs when in conformance with sign regulations.

2. Minor Modifications

The Plan Commission may approve at a public hearing the following minor modifications to an approved development plan when it is determined by the Plan Commission that such changes are in general conformance with the approved final plan. Any changes considered a major modification, as defined in this section, cannot be approved as a minor modification. The Plan Commission, at its sole discretion, may choose to classify a modification that meets the criteria of this section as a major modification to be approved by the Village Board. Notice is required for a minor modification as for the development plan. When calculating percentages, all fractions are rounded up to the nearest whole number.

- a. An increase or decrease in building height of up to 10%.
- b. An increase or decrease in building coverage and/or impervious surface coverage up to 10%.
- c. A change of in the location of walkways, vehicle circulation ways, and parking areas over ten up to 20 feet.
- d. An increase or decrease in the number of parking spaces of up to ten parking spaces.
- e. A change to the landscape plan that results in a reduction of plant material but does not violate the landscape requirements.

3. Major Modifications

a. The Plan Commission may recommend and the Village Board may approve any other changes to an approved development plan that do not qualify as an administrative or minor modification. In addition, all of the following are considered major modifications:

- i. Any request for an extension of time of the approved development plan.
 - ii. Changes to any conditions imposed as part of the approved development plan.
 - iii. Reductions or alterations in the approved enhanced design and amenities to be provided.
- b. All major modifications to the development plan must be approved by the Village Board. The Village Board may only approve changes to the development plan if they find such changes are in general conformance with the approved development plan, necessary for the continued successful functioning of the planned unit development, respond to changes in conditions that have occurred since the development plan was approved, and/or respond to changes in adopted Village policies.
- c. Upon review of the proposed major modifications, the Village Board may determine that the proposed modifications constitute a new planned unit development and a new application for PUD be submitted and follow the procedures of approval in this section.

13.8 Site Plan Review

A. Purpose

The site plan review process is intended to promote orderly development and redevelopment in the Village, and to assure that such development or redevelopment occurs in a manner that is harmonious with surrounding properties, is consistent with Village's adopted land use policies, and promotes the public health, safety, and welfare of the Village. This section provides standards by which to determine and control the physical layout and design to achieve compatibility of uses and structures, efficient use of land, minimization of traffic and safety hazards, and adequate public facilities.

B. Authority

The Building and Zoning Officer reviews and issues final approval of site plans. The Building and Zoning Officer may convene additional Village staff, as they deem appropriate, to review the site plan.

C. Required Site Plan Review

Site plan review and approval is required for the following developments. Site plan review and approval is not required for single-family dwellings, two-family dwellings, and planned unit developments.

1. New townhouse, multi-family, nonresidential, and mixed-use development, including construction of additional principal buildings on a developed site.
2. Additions to townhouse, multi-family, nonresidential, and mixed-use development that increase the gross floor area by 2,000 square feet or more.
3. Parking lots and parking structures – new and expansions.
4. Drive-through facilities.
5. Wireless telecommunications.

D. Procedure

1. Applications for site plan review must be submitted to the Building and Zoning Officer. The Building and Zoning Officer may convene Village staff to assist in application review.
2. The Building and Zoning Officer must review and evaluate the application, pursuant to the standards of this section, and approve, approve with conditions, or deny the site plan.
3. Site plan approvals are applicable as follows:
 - a. When no other approvals are required, the site plan approval must occur before a building permit is issued. If the Building and Zoning Officer approves the site plan subject to certain conditions, all plans and drawings to be submitted as part of the application for a building permit must be revised to include those conditions.
 - b. When a special use approval is required, the site plan must be approved by Building and Zoning Officer prior to the special use approval. The approved site plan would be forwarded with the application and the recommendation on the approval. The approving body can impose additional conditions on the site plan. If the Building and Zoning Officer approves the site plan subject to certain conditions, the site plan forwarded with the approval application must be revised to include those conditions.
 - c. When a variance is required, the variance must be approved prior to the site plan. Once the variance is approved, the site plan may be submitted for review and approval. If the approving body imposed additional conditions as part of the variance approval, the site plan must include such conditions. If the Building and Zoning Officer approves the site plan subject to certain conditions, the site plan forwarded with the approval application must be revised to include those conditions and any conditions of the variance.

E. Approval Standards

The following standards will be used in the review of site plans:

1. Conformity with the regulations of this Code, the Comprehensive Plan, and adopted land use policies.
2. The location, arrangement, size, design, and general site compatibility of all structures, lighting, and signs to ensure:
 - a. Efficient use of land that responds to the existing off-site utilities and service conditions in order to minimize the demand for additional municipal services, utilities, and infrastructure.
 - b. Compatibility with and mitigation of any potential impact upon adjacent property.
 - c. Lighting designed and installed to minimize adverse impact on adjacent properties.
 - d. Signs in conformance with the Code.
3. Landscape and the arrangement of open space or natural features on the site should:
 - a. Create a desirable and functional open space environment for all site users.
 - b. Preserve unique natural resources, including measures to preserve and protect existing healthy plantings.
 - c. Design drainage facilities to promote the use and preservation of natural watercourses and patterns of drainage.
 - d. Utilize native and naturalized plant materials suitable to withstand the climatic conditions of the Village and microclimate of the site.
 - e. Use of screening to minimize the impact of the development on adjacent uses and mitigate impacts between incompatible uses, creating a logical transition to adjoining lots and developments.
4. Circulation systems and off-street parking designed to:
 - a. Provide adequate and safe access to the site for motor vehicles as well as other modes of transportation, including pedestrians and bicyclists.
 - b. Minimize potentially dangerous traffic movements.
 - c. Minimize curb cuts, including the use of cross-access easements and shared parking.
 - d. Clearly define a network of pedestrian connections in and between parking lots, street sidewalks, open spaces, and structures that is safe, visible, and identifiable.

F. Modifications to Approved Site Plans

1. An application for a modification to an approved site plan must be submitted to the Building and Zoning Officer. Modification applications must include a written description of the proposed change, including the reason for such change, and a notation of the location on the approved site plan.
2. The Building and Zoning Officer may approve the following minor modifications to approved site plans. Only those elements of the site plan being modified need to be submitted for review.
 - a. Minor changes required during construction, as related to final engineering issues such as topography, drainage, underground utilities, structural safety, or vehicular circulation.
 - b. Exterior renovations to a building facade when in conformance with the requirements of this Ordinance.
 - c. The modification of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this Code.

- d. The construction of additional parking spaces.
 - e. The addition of any open space.
 - f. A reduction in the amount of parking spaces so long as the remaining number of spaces is in conformance with the requirements of this Code.
 - g. Modifications to the approved landscape plan that does not result in a reduction of the total amount of plant material required and remains in conformance with all landscape requirements.
 - h. The modification of existing signs or the addition of new signs when in conformance with the requirements of the Code.
3. Any modification not considered a minor modification requires resubmittal of a full site plan.

G. Expiration

The site plan approval expires if a building permit has not been applied for within one year after the date of site plan approval. An extension of this one year validity period may be granted by the Building and Zoning Officer prior to the expiration date of the approval, if the applicant requests an extension in writing prior to the expiration date of the approval.

13.9 Sign Permit

A. Purpose

No sign, unless specifically identified as exempt by this Code, may be erected, constructed, altered, or relocated without first obtaining approval of a sign permit in accordance with the following. A sign permit is intended to ensure that all signs are installed in compliance with this Code.

B. Authority

The Building and Zoning Officer issues sign permits.

C. Application

Applications for sign permit must be submitted to the Building and Zoning Officer. When a sign permit applicant proposes to install a sign on property not owned by the applicant, written permission from the property owner or their authorized agent must be submitted as part of the sign permit application.

D. Process

Upon the filing of a complete application for a sign permit, the Building and Zoning Officer will examine the plans and specifications for the proposed sign and will issue a sign permit if the plans comply with the requirements of this Code and other applicable codes.

E. Expiration

If the work authorized under a sign permit is not completed within six months of issuance of the permit, unless the Building and Zoning Officer has allowed a longer time period of validity at the issuance of the sign permit, the sign permit expires and becomes null and void.

13.10 Temporary Use Permit

A. Purpose

A temporary use permit allows for the short-term use and/or placement of structures on a lot. The temporary use permit regulates temporary uses that occur entirely on and within a lot (private property). Temporary uses located within the public right-of-way are regulated separately.

B. Initiation

A property owner in the Village or a person expressly authorized in writing by the property owner may initiate a temporary use permit application.

C. Authority

The Building and Zoning Officer will review and make final decisions on temporary use permit applications.

D. Procedure

1. All applications for temporary use permit must be filed with the Building and Zoning Officer.
2. The Building and Zoning Officer will render a decision on the temporary use permit. The Building and Zoning Officer must review and evaluate the application, pursuant to the standards of this section, and approve, approve with conditions, or deny the application.

E. Approval Standards

All temporary uses must comply with the requirements of this Code, including the temporary use standards of Article 7, and the following standards:

1. Unless otherwise allowed by this Code, the temporary use or structure complies with the dimensional requirements of the district in which it is located.
2. The temporary use does not adversely impact the public health, safety, and welfare.
3. The temporary use is operated in accordance with any restrictions and conditions as the Police Department, Fire Department, and/or other Village officials may require.
4. The temporary use does not conflict with another previously authorized temporary use.
5. The temporary use provides adequate parking if needed. If located on a lot with an operational principal use, does not impact the parking and site circulation of the principal use.

F. Expiration

The temporary use permit is valid for the time period granted as part of the approval.

13.11 Zoning Interpretation

A. Purpose

The interpretation authority is intended to recognize that the provisions of this Code, though detailed and extensive, cannot, as a practical matter, address every specific zoning issue. However, this zoning interpretation authority is not intended to add or change the essential content of the Code.

B. Initiation

The Plan Commission, Village Board, or a property owner in the Village, or their designee, may request a zoning interpretation. All interpretation requests must be for the purpose of furthering some actual development.

C. Authority

The Building and Zoning Officer will review and make final decisions on written requests for zoning interpretations.

D. Procedure

The Building and Zoning Officer must review a written request for an interpretation and render the interpretation in writing within a reasonable time. The Building and Zoning Officer may request additional information prior to rendering a decision.

13.12 Zoning Appeals

A. Purpose

Zoning appeals provide a process to appeal a decision or ruling of the Building and Zoning Officer in interpreting, applying, and/or enforcing the regulations contained in this Code.

B. Authority

1. The Zoning Board of Appeals hears appeals from and review any order, requirement, decision, or determination made by an official charged with administration and enforcement of this Zoning Code.
2. A decision may only be appealed if an application is filed within 30 days of the date the decision is made.

C. Initiation

An appeal to the Zoning Board of Appeals may be made by a person aggrieved by the Building and Zoning Officer final decision. Such appeal must be made within 30 days of Building and Zoning Officer final decision. All papers constituting the record upon which the action appealed was taken will be transmitted to the Zoning Board of Appeals.

D. Procedure

1. The Zoning Board of Appeals will fix a reasonable time and place for the hearing of appeals and give notice to the person appealing. The Zoning Board of Appeals will hear the appeal within a reasonable time. At the hearings, parties of interest may appear in person or by agent or attorney.
2. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the decision.

Chapter 14. Nonconformities

- 14.1 General Applicability
- 14.2 Nonconforming Use
- 14.3 Nonconforming Structure
- 14.4 Nonconforming Lot of Record
- 14.5 Nonconforming Site Elements
- 14.6 Nonconforming Signs

14.1 General Applicability

A. Authority to Continue

Any use, structure, lot, site element, or sign that legally existed as a nonconformity as of the effective date of this Code, and any use, structure, lot, site element, or sign that has been made nonconforming as of the effective date of this Code, and any subsequent amendments, may continue subject to the provisions of this Chapter so long as it remains otherwise legal. A use, structure, lot, site element, or sign that is illegal as of the effective date of this Code, remains illegal.

B. Burden on Property Owner

The burden of establishing the legality of a nonconformity under the provisions of this Code is the responsibility of the property owner of the nonconforming use, structure, lot, or site element, or the operator of the use.

C. Safety Regulations

All police power regulations enacted to promote public health, safety, and welfare including, but not limited to, all building, fire and health codes apply to nonconformities.

14.2 Nonconforming Use

A. Definition

A nonconforming use is the use of a structure or land that at one time was an allowed use within a zoning district, but because of subsequent amendments to the Code is no longer allowed.

B. Expansion

A nonconforming use of a structure or land cannot be expanded, extended, enlarged, or increased in intensity. Such prohibited activity includes additions or enlargements of any structure devoted entirely to a nonconforming use, and any expansion, extension, or relocation of a nonconforming use to any other structure, any portion of the floor area, or any land area currently not occupied by such nonconforming use.

C. Relocation

A nonconforming use of a structure or land cannot be relocated, in whole or in part, to any other structure or location on the same lot. The nonconforming use may only be relocated to another structure or lot if the use conforms to all regulations of the zoning district where it is relocated.

D. Change of Use

A nonconforming use can only be changed to a use allowed within the zoning district where it is located. When a nonconforming use has been changed, in whole or in part, to an allowed use, the whole or part that conforms cannot be changed back to a use that is not allowed in the district. A change of use occurs when an existing nonconforming use has been terminated and another use has commenced. Any change in use in violation of this Code is deemed an abandonment of the previously existing nonconforming use.

E. Discontinuation or Abandonment

If a nonconforming use is discontinued or abandoned for a continuous period of one year, the nonconforming use is terminated. Any subsequent use or occupancy of such land or structure must comply with all regulations of the zoning district in which the structure or land is located. A period of discontinuance caused by acts of god are not included in calculating the length of discontinuance or abandonment for this section. When a nonconforming use is offered for sale, such sale period of up to one additional year is not included in calculating the length of discontinuance or abandonment for this section; however, all equipment, building design, and similar use infrastructure must be maintained in working condition during the sale period.

F. Damage or Destruction

1. In the event that any structure that is devoted in whole or in part to a nonconforming use is structurally damaged or destroyed through no fault of the property owner or tenant, the nonconforming use may be re-established provided that the intensity of the nonconforming use is not increased.
2. If the structure containing the nonconforming use is a nonconforming structure, the structure may only be rebuilt, restored, repaired, or reconstructed in accordance with Section 14.3. However, if a building permit is not applied for within one year of the date of damage or destruction, then the nonconforming use may not be reestablished unless it conforms to all regulations of the zoning district in which it is located, including use. This time period to apply for a building permit may be extended based on evidence showing good reason for the delay.

14.3 Nonconforming Structure

A. Definition

A nonconforming structure is a principal or accessory structure that at one time conformed to applicable zoning regulations, but because of subsequent amendments to the Code no longer conforms to applicable dimensional regulations.

B. Maintenance

Normal maintenance and repair may be performed on any nonconforming structure. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the previously existing nonconformity.

C. Structural Alterations

Structural alterations are permitted only in the following situations:

1. When the alteration is required by law or is necessary to restore the structure to a safe condition upon the order of any official charged with protecting public safety.
2. When the alteration will eliminate the nonconformity.
3. When the alteration will not create any new nonconformity or increase the degree of any existing nonconformity. For example, if a structure is nonconforming in terms of the required front setback (i.e., does not meet the required minimum), the structure may add a rear addition if it meets all other dimensional regulations of the district.

D. Relocation

A nonconforming structure cannot be relocated, in whole or in part, to any other location on the same lot unless such relocation would make the structure conforming. A nonconforming structure may be relocated to another lot if the structure conforms to all regulations of the zoning district where it is relocated.

E. Damage or Destruction

1. Nonresidential, Townhouse, and Multi-Family Nonconforming Structures

Nonresidential, townhouse, and multi-family nonconforming structures are subject to the following:

- a. In the event that any nonresidential nonconforming structure is damaged or destroyed by an act of god to the extent of 50% or more of its replacement value at the time, then the structure may not be restored or rebuilt unless the structure, including foundation, conforms to all regulations of the zoning district in which it is located.
- b. When a nonresidential nonconforming structure is damaged or destroyed by an act of god to the extent of less than 50% of the replacement value at the time, it may be repaired and reconstructed provided that no new nonconformities are created and that the existing degree of the nonconformity is not increased. A building permit must be applied for for such rebuilding, restoration, repair, or reconstruction within one year of the date of damage or destruction. In the event that the building permit is not applied for within one year, then the structure cannot be restored unless it conforms to all regulations of the district in which it is located. This time period to applied for a building permit may be extended based on evidence showing good reason for the delay.

c. The replacement value of the structure is based on: 1) assessed value or an appraisal within the last two years or, if that is not available; 2) the amount for which the structure was insured prior to the date of the damage or destruction; or, 3) an alternative method determined acceptable by the Village.

2. Nonconforming Single-Family and Two-Family Structures

If a nonconforming single-family or two-family structure is destroyed or damaged by an act of god, regardless of the percent of damage, it may be rebuilt to its original condition before such casualty or loss. A building permit must be applied for such rebuilding, restoration, repair, or reconstruction within one year of the date of damage or destruction. In the event that the building permit is not applied for within one year, then the structure cannot be restored unless it conforms to all regulations of the district in which it is located. This time period to applied for a building permit may be extended based on evidence showing good reason for the delay.

F. Extension of Walls for Nonconforming Single-Family and Two-Family Dwellings

1. Where a single-family or two-family dwelling is deemed nonconforming because of encroachment into a required rear or interior side setback, the structure may be enlarged or extended horizontally or vertically along the same plane as the existing perimeter walls, so long as the resulting structure does not violate any other district regulation.

2. When such extension of a principal structure building wall is within the required interior side setback, and includes eaves that are encroaching into such required setback, the continued encroachment of eaves into the required interior side setback is permitted but cannot exceed the existing eave encroachment prior to the expansion.

14.4 Nonconforming Lot of Record

A. Definition

A nonconforming lot of record is a lot of record that at one time conformed to the lot dimension requirements of the zoning district in which it is located, but because of subsequent amendments to the Code no longer conforms to the applicable lot dimensions.

B. Use

A nonconforming lot of record may be used for a permitted or special use allowed within the zoning district.

C. Development

Development of a nonconforming lot of record must meet all applicable dimensional regulations of the district in which it is located with the exception of that lot dimension requirement that renders it nonconforming.

D. Lot Division

No division of a nonconforming lot is permitted that creates a nonconforming lot and/or renders a lot or lots remaining nonconforming.

E. Common Ownership Limitation

If two or more lots with contiguous street frontage are held in common ownership that have historically been used as a single development site, and one or more of the lots does not meet the requirements for lot width or lot area as established by this Code, the land is considered to be a single zoning lot for the purposes of this Code. No portion of the lots may be used, transferred, or conveyed if it does not meet the lot width and lot area requirements of this Code. No division of the lot may be made which leaves the remaining lot or lots with lot width or lot area below the minimum requirements of this Code without approval of a variation. No building permit may be issued for the use of any lot or portion of a lot transferred or conveyed in violation of this section.

F. Building Permits

No building permit will be issued for the use of any lot or portion of a lot, transferred or conveyed in violation of this Chapter.

14.5 Nonconforming Site Elements

A. Definition

A nonconforming site element is a site development element, such as landscape or lighting, that at one time conformed to the requirements of this Code, but because of subsequent amendments, has been made nonconforming.

B. Maintenance

Normal maintenance and incidental repair to a nonconforming site element may be performed. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the previously existing nonconformity.

C. Required Conformance

1. General

All nonconforming site elements must be brought into conformance when the following occurs:

- a. A new principal building is constructed on a site. This includes construction of a second principal building on the site.
- b. An existing principal building is increased in building footprint square footage by 30% or more.

2. Nonconforming Parking Lot Landscape

When a parking lot does not conform to required parking lot landscape requirements, it must be brought into conformance when such parking lot is fully reconstructed or expanded by an additional 50% or more spaces (viz., the total number of spaces after expansion is 150% or more of the spaces prior to expansion).

- a. Resealing or re-striping of an existing parking lot, which does not entail paving, resurfacing, or replacement of the asphalt, concrete, or other paving material, is not considered reconstruction.
- b. If such action would result in creating a parking area that no longer conforms to the parking regulations of this Code, such existing parking lot is not required to install all or a portion of the required landscape. The applicant is required to show that landscape cannot be accommodated on the site.
- c. If only certain requirements are able to be accommodated on the site, only those elements are required. The Building and Zoning Officer will make the determination that all or a portion of required landscape does not have to be installed.

3. Nonconforming Exterior Lighting

For exterior lighting, when 25% or more of exterior lighting fixtures are replaced, all exterior lighting on the site must be brought into conformance. This is calculated as installation of new lighting posts and/or non-post mounted lighting fixtures based on the total lighting installed by the type of mounting. For example, if over 25% of the wall-mounted fixtures are to be replaced, all wall-mounted fixtures must be brought into conformance while nonconforming freestanding fixtures may remain.

14.6 Nonconforming Signs

A. A nonconforming permanent sign and sign structure may remain in use so long as it remains otherwise lawful and has not been damaged or destroyed to the extent of less than 50% of its value prior to the damage. A nonconforming permanent sign and sign structure that is damaged or destroyed to the extent of 50% or more of its value prior to the damage, or if it the sign and/or sign structure has been removed, cannot be restored or repaired unless it conforms to all applicable regulations for the district. Sign owners must supply the Building and Zoning Officer with a repair cost estimate of the damaged sign and an estimate of the cost of a new identical sign.

B. All temporary nonconforming signs must be removed or brought into conformance within 30 days of the effective date of this Code.

C. The sign face of an existing nonconforming permanent sign may be replaced, but the structure cannot be altered to accommodate such change. A change of a sign face requires a sign permit.

D. No nonconforming sign and sign structure may be relocated, in whole or in part, to any other location on the same or other lot, unless the entire sign and sign structure conforms to all regulations applicable to the lot where the sign is relocated.

E. No nonconforming sign can be altered or enlarged in a way that increases the nonconformity of the sign or sign structure. This does not include normal maintenance, cleaning, or changing of the sign face.

Chapter 15. Enforcement

15.1 Enforcement Official

15.2 Application of Penalties

15.3 Proceedings for Enforcement

15.1 Enforcement Official

A. This Code is enforced by the Building and Zoning Officer or their designee. They are permitted to make inspections and, for that purpose, may enter buildings, structures and premises, administer and enforce these provisions, and, to that end, make such orders, requirements, decisions, and determinations as are necessary with respect to application for permits and the enforcement of this Code.

B. The Building and Zoning Officer may secure the assistance of the Village Attorney to seek an injunction, abatement, or other appropriate actions to enjoin, abate, or stop any violation of this Code. At times, the aid of the Police Department may be sought to enforce this Code. The property owner charged with the violation may be held responsible for any legal expenses incurred by the Village.

15.2 Application of Penalties

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Code, upon conviction, will be fined \$750.00 per day for each offence. Each day that a violation continues constitutes a separate offense for the purposes of the penalties and remedies available to the Village.

15.3 Proceedings for 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 Code or other regulation made under the authority conferred thereby, the proper local authorities of the Village, in addition to other remedies, may institute any appropriate action or proceedings:

- A.** To prevent the unlawful construction, reconstruction, alteration, repair, conversion, maintenance, or use.
- B.** To prevent the occupancy of the building, structure, or land.
- C.** To prevent any illegal act, conduct, business, or use in or about the premises.
- D.** To restrain, correct, or abate the violation.