

## AGENDA

MEETING OF THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON WEDNESDAY, DECEMBER 7, 2022 AT 7:00 P.M. AT THE VILLAGE OF WILLOWBROOK POLICE DEPARTMENT, TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, ILLINOIS 60527.

THE VILLAGE WILL BE PROVIDING AN OPTION TO ATTEND THE DECEMBER 7, 2022 PLAN COMMISSION MEETING VIRTUALLY. TO JOIN THE ZOOM MEETING, USE THE LINK BELOW:

Join Zoom Meeting:

<https://us06web.zoom.us/j/82985245928?pwd=WUdTb0NKY3pCeVdrSURJUlhWKy9TZz09>

Meeting ID: 829 8524 5928

Passcode: 601077

1. CALL TO ORDER
2. ROLL CALL
3. OMNIBUS VOTE AGENDA
  - A. Waive Reading of Minutes (APPROVE)
  - B. Minutes of July 13, 2022 Plan Commission Public Hearing
4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 22-05: Consideration of a petition for the following:
  - a. Replace, in its entirety, the current Village of Willowbrook Municipal Code, Title 9, Chapter 1 through 17, and the Village of Willowbrook Municipal Subdivision Regulations, Title 10, Chapter 1 through 8 with the Village of Willowbrook Unified Development Ordinance as proposed.
  - b. Amend the current Village of Willowbrook Zoning Map, adopted and approved by the Village of Willowbrook March 28, 2022 with the proposed zoning map for the Village of Willowbrook, dated November 29, 2022.

The applicant for this petition is the Village of Willowbrook, an Illinois Municipal Corporation, 835 Midway Drive, Willowbrook, Illinois, 60527.

  - A. PUBLIC HEARING
  - B. DISCUSSION/RECOMMENDATION
5. VISITOR'S BUSINESS
6. COMMUNICATIONS
7. ADJOURNMENT

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, JULY 13, 2022 AT THE WILLOWBROOK POLICE DEPARTMENT, TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, ILLINOIS

DUE TO THE COVID19 PANDEMIC THE VILLAGE WILL BE UTILIZING A ZOOM CONFERENCE CALL FOR THIS MEETING

1. CALL TO ORDER

Chairman Kopp called the meeting to order at the hour of 7:00 p.m.

The Governor of the State of IL. has declared a Gubernatorial disaster proclamation in response to the Covid-19 Act outbreak and all the Village of Willowbrook is covered by the disaster area. In light of the ongoing Covid 19 outbreak the Mayor of the Village of Willowbrook has determined that an in-person meeting for the July 13, 2022, Plan Commission may not be practical or prudent for all persons in light of the disaster thus the Village has provided an option to attend the July 13, 2022, Plan Commission meeting remotely.

2. ROLL CALL

Those physically present at the VOW Police station were Chairman Kopp, Vice Chairman Wagner, Commissioners Kanaverskis, Kaczmarek, Kaucky, Walec, and Director of Community Development Mike Krol

Present Via Zoom COVID -19 Pandemic were Commissioners Baksay

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- A. Waive Reading of Minutes (APPROVE)
- B. Minutes-April 6, 2022 Plan Commission Public Hearing
- C.

MOTION: Made by Vice Chairman Wagner, and second by Commissioner Walec, approve the Omnibus Vote Agenda as presented, all in favor

Roll Call votes: AYES, Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Vice Chairman Wagner and Chairman Kopp NAYS: None

MOTION DECLARED CARRIED

4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 22-03; Consideration of a petition to amend a previously approved special use permit to allow the relocation and enlargement of the dumpster enclosure and consideration of zoning variations from Title 9 of the Village Code. the applicant for this petition is David Schaefer from David A Schaefer Architects PC, 2500 S Highland Avenue Suite 340, Lombard, IL 60148.

5. PUBLIC HEARING

A. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes for Discussion and Recommendation

Motion to close Public Hearing by Vice Chairman Wagner and seconded by Commissioner Kaczmarek, all in favor.

Roll Call; AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Vice Chairman Wagner, and Chairman Kopp, NAYS: None

MOTION DECLARED CARRIED

MOTION: Based on the submitted petition and testimony presented, I move that the Plan Commission forward its findings of Fact to the Mayor and Village Board for the special use amendment and variations as described in Staff Report prepared for the July 13,2022, Plan Commission Public Hearing for PC 22-03 and recommend approval of an amendment to the existing special use and requested variations with the Recommended Conditions of Approval listed in the Staff report:

1. A permit for the construction of the dumpster enclosure is required.
2. Final engineering and building plans shall be reviewed and approved by the Village review consultants prior to issuance of a building permit by the Village of Willowbrook.
3. The site shall occur in conformance with the site plan, Sheet A1, provided by David A. Schaefer Architects, dated April 28, 2022, revised May 16,2022.
4. The landscape areas shall occur generally in conformance with the landscape plans, Sheet L1 and L2 provided by Kestrel Design
5. The trash enclosure shall be constructed to look like masonry and shall appear similar to the color and style of the building.

Made by Commissioner Kaucky and second by Commissioner Walec all in favor  
Roll Call Vote: AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Vice  
Chairman Wagner and Chairman Kopp NAYS: None

MOTION DECLARED CARRIED

6. VISTOR'S BUSINESS

None

7. COMMUNICATIONS:

Discussion was had if this really needed to be a public hearing or not, being a just a dumpster,  
Since needing two. zoning variations required is why we had to amend the PUD. Panda Express has  
several items still missing such as IDOT approval for Right of Way and NFR letter.

8. ADJOURNMENT

MOTION: Made by Vice Chairman Wagner and second by Commissioner Kaczmarek to adjourn the  
meeting of the Plan Commission at the hour of 7:16 p.m. all in favor  
Roll call: AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Vice Chairman  
Wagner and Chairman Kopp NAYS: None

MOTION DECLARED CARRIED

UNANIMOUS VOICE VOTE  
PRESENTED, READ, AND APPROVED,

December 7, 2022

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Chairperson

Minutes transcribed by Building and Zoning Secretary Lisa J Shemroske

# **VILLAGE OF WILLOWBROOK PLANNING & ZONING**

**July 13, 2022**



**311 S. County Farm Road, Suite F  
Wheaton, Illinois 60137  
(630)690-0050  
Fax (630)588-9866  
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**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

1

VILLAGE OF WILLOWBROOK  
PLANNING & ZONING  
HEARING CASE NUMBER 22-03

REPORT OF PROCEEDINGS VIA ZOOM  
at the meeting held before the Planning & Zoning  
Commission of Willowbrook on the 13th day of July,  
2022, at the hour of 7:00 p.m., as reported by  
Donna Watwood, Certified Shorthand Reporter in and  
for the County of Kane and State of Illinois.

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

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**APPEARANCES:**

Daniel Kopp - Chairman

John Wagner - Vice Chairman

Catherine Kaczmarek - Member

Leonard Kaucky - Member

Maciej Walec - Member

Zoltan Baksay - Member

Ronald Kanaverskis - Member

Michael Krol - Director of Community  
Development

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

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1           CHAIRMAN KOPP: Chairman Kopp. I call to  
2 order the meeting of the Plan Commission of the  
3 Village of Willowbrook, and I ask Plan Commission  
4 Secretary to call the roll.

5           MS. SHEMROSKE: Commissioner Baksay.

6           (No response.)

7           MS. SHEMROSKE: Commissioner Kanaverskis?

8           COMMISSIONER KANAVERSKIS: Yes.

9           MS. SHEMROSKE: Commissioner Kaczmarek?

10          CO MISSIONER KACZMAREK: Here.

11          MS. SHEMROSKE: Commissioner Kaucky?

12          COMMISSIONER KAUCKY: Here.

13          MS. SHEMROSKE: Commissioner Walec?

14          COMMISSIONER WALEC: Here.

15          MS. SHEMROSKE: Vice-Chairman Wagner?

16          VICE-CHAIRMAN WAGNER: Here.

17          MS. SHEMROSKE: Chairman Kopp?

18          CHAIRMAN KOPP: Here.

19          MS. SHEMROSKE: Director of Community  
20 Development, Mike Krol?

21          MR. KROL: Here.

22          MS. SHEMROSKE: And, for the record, I am



**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

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1 the secretary, Lisa Shemroske.

2 MR. KROL: Real quick, the Plan  
3 Commission member Baksay just signed onto Zoom.

4 MS. SHEMROSKE: Okay.

5 CHAIRMAN KOPP: The Governor of the State  
6 of Illinois has declared a gubernatorial disaster  
7 proclamation in response to the Covid-19 epidemic  
8 outbreak, and all of the Village of Willowbrook is  
9 covered by the disaster area.

10 In light of the ongoing Covid-19  
11 outbreak, the Mayor of the Village of Willowbrook  
12 has determined that an in-person meeting for the  
13 July 13, 2022, Plan Commission Meeting may not be  
14 practical or prudent for all persons in light of  
15 the disaster. Thus, the Village has provided an  
16 option to attend the July 13, 2022, Plan Commission  
17 Meeting remotely.

18 The next item on the agenda is the  
19 omnibus vote agenda.

20 Would any of the commissioners like to  
21 approve the items on the omnibus vote agenda? If  
22 not, we'll sign and make a motion.

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
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1 MS. COURT REPORTER: Excuse me. It  
2 is really hard to hear. There is a lot of noise in  
3 the background.

4 CHAIRMAN KOPP: Is this better?

5 MS. COURT REPORTER: Yes. Thank you.

6 VICE-CHAIRMAN WAGNER: Wagner makes a  
7 motion.

8 COMMISSIONER WALEC: Walec will second.

9 CHAIRMAN KOPP: I will ask the Plan  
10 Commission Secretary to call the vote.

11 MS. SHEMROSKE: Commissioner Baksay?

12 COMMISSIONER BAKSAY: Yes.

13 MS. SHEMROSKE: Commissioner Kanaverskis?

14 COMMISSIONER KANAVERSKIS: Yes.

15 MS. SHEMROSKE: Commissioner Kaczmarek?

16 COMMISSIONER KACZMAREK: Yes.

17 MS. SHEMROSKE: Commissioner Kaucky?

18 COMMISSIONER KAUCKY: Yes.

19 MS. SHEMROSKE: Commissioner Walec?

20 COMMISSIONER WALEC: Yes.

21 MS. SHEMROSKE: Vice-Chairman Wagner?

22 VICE-CHAIRMAN WAGNER: Yes.

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

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1 MS. SHEMROSKE: Chairman Kopp?

2 CHAIRMAN KOPP: Yes.

3 The next item on the agenda is Zoning  
4 Hearing Case 22-03.

5 The purpose of this public hearing shall  
6 be to consider a petition request and approval of  
7 an amendment to a special use permit within the B-2  
8 Community Shopping District zoning classification,  
9 including certain variations from Title 9 of the  
10 Village Code. The applicant seeks to relocate and  
11 enlarge the dumpster enclosure with associated site  
12 improvements at the property located at the  
13 northwest corner of the intersection of Illinois  
14 Route 83 and Plainfield Road with an address of  
15 7000 Kingery, Willowbrook, Illinois.

16 The applicant for this petition is David  
17 Schaefer for the property owner Mahboob Management,  
18 Inc. A copy of this notice was published in the  
19 June 27th, 2022, edition of the Chicago Sun-Times  
20 newspaper.

21 Mike Krol, would you like to give a  
22 presentation?

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

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1           MR. KROL: Yes. Thank you, Mr. Chairman.

2           I will give a brief overview of the  
3 request. And then the applicants are here tonight  
4 to answer any questions that I may not be able to.

5           So there's actually two requests of the  
6 special use amendment. One is the relocation and  
7 enlargement of the dumpster enclosure that now sits  
8 near the car wash exit. And the intent is to  
9 relocate the dumpster to the north side of the  
10 property just behind the car wash exit, so it's  
11 kind of --

12           UNIDENTIFIED SPEAKER: The existing  
13 dumpster is by the car wash entrance?

14           MR. KROL: Entrance, right. And then  
15 it's going to be relocated toward the exit.

16           And then also there's relocation of  
17 existing landscaping and then adding some new  
18 plantings as you'll see in your landscape plans.

19           There are two zoning variations.  
20 Section 9-12-2 to decrease the refuse bin permitted  
21 encroachment from ten feet to the property line to  
22 seven feet from the property line. Section 9-12-2

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1 to allow the refuse bin permitted encroachment into  
2 the side yard setback of the B-2 Zoning District.

3 So here these are in your packets here.  
4 Look to see, it is a little bit farther. There we  
5 go.

6 So this sub-plan is in your packet. You  
7 can see the yellow at the top of the page is where  
8 the proposed dumpster enclosure will be located.  
9 Towards the bottom of the page in that little  
10 clouded area is where the existing location is now.  
11 That area will be curved and relandscaped. And  
12 then the 12 by 12 you can see on the top of the  
13 page is located at seven feet away from the  
14 property line and technically in the -- along the  
15 north line of the side yard.

16 Here is just an elevation of the trash  
17 enclosure, basically the construction details.  
18 This is also provided in your packet.

19 And then, lastly, here are a couple of  
20 clips off the landscaping plan. On the left, that  
21 is the existing location so you can see that some  
22 new plantings will be added there along with

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

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1 relocating some of the existing plantings. And on  
2 the right you can see where the proposed dumpster  
3 enclosure is going. And then it labels the plants  
4 that are going to be relocated.

5 So with that said, I'll turn it over to  
6 the applicant to provide any more details or answer  
7 any questions.

8 MS. SHEMROSKE: Donna, would you swear in  
9 the witness.

10 (Witness sworn.)

11 DAVID SCHAEFER,  
12 a witness herein, having been first duly sworn,  
13 testified as follows:

14 MR. SCHAEFER: I am David Schaefer. I am  
15 the architect for the project. And I think it's  
16 pretty self-explanatory what we're trying to do.

17 But the main driver of this change, the  
18 reason for it, is the safety of the people that are  
19 actually using the car wash. Because if you go to  
20 the -- Well, the dumpster currently located in this  
21 location, cars that are in this location, when they  
22 pay at the kiosk and they're going into the tunnel

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
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1 to make this right turn, it's a six-foot high brick  
2 wall at that corner. And it's very difficult for  
3 people to see around the corner to move their car.  
4 It acts like a big barrier for them. It's hard to  
5 maneuver.

6 So without those and moving the enclosure  
7 and putting some lower landscaping ground cover,  
8 people can make the turn much easier and safer, and  
9 the dumpster is out of the way.

10 There is still plenty of access for the  
11 refuse department to collect. This is the new  
12 location. And then they just go in when the car  
13 wash -- They have an agreement to pick up refuse  
14 when the car wash is not operating hours.

15 Does anyone have any questions?

16 CHAIRMAN KOPP: Does any of the  
17 commissioners have any questions of the applicant  
18 or Michael?

19 (No response.)

20 CHAIRMAN KOPP: Are there any members of  
21 the public present on Zoom who have any questions  
22 for the applicant?

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1 (No response.)

2 MR. KROL: I will just verify on Zoom.

3 There are no other members of the public on Zoom.

4 CHAIRMAN KOPP: Okay. All right. I  
5 think that's it.

6 Will someone make a motion to close the  
7 public hearing for Zone Hearing Case 22-03?

8 VICE-CHAIRMAN WAGNER: Wagner, so moved.

9 COMMISSIONER KANAVERSKIS: Kanaverskis,  
10 second.

11 CHAIRMAN KOPP: Will the Plan Commission  
12 Secretary call the vote?

13 MS. SHEMROSKE: Commissioner Baksay?

14 COMMISSIONER BAKSAY: Yes.

15 MS. SHEMROSKE: Commissioner Kanaverskis?

16 COMMISSIONER KANAVERSKIS: Yes.

17 MS. SHEMROSKE: Commissioner Kaczmarek?

18 COMMISSIONER KACZMAREK: Yes.

19 MS. SHEMROSKE: Commissioner Kaucky?

20 COMMISSIONER KAUCKY: Yes.

21 MS. SHEMROSKE: Commissioner Walec?

22 COMMISSIONER WALEC: Yes.



**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
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1 MS. SHEMROSKE: Vice-Chairman Wagner?

2 VICE-CHAIRMAN WAGNER: Yes.

3 MS. SHEMROSKE: Chairman Kopp?

4 CHAIRMAN KOPP: Yes.

5 All right. This just seems like a  
6 no-brainer, and frankly I'm sorry that you had to  
7 go through this expense and this time to do this.

8 You're making the facility safer and  
9 really no harm to anyone. So I'm going to  
10 personally vote in favor of this. I didn't know if  
11 anybody else wanted to speak or if I should just  
12 call the vote.

13 (No response.)

14 CHAIRMAN KOPP: Will someone make a  
15 motion based on the submitted petition and  
16 testimony presented? And I move that the Plan  
17 Commission forward its findings of fact to the  
18 Mayor and Village Board for the special use  
19 amendment and variations as described in staff  
20 report prepared for the July 13, 2022, Plan  
21 Commission Public Hearing for PC 22-03.

22 I recommend approval on the amendment to

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

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1 the existing special use and requested variations  
2 with the recommended conditions of approval listed  
3 in the staff report:

4           Mainly, one, a permit for the  
5 construction of the dumpster enclosure required;

6           Two, final engineering and building plans  
7 shall be reviewed and approved by the Village  
8 review consultants prior to the issuance of a  
9 building permit by the Village of Willowbrook;

10           Three, the site shall occur generally in  
11 conformance with the site plan, Sheet A1, provided  
12 by David A. Schaefer Architects, dated April 28,  
13 2022, revised May 16, 2022;

14           Four, the landscape areas shall occur  
15 generally in conformance with the landscape plans,  
16 Sheet L1 and L2 provided by Kestrel Design; and

17           Five, that the trash enclosure shall be  
18 constructed to look like masonry and shall appear  
19 similar to the color and style of the building.

20           Will someone make that motion?

21           COMMISSIONER KAUCKY: Kaucky, so moved.

22           COMMISSIONER BAKSAY: Second.

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
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1           CHAIRMAN KOPP: Madam Secretary, will you  
2 call a vote?

3           MS. SHEMROSKE: Commissioner Baksay?

4           COMMISSIONER BAKSAY: Yes.

5           MS. SHEMROSKE: Commissioner Kanaverskis?

6           COMMISSIONER KANAVERSKIS: Yes.

7           MS. SHEMROSKE: Commissioner Kaczmarek?

8           COMMISSIONER KACZMAREK: Yes.

9           MS. SHEMROSKE: Commissioner Kaucky?

10          COMMISSIONER KAUCKY: Yes.

11          MS. SHEMROSKE: Commissioner Walec?

12          COMMISSIONER WALEC: Yes.

13          MS. SHEMROSKE: Chairman Kopp?

14          CHAIRMAN KOPP: Yes.

15          That's it. Thank you very much.

16          MR. SCHAEFER: Thank you.

17          CHAIRMAN KOPP: The next item of business  
18 is visitor's business, and we have no visitors.

19                The next item is communications. I do  
20 think this was kind of crazy. And I am going to  
21 mention at the next meeting we have with the  
22 trustees that there should be a way to streamline

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
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1     this. Because I have no idea -- How much did this  
2     application cost?

3             I'm not talking about the architectural.  
4     I'm talking about how much did he have to pay the  
5     Village?

6             MR. KROL: There's a Plan Commission fee  
7     and then variance fees.

8             CHAIRMAN KOPP: It seems crazy to me that  
9     they have to go through all this, but.

10            UNIDENTIFIED SPEAKER: But you don't know  
11    where -- You want to know where the location of the  
12    dumpster is.

13            CHAIRMAN KOPP: I just think that --

14            UNIDENTIFIED SPEAKER: You know, it might  
15    be up against the back --

16            CHAIRMAN KOPP: No, no, I understand.

17            UNIDENTIFIED SPEAKER: You know, if you  
18    were right next door.

19            CHAIRMAN KOPP: I'm not suggesting we  
20    just let them do whatever they want. It just seems  
21    like an overkill because they had to do all the  
22    same things like they were completely redeveloping

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
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1 the property.

2 MR. KROL: If I could, if the dumpster  
3 enclosure was in a permitted location, then we --  
4 that would have been considered a small enough  
5 change where we would not have had to bring an  
6 amendment change.

7 But the fact that there were two zoning  
8 variations located there is why we also said well  
9 let's just amend the PUD to update its backlash.

10 CHAIRMAN KOPP: I'm not being critical.  
11 I know they're just following the procedure.

12 COMMISSIONER BAKSAY: This is  
13 Commissioner Baksay. I think it's a slippery slope  
14 if we start arbitrarily determining that this  
15 zoning change doesn't require, you know, coming in  
16 front of the Plan Commission but that another one  
17 does. And I think it's just cleaner to say, hey,  
18 if there's zoning variances it's got to come before  
19 us.

20 But that's -- I certainly understand, you  
21 know, your position. This one was a fairly  
22 straightforward one and non-controversial, but

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1     there's no guarantee that the future ones would not  
2     be controversial or that we wouldn't have comments.

3             CHAIRMAN KOPP:   Communications.   Mike, do  
4     you have any communications for us?

5             VICE-CHAIRMAN WAGNER:   Can I ask a  
6     question about that Panda Express?

7             It seems like everything's gone on hold  
8     or something's happened.

9             MR. KROL:   Yes.   There are several items,  
10    a couple of things.   One is IDOT approval for the  
11    right-of-way.   They have not submitted the  
12    cross-access agreement to use the Red Roof Inn  
13    access parking lot.   One of the biggest is the NFR  
14    letter from the IEPA.

15            They may be coming before you to request  
16    a continuance because they have 18 months to begin  
17    the project after approval, and they don't think  
18    they're going to get the NFR letter for the  
19    contaminated soils by November 20, 2022, is when  
20    the special use would expire.   So we're talking to  
21    them about how they want to proceed.   The plans are  
22    almost approved.

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
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1           We've been back and forth with DuPage  
2   County Health Department. There was some  
3   dishwasher and sink locations that were not  
4   approved by the health department. So we've been  
5   back and forth with them as well as the  
6   corrections.

7           But as far as the engineering and the  
8   building itself, everything else has been approved  
9   and ready to issue a permit. There's just some of  
10   those items that still need to be submitted and  
11   happen.

12           CHAIRMAN KOPP: All right. Anybody else?

13           (No response.)

14           CHAIRMAN KOPP: Anyone want to make a  
15   motion to adjourn?

16           VICE-CHAIRMAN WAGNER: Wagner, so moved.

17           COMMISSIONER KACZMAREK: Kaczmarek,  
18   second.

19           CHAIRMAN KOPP: Madam Secretary, will you  
20   call the vote?

21           MS. SHEMROSKE: Commissioner Baksay?

22           COMMISSIONER BAKSAY: Yes.

**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

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1 MS. SHEMROSKE: Commissioner Kanaverskis?

2 COMMISSIONER KANAVERSKIS: Yes.

3 MS. SHEMROSKE: Commissioner Kaczmarek?

4 COMMISSIONER KACZMAREK: Yes.

5 MS. SHEMROSKE: Commissioner Kaucky?

6 COMMISSIONER KAUCKY: Yes.

7 MS. SHEMROSKE: Commissioner Walec?

8 COMMISSIONER WALEC: Yes.

9 MS. SHEMROSKE: Vice-Chairman Wagner?

10 VICE-CHAIRMAN WAGNER: Yes.

11 MS. SHEMROSKE: Chairman Kopp?

12 CHAIRMAN KOPP: Yes.

13 MS. SHEMROSKE: Thank you.

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**VILLAGE OF WILLOWBROOK PLANNING & ZONING  
PLANNING AND ZONING HEARING**

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1     STATE OF ILLINOIS         )  
                                      )   SS.  
2     COUNTY OF K A N E         )

3  
4                     I, DONNA L. WATWOOD, being first duly  
5     sworn on oath says that she is a certified  
6     shorthand reporter doing business in the County of  
7     Kane and State of Illinois; that she reported in  
8     shorthand the testimony given at said hearing  
9     aforesaid; that the foregoing is a true and correct  
10    transcript of her shorthand notes so taken as  
11    aforesaid, and contains all the testimony so given  
12    at said hearing.



*Donna L. Watwood*

16                     Donna L. Watwood  
17                     Kane County, Illinois  
18                     CSR#   084-003686.  
19  
20  
21  
22





**Village of Willowbrook**  
Staff Report to the Plan Commission

<b>Public Hearing Date:</b>	December 7, 2022
<b>Prepared By:</b>	Michael Krol, Director of Community Development
<b>Case Title:</b>	PC 22-05: Consideration of a petition for the following: <ol style="list-style-type: none"><li>1. Adopt the Village of Willowbrook Unified Development Ordinance replacing, in its, entirety, the current Village of Willowbrook Municipal Code, Title 9, Chapter 1 through 17, and the Village of Willowbrook Municipal Subdivision Regulations, Title 10, Chapter 1 through 8.</li><li>2. Amend the current Village of Willowbrook Zoning Map, adopted and approved by the Village of Willowbrook March 28, 2022, with the proposed Village of Willowbrook Zoning Map, dated November 29, 2022.</li></ol>
<b>Petitioner:</b>	Village of Willowbrook, an Illinois Municipal Corporation, 835 Midway Drive, Willowbrook, Illinois 60527.
<b>Action Requested by</b>	Consideration and recommendation of the Unified Development Ordinance and the Village of Willowbrook Zoning Map amendment dated November 29, 2022.
<b>Necessary Action by Plan Commission:</b>	Make either a positive recommendation or negative recommendation to the Mayor and Village Board for the proposed Unified Development Ordinance and Village of Willowbrook Zoning Map Amendment. A sample motion can be found on page 4.





**Documents Attached:**

- Attachment 1: Public Hearing Notice (2 sheets)
- Attachment 2: Amended Zoning Map (1 sheet 11x17)
- Attachment 3: Village of Willowbrook Unified Development Ordinance (165 sheets)

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## **History & Background**

In 2021, the Village Board approved a contract with Houseal Lavigne Associates for the update to the zoning code. As the Plan Commission is aware, the Village has never comprehensively updated its zoning code since its founding in 1960. Since the Village Board's approval of the contract, staff and the steering committee have been working with representatives from Houseal Lavigne to review and provide guidance. Throughout the calendar year, the Plan Commission and Village Board have met several times jointly to review each proposed Article of the proposed zoning code, otherwise known as the Unified Development Ordinance (UDO). At each meeting, the members engaged in discussions and provided staff and Houseal Lavigne input and changes to the proposed zoning code and subdivision regulation chapters.

The Village Zoning Map is updated annually on or before March 31<sup>st</sup> as required by the Illinois Municipal Code:

Sec. 11-13-19. Except as otherwise provided in this section, the corporate authorities shall cause to be published no later than March 31 of each year a map clearly showing the existing zoning uses, divisions, restrictions, regulations and classifications of such municipality for the preceding calendar year. The first map published in 1960 shall reflect all zoning uses, divisions, restrictions, regulations and classifications in effect on and prior to December 31, 1959. If in any calendar year after the first map is published there are no changes in zoning uses, divisions, restrictions, regulations and classifications in such municipality, no map shall be published for such calendar year.

Houseal Lavigne has proposed an updated Village zoning map based on the revised zoning districts and classifications within the proposed Unified Development Ordinance.

## **Discussion of Request**

This Village-initiated zoning code rewrite and zoning map amendment was brought about because the zoning code has never comprehensively updated its zoning code. The proposed map amendment coincides with the proposed establishment of districts, which reduces the number of zoning districts thus requiring a zoning map amendment. The proposed Village of Willowbrook Unified Development Ordinance includes following Articles for review:

- Article 1 – General Provisions
- Article 2 – Establishment of Districts
- Article 3 – District Standards
- Article 4 – Use-Specific Standards
- Article 5 – General Development Standards
- Article 6 – Signs
- Article 7 – Subdivision Standards and Procedures
- Article 8 – Planned Development Standards and Procedures
- Article 9 – Zoning Procedures
- Article 10 – Nonconformities
- Article 11 – Definitions

All the discussions, feedback, changes, and input from the Plan Commission and Village Board joint review meetings have been incorporated into the final draft of the proposed Village of Willowbrook Unified Development Ordinance, which is attached for the Plan Commission consideration.







## Recommendation

Village Staff recommends that the Plan Commission forward the proposed Unified Development Ordinance and Village of Willowbrook Zoning Map amendment to the Mayor and Village Board for consideration.

If additional time or testimony is needed, the Plan Commission may wish to continue this hearing and/or consideration of the amendment. If the Plan Commission's work is completed, the following sample motion is provided for the Plan Commission's use:

### Sample Motion

Based on the submitted petition and testimony presented, I move that the Plan Commission recommend to the Village Board, approval of the proposed Unified Development Ordinance (UDO) presented on Pages 1-165 and the approval of the Village of Willowbrook Zoning Map on Page 7 of the staff Report for PC Case Number 22-05 to replace, in its, entirety, the current Village of Willowbrook Municipal Code, Title 9, Chapter 1 through 17, and the Village of Willowbrook Municipal Subdivision Regulations, Title 10, Chapter 1 through 8 and the current Village of Willowbrook Zoning Map, adopted and approved by the Village of Willowbrook March 28, 2022.

If the Plan Commission wishes to *deny* the proposed Unified Development Ordinance, staff recommends the following sample motion:

Based on the submitted petition and testimony presented, I move that the Plan Commission forward a negative recommendation to the Village Board for the proposed Unified Development Ordinance (UDO) presented on Pages 1-165 and the Village of Willowbrook Zoning Map on Page 7 of the Staff Report for PC Case Number 22-05 to replace, in its, entirety, the current Village of Willowbrook Municipal Code, Title 9, Chapter 1 through 17, and the Village of Willowbrook Municipal Subdivision Regulations, Title 10, Chapter 1 through 8 and the current Village of Willowbrook Zoning Map, adopted and approved by the Village of Willowbrook March 28, 2022.





Attachment 1  
Public Hearing Notice (2 Sheets)

VILLAGE OF WILLOWBROOK  
ZBA CASE NO. 22-06

ADORDERNUMBER: 0001151235-01  
PO NUMBER: ZBA CASE NO. 22-05  
AMOUNT: 397.00  
NO OF AFFIDAVITS: 1

**NOTICE OF PUBLIC HEARING  
ZONING HEARING CASE NO. 22-06**

NOTICE IS HEREBY GIVEN that the Plan Commission of the Village of Willowbrook, DuPage County, Illinois, will conduct a public hearing at a regular meeting of the Plan Commission on the 7th of December 2022 at the hour of 7:00 P.M. in the Willowbrook Police Department Training Room, 7760 S. Quincey St., Willowbrook, IL 60527.

Due to the Covid-19 Pandemic, the Village will be utilizing a Zoom webinar. Member of the public can attend the meeting via Zoom Webinar by video or audio. If a member is using Zoom, please either use your phone or computer, not both. In Internet address and access instructions will be provided on the Village of Willowbrook's Plan Commission website once available.

<https://www.willowbrookil.org/Archive.aspx?AMID=44>

The applicant for the following petition is the Village of Willowbrook, an Illinois Municipal Corporation, 835 Midway Drive, Willowbrook, Illinois, 60527. The purpose of this public hearing shall be to consider a petition for the following:

1. Repeal, in its entirety, the current Village of Willowbrook Municipal Code Title 9, Chapter 1 through 17, and the Village of Willowbrook Municipal Subdivision Regulations, Title 10, Chapter 1 through 8 with the Village of Willowbrook Municipal Zoning Code and Subdivision Regulations as proposed Title 9, Chapter 1 through 11.
2. Amend the current zoning map, adopted and approved by the Village of Willowbrook March 28, 2022 with the proposed zoning map for the Village of Willowbrook.

Copies of the proposed amendments and related documents are on file in the office of Community Development, Village of Willowbrook, 835 Midway, Willowbrook, Illinois, and are available for public inspection. Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Willowbrook should contact Michael Krol, Village of Willowbrook, 835 Midway, Willowbrook, IL 60527, or call (630) 920-2257 Monday through Friday, between 8:30 A.M. and 4:30 P.M. within a reasonable time before the meeting. Requests for sign language interpreters should be made a minimum of five working days in advance of the meeting.

All persons desiring to be heard in support or opposition to the application shall be afforded an opportunity and may submit their statements orally in written form, or both. This hearing may be recessed to another date if not concluded on the evening scheduled.

*cc: Sam Hatoran  
Village Administrator  
(630) 920-2230*

Published in the November 22, 2022 edition of The Chicago Sun Times Newspaper  
7/22/2022 #1151235

## Chicago Sun-Times Certificate of Publication

State of Illinois - County of Cook

Chicago Sun-Times, does hereby certify it has published the attached advertisements in the following secular newspapers. All newspapers meet Illinois Compiled Statute requirements for publication of Notices per Chapter 715 ILCS 5/0.01 et seq. R.S. 1874, P728 Sec 1, EFF. July 1, 1874. Amended by Laws 1950, P1494, EFF. July 17, 1950. Formerly Ill. Rev. Stat. 1901, CH100, Pl.

Note: Notice appeared in the following checked positions.

PUBLICATION DATE(S): 11/22/2022

Chicago Sun-Times

IN WITNESS WHEREOF, the undersigned, being duly authorized,  
has caused this Certificate to be signed

By

Robin Munoz

Manager | Recruitment & Legals

This 22nd Day of November 2022 A.D.

VILLAGE OF WILLOWBROOK  
7760 S QUINCY ST  
WILLOWBROOK, IL 60527-8532





Public Hearings Public Hearings

NOTICE OF PUBLIC HEARING  
ZONING HEARING CLASS NO. 22-06

NOTICE IS HEREBY GIVEN that the Plan Commission of the Village of Willowbrook, DuPage County, Illinois, will conduct a public hearing at its regular meeting of the Plan Commission on the 7th of December 2022 at the time of 7:00 P.M. at the Willowbrook Public Department, Building, Room 7790, 61 Quince St., Willowbrook, IL 60527.

Due to the COVID-19 Pandemic, the Village will be utilizing a Zoom website. Member of the public can attend the meeting via Zoom. Whether by video or audio, if a member is using Zoom, please either use your phone or computer, not both, to avoid echoes and audio interruptions will be provided on the Village of Willowbrook's Plan Commission website once available.

<https://www.willowbrook.org/zoom/join/6424244>

The applicant for the following petition is the Village of Willowbrook, an Illinois Municipal Corporation, 525 Jeffrey Drive, Willowbrook, Illinois, 60527. The purpose of this public hearing shall be to consider a petition for the following:

1. Petition, in its entirety, for the current Village of Willowbrook Municipal Code, Title 9, Chapter 1 through 17, and the Village of Willowbrook Municipal Subdivision Regulations, Title 10 Chapter 1 through 5 with the Village of Willowbrook Municipal Zoning Code and Subdivision Regulations, as proposed Title 9, Chapter 1 through 17.
2. Amend the current zoning map, adopted and approved by the Village of Willowbrook March 28, 2002 with the proposed zoning map for the Village of Willowbrook.

Copies of the proposed amendments and related documents are on file in the office of Community Development, Village of Willowbrook, 525 Jeffrey, Willowbrook, Illinois, and are available for public inspection. Any individual with a disability requesting a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Willowbrook should contact Michael Krol, Village of Willowbrook, 825 Midway, Willowbrook, IL 60527, or call (630) 600-2252, Monday through Friday, between 9:00 A.M. and 4:30 P.M., within a reasonable time before the meeting. Requests for sign language interpretation should be made a minimum of five working days in advance of the meeting.

All persons desiring to be heard in support or opposition to the application shall be afforded an opportunity and may submit their statements orally, in written form, or both. This hearing may be postponed to another date if not conducted on the hearing scheduled.

By Seth Wilkins  
Village Administrator  
(630) 600-2236

Published in the November 22, 2022 edition of The Chicago Sun-Times newspaper  
7/23/2022 9:11:23A





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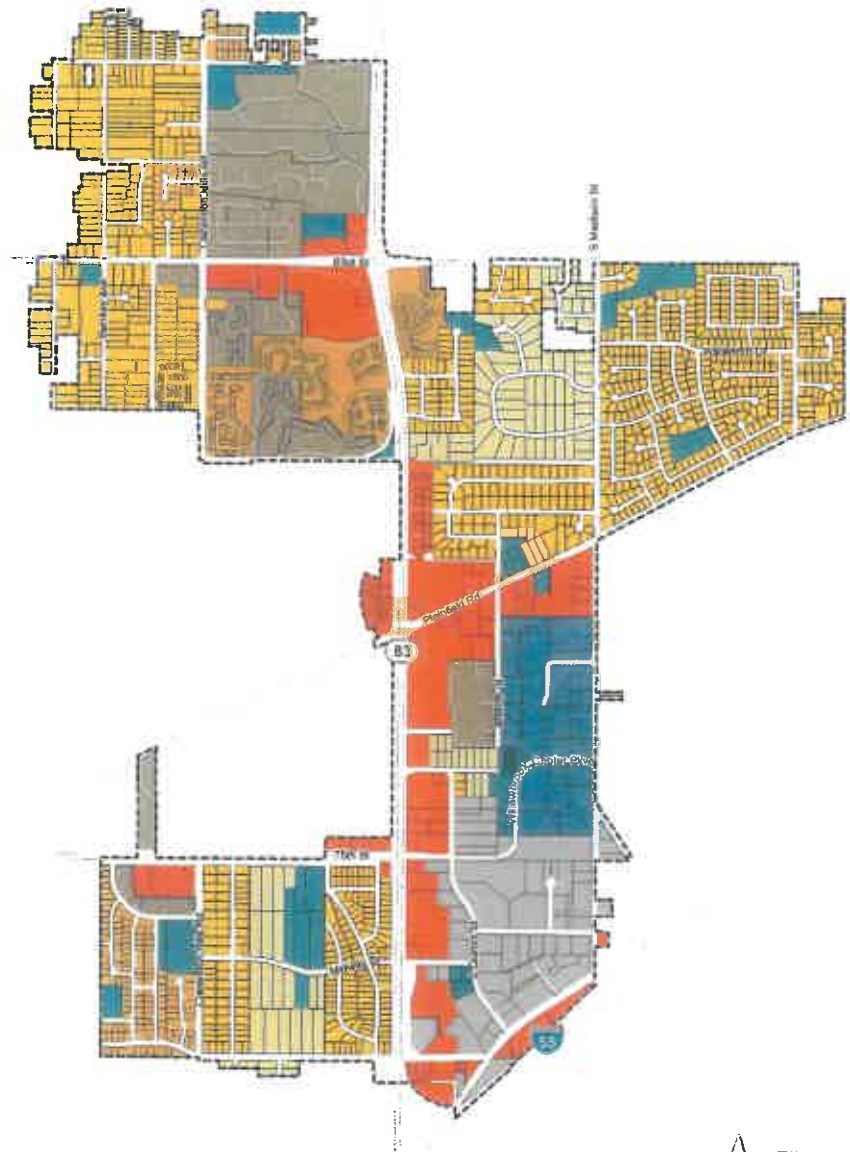
**Attachment 2**  
**Amended Zoning Map (1 Sheet 11x17)**





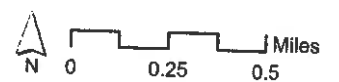
# VILLAGE OF WILLOWBROOK

## Proposed Zoning - November 29, 2022



### Proposed Zoning

- |                                      |                                      |
|--------------------------------------|--------------------------------------|
| R1 Single Family Residence District  | B Community Shopping District        |
| R2 Single Family Residence District  | I Institutional District             |
| R3 Single Family Residence District  | LOR Limited Office Research District |
| R4 Townhomes & Condominiums District | ML Light Manufacturing District      |
| R5 Multiple Family District          |                                      |







**Attachment 3**  
**Finalized Unified Development Ordinance (165 Sheets)**

- Article 1 – General Provisions (2 sheets)
- Article 2 – Establishment of Districts (3 sheets)
- Article 3 – District Standards (11 sheets)
- Article 4 – Use-Specific Standards (23 sheets)
- Article 5 – General Development Standards (45 sheets)
- Article 6 – Signs (21 sheets)
- Article 7 – Subdivision Standards and Procedures (16 sheets)
- Article 8 – Planned Development Standards and Procedures (7 sheets)
- Article 9 – Zoning Procedures (13 sheets)
- Article 10 – Nonconformities (4 sheets)
- Article 11 – Definitions (20 sheets)



Village of Willowbrook

# UNIFIED DEVELOPMENT ORDINANCE

DRAFT FOR PLAN COMMISSION  
PUBLIC HEARING

November 30, 2022



<b>Table of Contents</b>	<b>Page #</b>
Article 1. General Provisions	1
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Article 3. District Standards	6
Article 4. Use-Specific Standards	17
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Article 6: Signs	85
Article 7: Subdivision Standards and Procedures	106
Article 8. Planned Development Standards and Procedures	122
Article 9. Zoning Procedures	129
Article 10. Nonconformities	142
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## Chapter 1. General Provisions

9-1-01:	Title.....	1
9-1-02:	Purpose and Intent .....	1
9-1-03:	Interpretation, Rules of Construction, Separability .....	2

### 9-1-01: Title

- (A) This title shall be known and may be cited as the "Unified Development Ordinance of the Village of Willowbrook" or the "UDO" and shall be in full force and effect after its passage, approval and publication, as provided by law.

### 9-1-02: Purpose and Intent

(A) **Purpose and Intent.**

- (1) This UDO is adopted to:
  - (a) Promote the public health, safety, comfort, and general welfare;
  - (b) Secure adequate light, pure air, and safety from fire and other dangers;
  - (c) Conserve the taxable value of land and buildings throughout the Village;
  - (d) Lessen or avoid congestion in the public streets;
  - (e) Lessen or avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters;
  - (f) Ensure and facilitate the preservation of sites, areas, and structures of historical, architectural, and aesthetic importance; and,
  - (g) Enhance and preserve aesthetic values throughout the Village.
- (2) To achieve these purposes, this UDO sets forth regulations and standards:
  - (a) To regulate and limit the height and bulk of buildings erected after the date of adoption of this UDO;
  - (b) To establish, regulate, and limit the building or setback lines on or along any street, traffic way, drive, parkway, storm or flood water runoff channel or basin or other property line;
  - (c) To regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of open spaces, within and surrounding buildings;
  - (d) To classify, regulate, and restrict the location of trades and industries and the location of buildings designed for specified industrial, business, residential, and other uses;
  - (e) To divide the entire Village into districts as may be deemed best suited to carry out the purposes of this UDO;
  - (f) To fix standards to which buildings or structures shall conform;

- (g) To prohibit uses, buildings, and/or structures that are incompatible with the character of such districts;
- (h) To prevent additions to, alterations of, or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed under this UDO;
- (i) To provide for the gradual elimination of uses, buildings, and/or structures which are incompatible with the character of the districts in which they are located;
- (j) To define and limit the powers and duties of the administrative officers and bodies as provided in this UDO; and,
- (k) To prescribe penalties for the violation of the provisions of this UDO, or any amendments to this UDO.

### 9-1-03: Interpretation, Rules of Construction, Separability

#### (A) Interpretation.

- (1) The provisions of this UDO shall be held to be minimum requirements, unless otherwise stated.
- (2) Where the regulations imposed by any provision of this UDO is either more restrictive or less restrictive than other applicable regulations established by this UDO or of any other law, ordinance, resolution, rule or regulation of any kind, the regulations that govern shall be those which are more restrictive or which impose higher standards or requirements.
- (3) This UDO is not intended to abrogate any easement, covenant, or other private legal agreement, provided, that where the regulations of this UDO are most restrictive or impose higher standards or requirements than such easements, covenants, or other private agreements, the requirements of this UDO shall govern.
- (4) No building, structure, and/or use not lawfully existing at the time of the adoption of this UDO, shall become or be made lawful solely by reason of the adoption of this UDO.

#### (B) Separability. The provisions of this UDO are separable, in accordance with the following provisions.

- (1) If any court of competent jurisdiction shall adjudge any provision of this UDO is invalid, such judgment shall not affect any other provision of this UDO not specifically included in said judgment.
- (2) If any court of competent jurisdiction shall adjudge invalid the application of any provision of this UDO to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in the judgment.



## Chapter 2. Establishment of Districts

9-2-01:	Districts Established .....	1
9-2-02:	Purpose and Intent of Districts .....	1
9-2-03:	Unclassified and Annexed Territory, Vacations, and Boundaries.....	2

### 9-2-01: Districts Established.

#### (A) Base Districts.

##### (1) Residential Districts.

- (a) R-1 - Single-Family Detached District.
- (b) R-2 - Single-Family Detached District.
- (c) R-3 - Single-Family Detached District.
- (d) R-4 - Single-Family Attached District.
- (e) R-5 - Multifamily District.

##### (2) Commercial, Office, and Industrial Districts.

- (a) B - Community Shopping District.
- (b) LOR - Limited Office and Research District.
- (c) M-1 - Light Manufacturing District.
- (d) I - Institutional District.

### 9-2-02: Purpose and Intent of Districts.

#### (A) Residential Districts.

- (1) **R-1 – Low Density Single-Family Detached District.** The R-1 Low Density Single-Family Detached District is intended to promote single-family detached residential development at low densities in the Village. The District is intended to preserve the low-density character of existing neighborhoods and to promote compatible infill development. The district is further intended to accommodate small-scale institutional uses.
- (2) **R-2 – Moderate Density Single-Family Detached District.** The R-2 Moderate Density Single-Family Detached District is intended to promote single-family detached residential development at moderate densities in the Village. The District is intended to preserve the moderate density character of existing neighborhoods and to promote compatible infill development, especially where opportunities are abundant north of 67<sup>th</sup> Street and west of Clarendon Hills Road. The district is further intended to accommodate small-scale institutional uses.
- (3) **R-3 – High Density Single-Family Detached District.** The R-3 High Density Single-Family Detached District is intended to promote single-family detached residential uses at high densities in the Village. The District is intended to

preserve the high density character of existing neighborhoods and to promote compatible infill development. The district is further intended to accommodate small-scale institutional uses.

- (4) **R-4 – Single-Family Attached District.** The R-4 Single-Family Attached District is intended to promote a mix of single-family attached housing types including duplexes and townhomes, as well as small-scale multifamily uses. The District is intended to accommodate a wide variety of housing options at moderate densities that serve residents during all stages of life. The district is further intended to accommodate small-scale institutional uses.
- (5) **R-5 - Multifamily District.** The R-5 Multiple Family District is intended to accommodate mid- to large-scale multifamily development in master planned settings. The District is intended to accommodate a compatible combination of multifamily and senior housing complexes in a moderate to high density environment.

**(B) Nonresidential Districts.**

- (1) **B - Community Shopping District.** The B Community Shopping District is intended to provide land for a variety of commercial retail, service, and employment uses that serve the needs of both Village residents and visitors along Kingery Highway, Plainfield Road, 63<sup>rd</sup> Street, and other major thoroughfares. The District is intended to accommodate the continuance of uses in existing shopping plazas and to allow the redevelopment and improvement of the areas over time. It is the intent and purpose of this district to protect areas for commercial development and the generation of sales tax revenue from the encroachment of nontaxable bodies including non-commercial places of assembly as defined in this Ordinance.
- (2) **LOR - Limited Office and Research District.** The LOR Limited Office and Research District is intended to accommodate professional office and scientific research facilities conducted wholly indoors and with minimal noise or nuisance impact on surrounding areas. The District is intended to promote these uses in a master planned environment that facilitates convenient vehicular and pedestrian travel and that enhances the appearance of the Village overall.
- (3) **M-1 - Light Manufacturing District.** The M-1 Light Manufacturing District is intended to accommodate facilities involved in the manufacturing and processing of goods and materials, distribution, storage, and similar intensity uses. Light manufacturing uses have minimal noise or nuisance impact on surrounding areas and should be clustered together in industrial parks. Due to the intensity of land use associated with the M-1 District, the district should not be located adjacent to residentially zoned property. Where M-1 zoned property is currently located adjacent to residentially zoned property, adequate screening and buffering should be provided to mitigate negative impacts.
- (4) **I - Institutional District.** The I Institutional District is intended to provide space for existing and future governmental uses, municipal buildings, parks and recreation areas, noncommercial places of assembly, and other institutional uses.

### 9-2-03: Unclassified and Annexed Territory, Vacations, and Boundaries

- (A) **Unclassified and Annexed Territory.** Any land not classified on the official zoning map and any land annexed by the Village shall be automatically classified in the R-1 – Single-Family Detached District until otherwise classified by amendment.
- (B) **Vacations.** Whenever any street, alley, or other public way is vacated by official action of the Village Board, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the centerline of such vacated property (or to the reversionary owner should such reversionary rights be different than the centerline of the right-of-way). All area included in the vacation shall then be subject to all appropriate regulations of the extended districts.
- (C) **Boundaries.**
  - (1) In the event that uncertainties exist with respect to the intended boundaries of the zoning districts as shown on the zoning map, the following rules shall apply.

- (a) The zoning district boundaries shall be the centerlines of streets or alleys unless otherwise indicated, and where the designation of a boundary line on the zoning map coincides with the location of a street or alley, the centerline of such street or alley shall be construed to be the boundary of such district.
- (b) Where the zoning district boundaries do not coincide with the location of streets or alleys, but do coincide with lot lines, such lot lines shall be construed to be the boundary of the district.
- (c) Where the zoning district boundaries do not coincide with the location of streets, alleys or lot lines, the district boundaries shall be determined by the measurements shown on the zoning map or in the absence of such measurements, the district boundaries shall be determined by scaling the zoning map.
- (d) Determinations as to the exact locations of zoning district boundary lines shall be made by the Director of Municipal Services.

## Chapter 3. District Specific Standards

9-3-01:	Bulk and Dimensional Standards .....	1
9-3-02:	Calculating Dimensional Standards.....	2
9-3-03:	Transition Requirements for Residential Uses .....	4
9-3-04:	Exceptions to Bulk and Dimensional Standards.....	6
9-3-05:	Permitted, Special, and Temporary Uses .....	8

### 9-3-01: Bulk and Dimensional Standards.

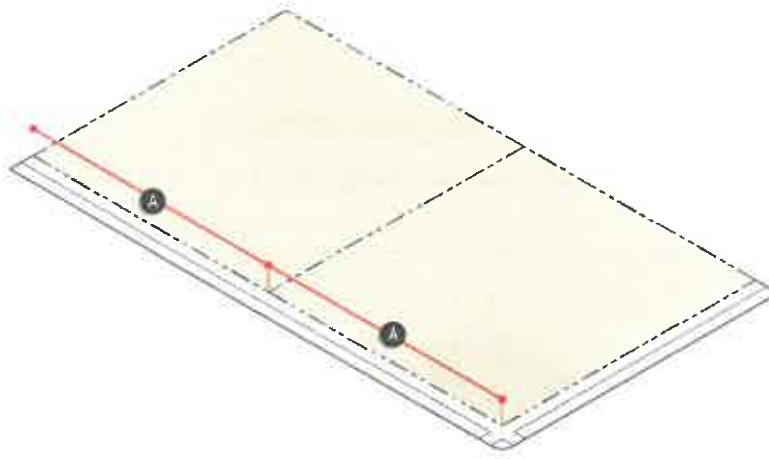
- (A) **Bulk and Dimensional Standards.** Table 9-3-01 establishes the bulk and dimensional standards for the development or the use of a lot in each zoning district.

Table 9-3-01: Bulk and Dimensional Standards									
Standard	R-1	R-2	R-3	R-4	R-5	B	LOR	M-1	I
<i>Lot Standards (Minimum)</i>									
Lot Area (sqft)	20,000	11,000	9,000	–	–	–	43,560	43,560	–
Lot Area / DU (sqft)	–	–	–	4,500	2,000	–	–	–	–
Lot Width (ft)	90	70	70	50	50	50	50	50	50
<i>Yard Setbacks (Minimum) (1)</i>									
Front (ft)	60 <sup>(2)</sup>	40 <sup>(2)</sup>	40 <sup>(2)</sup>	40	40	20	50	40	30
Exterior Side (ft)	50 <sup>(2)</sup>	40 <sup>(2)</sup>	40 <sup>(2)</sup>	40	40	20	50	40	20
Interior Side (ft)	15	8	8	15 <sup>(3)</sup>	15 <sup>(3)</sup>	10	20	20	10
Rear (ft)	50	30	30	30	35	40	30	20	30
<i>Building Standards (Maximum)</i>									
Building Height (ft)	35	35	35	35	45	40	40	40	40
Impervious Surface Coverage (%)	35	40	45	50	55	70	60	70	60
<i>Notes</i>									
(1) Other requirements of this ordinance, such as but not limited to those for landscape and parking, may further impact yard setback depth.									
(2) The front or exterior side setback shall be determined in infill situations as specified in Section 9-3-03(A).									
(3) Parcels shall be exempt from the interior side yard requirement where dwellings are attached with a parti wall.									

### 9-3-02: Calculating Dimensional Standards

- (A) **Lot Width.** Lot width shall be measured as the distance between the side lot lines of a lot at right angles to its depth along a straight line parallel to the front lot line.

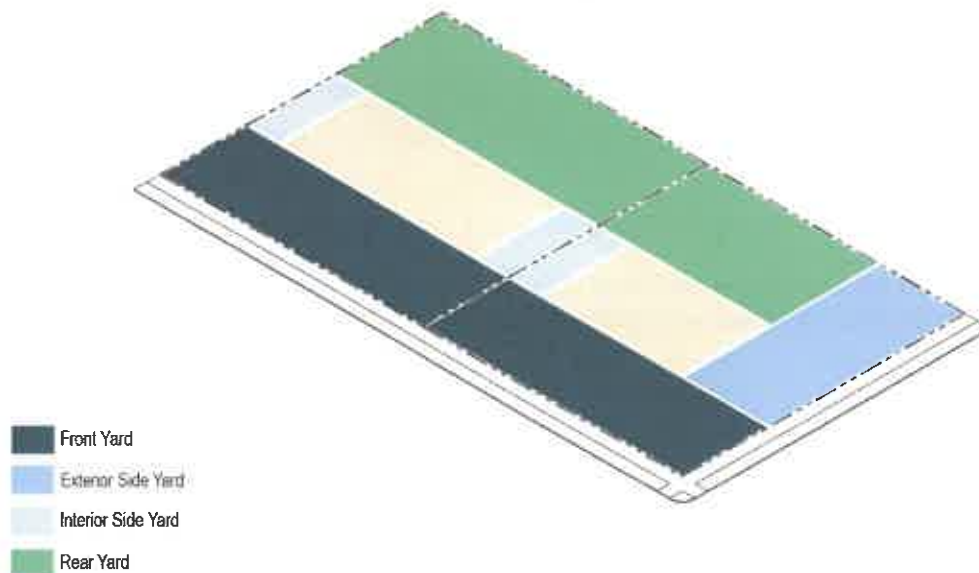
**Figure 3.1. Lot Width**



- (B) **Lot Widths for Lots that Abut a Cul-de-Sac.** The lot width of all lots which abut a cul-de-sac may be reduced by a maximum of fifty (50) percent of the required lot width for the district in which it is located, as measured from the front lot line.

**(C) Yard Setbacks.**

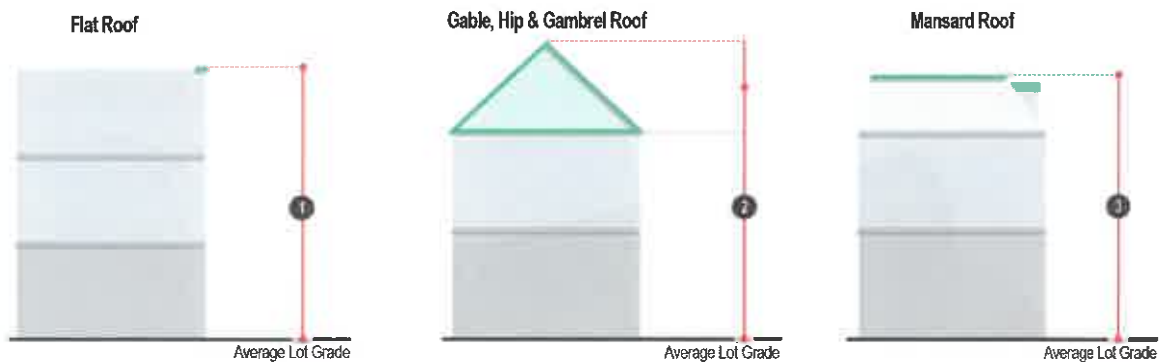
- (1) A required yard setback shall be measured as the horizontal distance from the center point of the applicable lot line into the interior of the lot for the minimum distance specified in Table 9-3-01.
- (2) The span of a yard setback shall be measured as follows.
  - (a) **Front Yard.** From the interior side lot line to the other interior side lot line or street side lot line as applicable.
  - (b) **Exterior Side Yard.** From the front yard setback line to the rear lot line.
  - (c) **Interior Side Yard.** From the front yard setback line to the rear yard setback line.
  - (d) **Rear Yard.**
    - (1) From the interior side lot line to the other interior side lot line; or
    - (2) From the interior side lot line to the street side yard setback line.

**Figure 3.2. Yard Setbacks**

(D) **Building Height.** Building height shall be the vertical distance from the average lot grade to the highest point of the building. The highest point of the building shall be measured as follows for different roof types.

- (1) **Flat and Shed Roofs.** To the highest point of the roof.
- (2) **Gable, Hip, and Gambrel Roofs.** To the mean height between the principal eave and the peak of the roof.
- (3) **Mansard Roofs.** To the deck line of the roof.

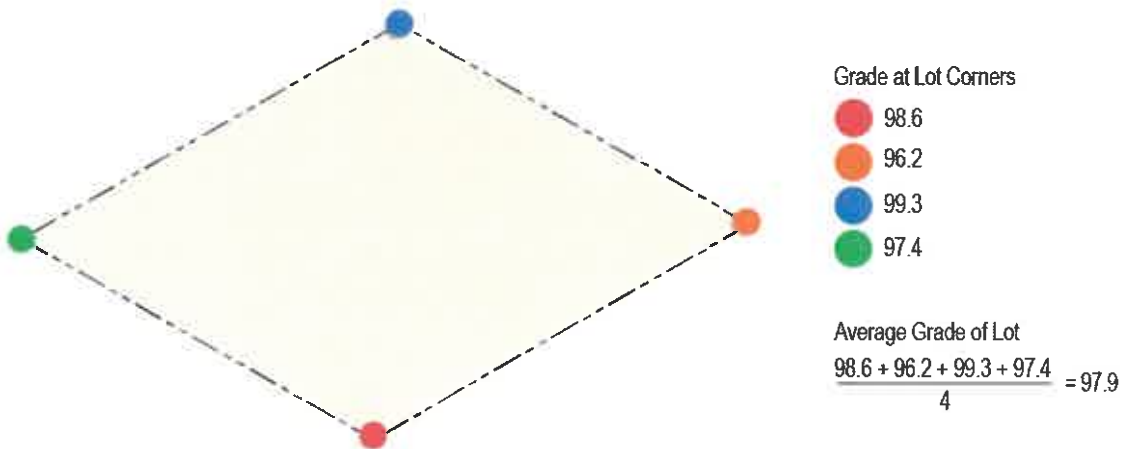
**Figure 3.3. Building Height**



(E) **Average Lot Grade.** Average lot grade shall be measured prior to the commencement of any construction activity, including grading. Average lot grade shall be the average of the grade at each lot corner.

**Figure 3.4. Average Lot Grade**

#### Average Lot Grade Example Calculation



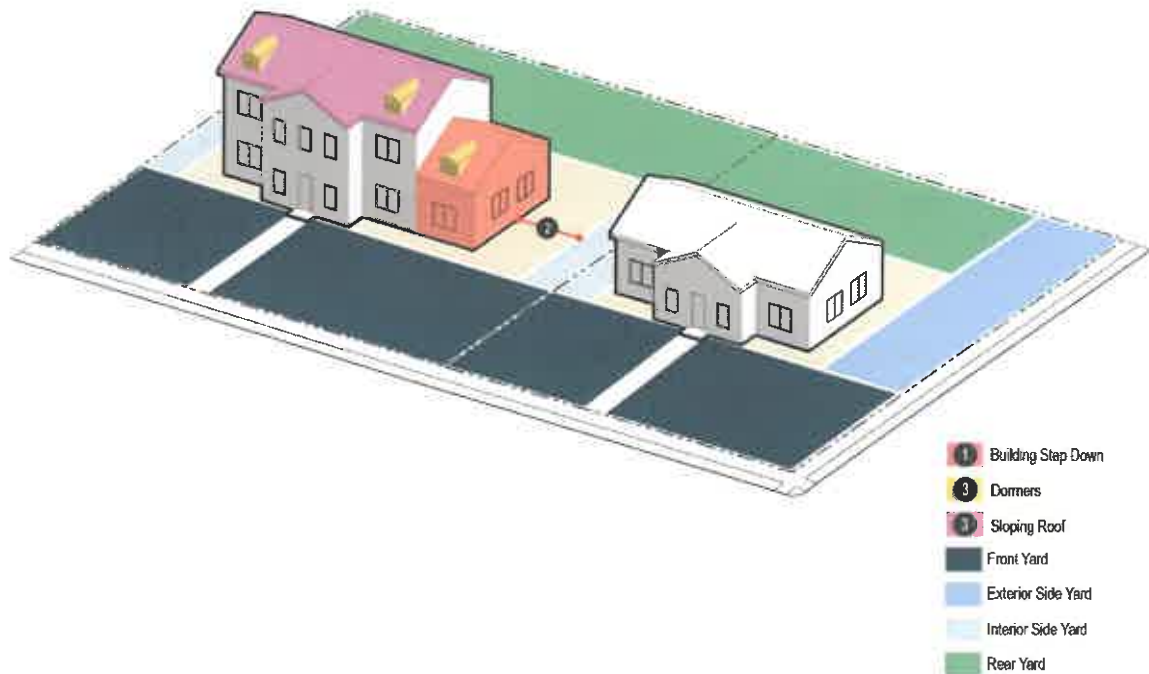


### 9-3-03: Transition Requirements for Residential Uses

(A) **Transitioning in Infill Situations.** Single-Family Detached Dwellings in the R-1, R-2, and R-3 Single-Family Districts shall be constructed with transition features subject to this Section. Buildings with a height that exceeds that of neighboring existing homes by one (1) story or more shall provide a transition using at least two (2) of the following techniques.

- (1) Building height and mass shall step down along the shared property line to meet the height of the existing neighboring home along a minimum of fifty (50) percent of the subject building's length. The stepped down portion of the building shall be a minimum of ten (10) feet in depth;
- (2) The side yard setback at least ten (10) feet beyond that which is required in Table 9-3-01 shall be provided;
- (3) Dormers and sloping roofs shall be provided to accommodate upper story floor area.

**Figure 3.5: Transitioning in Infill Situations**





**9-3-04: Exceptions to Bulk and Dimensional Standards**

(A) **Residential Setback Averaging in Infill Situations.** When a lot has a front or exterior side yard on a street where fifty (50) percent or more of the frontage on the same side of the street in the same block has been developed, the front or exterior side yard requirement shall be the average of all the existing front or exterior side setbacks of all the buildings on the same side of the street whose setbacks are less than the Zoning District requirement. In no event shall the front or exterior side yard be less than thirty (30) feet in the R-1 Single-Family District or less than twenty-five (25) feet in the R-2 Single-Family and R-3 Single-Family Districts.

(B) **Allowed Yard Encroachments.** Encroachments into the yard requirements specified in Section 9-3-01 shall be allowed as specified in Table 9-3-03(A). The following key shall be utilized in the interpretation of Table 9-3-03(A).

- (1) F = Front Yard
- (2) ES = Exterior Side Yard
- (3) IS = Interior Side Yard
- (4) R = Rear Yard
- (5) X = Permitted Obstruction

**Table 9-3-03(A): Allowed Encroachments**

Encroachment	F	ES	IS	R	Standard	Other Requirement(s)
<i>Antenna, shortwave radio, transmitting and receiving, citizen band radio, transmitting and receiving, broadcast band radio, receiving</i>				X	See Section 9-4-##	
<i>Antenna, television, receiving</i>				X	minimum setback of 15 feet from lot line	not more than 2 antennae on any 1 structure
<i>Arbor, trellis</i>	X	X	X	X	maximum projection of 2 feet	maximum height and width of 8 feet
<i>Balcony</i>	X	X	X	X	maximum projection of 4 feet	n/a
<i>Barbecue equipment, permanent</i>				X	See Section 9-4-11(C)	
<i>Bay window, wing wall</i>	X	X	X	X	maximum projection of 2 feet	n/a
<i>Chimney</i>	X	X	X	X	maximum projection of 2 feet	n/a
<i>Detached garage</i>			X	X	minimum setback of 10 feet from rear lot line and 5 feet from interior side lot line	See Section 9-4-11(C)
<i>Driveway</i>	X	X	X	X	minimum setback of 5 feet from lot line	See Section 9-5-##
<i>Eave, gutter, permanent downspout</i>	X	X	X	X	maximum projection of 3 feet	n/a
<i>Electric vehicle charging station</i>	X	X	X	X	minimum setback of 10 feet from lot line	allowed in multifamily, mixed use, and nonresidential development only
<i>Fall out shelter</i>				X	minimum setback of 10 feet from lot line	n/a
<i>Fence, wall</i>	X	X	X	X	See Section 9-5-##	
<i>Fire escape</i>				X	maximum projection of 5 feet	n/a

Table 9-3-03(A): Allowed Encroachments

Encroachment	F	ES	IS	R	Standard	Other Requirement(s)
Flagpole	X	X	X	X	minimum setback of 10 feet from lot line	no more than 3 per lot
Ground / wall mounted mechanical equipment			X	X	minimum setback of 5 feet from lot line	n/a
Landscape planting	X	X	X	X	n/a	maximum of 18 inches above curb level or edge of pavement if there is no curb within 15 feet of the lot corner formed by the intersection of 2 right-of-way lines
Lawn ornament, furniture, ornamental, lighting, statuary	X	X	X	X	minimum setback of 5 feet from lot line	n/a
Non-mechanical laundry drying equipment				X	minimum setback of 5 feet from lot line	n/a
Nonresidential awning, canopy, marquee	X	X	X	X	maximum projection of 1/3 of district yard standard	n/a
Open terrace, porch, patio, deck			X	X	minimum setback of 10 feet from rear lot line and 5 feet from interior side lot line	See Section 9-4-11(D)
Parking, loading			X	X	See Section 9-5-##	
Pergola, gazebo				X	See Section 9-4-11(D)	
Playground equipment				X	See Section 9-4-11(D)	
Pool house				X	See Section 9-4-11(C)	
Residential awning, canopy	X	X	X	X	maximum projection of 3 feet in front, exterior side, and rear yards; maximum projection of 1.5 feet in interior side yard	n/a
Sign	X	X	X	X	See Section 9-6-##	
Storage shed			X	X	minimum setback of 10 feet from rear lot line and 5 feet from interior side lot line	See Section 9-4-11(D)
Steps, stoops	X	X	X	X	maximum projection of 4 feet in front, exterior side, and rear yards; maximum projection of 3 feet in interior side yard	n/a
Swimming pool, hot tub				X	See Section 9-4-11(D)	
Vegetable garden				X	minimum setback of 5 feet from lot line	n/a
Walkway	X	X	X	X	n/a	maximum width of 5 feet

### 9-3-05: Permitted, Special, and Temporary Uses

(A) The following key shall be used in the interpretation of Table 9-3-05(B).

- (1) **Permitted Uses.** Uses which are marked as "P" in the table shall be allowed subject to all applicable regulations of this Zoning Ordinance.
- (2) **Special Uses.** Uses which are marked as "S" in the table shall be allowed upon the approval of a Special Use Permit as detailed in Section 9-9-05.
- (3) **Temporary Uses.** Uses which are marked "T" in the table shall be allowed upon the approval of a Temporary Use Permit as detailed in Section 9-9-02(G).
- (4) **Prohibited Uses.** A blank space in the table indicates that a use type is not allowed in the respective zoning district unless it is otherwise expressly allowed by other regulations of this Zoning Ordinance.
- (5) **Uses Not Listed.** If a proposed use is not listed in the table, the Village Administrator or their designee shall determine if the use is substantially similar to a use listed on the table. If it is, they shall treat the use in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.
- (6) **Additional Regulation.** If a use has use specific standards the table cell is brown. Use specific standards shall apply to permitted, special, and temporary uses.

#### Permitted, Special, and Temporary uses by Zoning District.

Table 9-3-05(B): Permitted, Special, and Temporary Uses by Zoning District										
Use	R-1	R-2	R-3	R-4	R-5	B	LOR	M-1	I	
<b>Agricultural and Open Space Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>B</b>	<b>LOR</b>	<b>M-1</b>	<b>I</b>	
Keeping of Livestock										
Parks and Natural Areas	P	P	P	P	P	P	P	P	P	P
<b>Residential Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>B</b>	<b>LOR</b>	<b>M-1</b>	<b>I</b>	
Dwelling, Single Family Detached	P	P	P							
Dwelling, Duplex				P	P					
Dwelling, Townhome				P	P					
Dwelling, Multiple Family, up to 8 units				S	P					
Dwelling, Multiple Family, 8+ units					S					
Dwelling, Multiple Family, Complex					S					
Group Homes, up to 8 residents	P	P	P	P	P					
Group Homes, 9+ residents	S	S	S	S	S					
Senior Housing, Dependent				S	S					
Senior Housing, Independent				S	S					
<b>Place of Assembly Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>B</b>	<b>LOR</b>	<b>M-1</b>	<b>I</b>	
Indoor Commercial Place of Assembly, 3,000 sqft or less						P	P	P		
Indoor Commercial Place of Assembly, More Than 3,000 sqft						S	S	S		
Outdoor Commercial Place of Assembly						S	S	S		
Indoor Non-Commercial Place of Assembly, 3,000 sqft or less	P	P	P	P	P					P
Indoor Non-Commercial Place of Assembly, More Than 3,000 sqft										P
Outdoor Non-Commercial Place of Assembly										S

11-30-2022 DRAFT FOR PLAN COMMISSION PUBLIC HEARING

Table 9-3-05(B): Permitted, Special, and Temporary Uses by Zoning District

Use	R-1	R-2	R-3	R-4	R-5	B	LOR	M-1	I
<b>Retail Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>B</b>	<b>LOR</b>	<b>M-1</b>	<b>I</b>
Adult Oriented Business								S	
Adult Use Cannabis Dispensary						S			
Alcohol/Liquor Sales						P	S		
Boat Showroom						S			
Firearms Retailer						S		S	
Garden Supply Store						P		P	
General Retail, 3,000 sq ft or less					S	P	P	P	S
General Retail, 3,000 sq ft or More						P			
Multitenant Shopping Center						S			
Pawn Shop						S		S	
<b>Service and Office Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>B</b>	<b>LOR</b>	<b>M-1</b>	<b>I</b>
Acute Care Center						P	P		
Adult Day Care	P	P	P	P		P	P		
Animal Hospital, Veterinarian						S	P		
Body Art Establishment							S	P	
Kennel						S	S		
Check Cashing / Pay Day Loan Store							S		
Child Care Center	P	P	P	P		P	P		
Coworking Space						P	P		
Financial Institution						S	S		
Hospital							S		
Laundry, Self Service						S	S		
Massage Therapy						S	S		
Personal Service, 3,000 sq ft or less						P	P		
Personal Service, More Than 3,000 sq ft						P	P		
Professional Office, 3,000 sq ft or less						S	P		
Professional Office, More Than 3,000 sq ft							P		
Video Gaming Cafes						S			
<b>Eating and Drinking Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>B</b>	<b>LOR</b>	<b>M-1</b>	<b>I</b>
Bar/Tavern						S			
Brew Pub						P	S	S	
Carry-Out Facility						P			
Restaurant						P			
<b>Lodging Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>B</b>	<b>LOR</b>	<b>M-1</b>	<b>I</b>
Bed and Breakfast	S	S	S						
Hotel						S			
Motel									
<b>Vehicle Related Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>B</b>	<b>LOR</b>	<b>M-1</b>	<b>I</b>
Car Wash						S		S	
Fuel Sales						S		S	
Motor Vehicle Sales/Rental						S		S	



11-30-2022 DRAFT FOR PLAN COMMISSION PUBLIC HEARING

Table 9-3-05(B): Permitted, Special, and Temporary Uses by Zoning District

Use	R-1	R-2	R-3	R-4	R-5	B	LOR	M-1	I
Minor Motor Vehicle Service						S		P	
Major Motor Vehicle Service								S	
Industrial Uses	R-1	R-2	R-3	R-4	R-5	B	LOR	M-1	I
Artisan Manufacturing						P	P	P	
Building Material, Machinery, and Equipment Sales or Storage						S		P	
Brewery/Winery/Distillery Production Facility						S	P	P	
Contractor Shop						S		P	
Crematorium								S	
Dry Cleaner, Processing On Site								S	
Greenhouse, Wholesale						S		P	
Laundry, Commercial								S	
Light Manufacturing, Assembly, Fabrication								P	
Materials Salvage Yard/Recycling Operations								S	
Mining and Aggregate Extraction								S	
Mini-Warehouse / Personal Storage								S	
Research and Development							P	P	
Warehouse, Distribution/Storage								P	
Accessory Uses	R-1	R-2	R-3	R-4	R-5	B	LOR	M-1	I
Accessory Dwelling, Detached / Attached	S	S	S	S					
Accessory Dwelling, Internal	P	P	P	P					
Accessory Building	P	P	P	P	P	P	P	P	P
Accessory Retail / Restaurant								P	
Accessory Structure	P	P	P	P	P	P	P	P	P
Drive-Through Facility						S			
Food Cart or Truck, accessory						S	S	S	
Garden	P	P	P	P	P				
Home Based Child Care (8+ children)	S	S	S	S	S				
Home Occupation	P	P	P	P	P				
Outdoor Display / Sale of Merchandise, Permanent						P			
Outdoor Seating for Eating and Drinking Uses						P			
Outdoor Storage, Permanent								S	
Small Cell Wireless Facilities					P	P	P	P	P
Solar Energy Collection System, canopy	P	P	P	P	P	P	P	P	P
Solar Energy Collection System, ground	P	P	P	P	P	P	P	P	P
Solar Energy Collection System, roof	P	P	P	P	P	P	P	P	P
Temporary Uses	R-1	R-2	R-3	R-4	R-5	B	LOR	M-1	I
Civic Uses of Public Property									P
Contractors Trailers and Real Estate Model Units	T	T	T	T	T	T	T	T	T
Food Cart or Truck, temporary						S	S	S	
Outdoor Display / Sale of Merchandise, Temporary						T	T	T	
Short Term Rental									
Parking of Trailers, Boats, and Other Vehicles	T	T	T	T	T				

Table 9-3-05(B): Permitted, Special, and Temporary Uses by Zoning District

Use	R-1	R-2	R-3	R-4	R-5	B	LOR	M-1	
Portable Outdoor Storage Device	T	T	T	T	T	T	T	T	T

## Chapter 4. Use Specific Standards

9-4-01:	Agricultural and Open Space Uses .....	1
9-4-02:	Residential Uses .....	1
9-4-03:	Place of Assembly Uses .....	4
9-4-04:	Retail Uses .....	5
9-4-05:	Service and Office Uses .....	6
9-4-06:	Eating and Drinking Uses .....	7
9-4-07:	Lodging Uses .....	7
9-4-08:	Vehicle Related Uses .....	7
9-4-09:	Industrial Uses .....	10
9-4-10:	Utility Uses .....	10
9-4-11:	Accessory Uses .....	11
9-4-12:	Temporary Uses .....	22

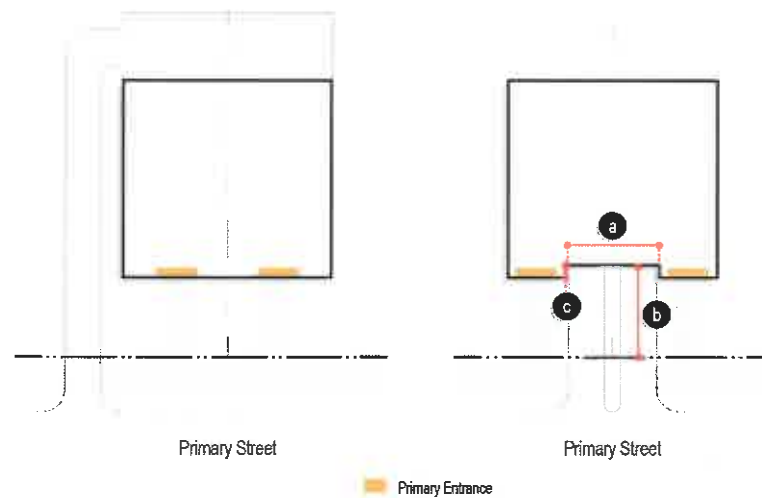
### 9-4-01: Agricultural and Open Space Uses

RESERVE

### 9-4-02: Residential Uses

#### (A) Duplexes.

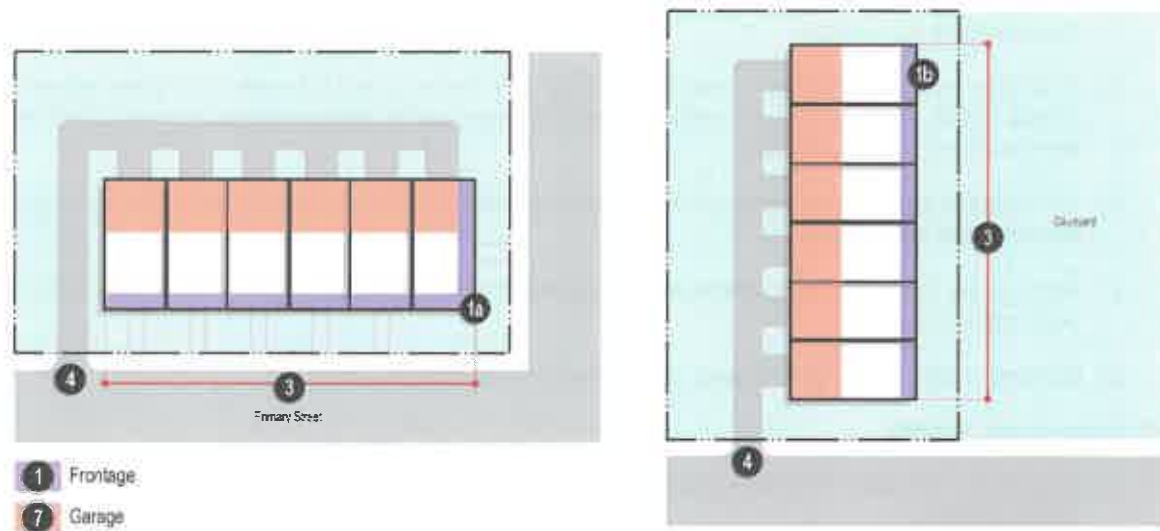
- (1) Duplexes shall be oriented with their primary entrances toward the designated front lot line.
- (2) A minimum of one (1) of the parking spaces, as required in Section 9-5-01 of this UDO, shall be provided in an attached or detached garage.
- (3) Attached garages are encouraged to be located on rear façades. If attached garages are located on the primary façade they shall:
  - (a) Not exceed forty-five (45) percent of the façade's total width,
  - (b) Be setback a minimum of twenty-five (25) feet from the property line, and
  - (c) Be recessed from the primary front façade (excluding porches) of the duplex a minimum of five (5) feet.
- (4) Exterior building cladding materials shall be time- and weather- tested materials and techniques such as but not limited to masonry; stone veneer systems; stucco; precast panels with inlaid or stamped brick texture; vinyl, cement board, wood, or smart board siding.

**Figure 4.1. Attached Garages Standards For Duplex Uses****(B) Townhomes.**

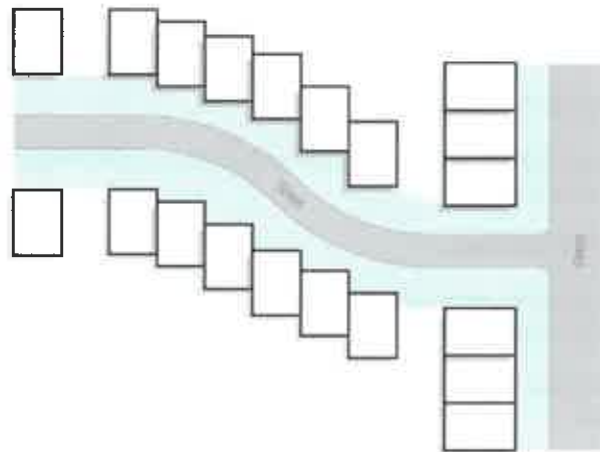
- (1) Townhomes shall be oriented with their primary entrances either:
  - (a) Toward the designated front lot line. The primary entrance of end unit townhomes on corner lots may be oriented toward the designated front or exterior side lot line.
  - (b) Toward an internal courtyard space. The primary entrance of end unit townhomes closest to the designated front lot line shall be oriented toward the designated front lot line.
- (2) Individual townhome units shall be articulated through the exterior design of the rowhome cluster. This can be accomplished through dormers, porches, vertical design elements, varying roof forms, or other architectural devices.
- (3) The maximum length of a townhome cluster shall be two hundred (200) lineal feet.
- (4) A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise approved by the Village Administrator or their designee.
- (5) The siting of the townhome units in a cluster shall be staggered in order to define street edges, entry points, and public gathering spaces.
- (6) A minimum of one (1) of the parking spaces required for each dwelling unit, as required in Section 9-5-01 of this UDO, shall be provided in an attached or detached garage.
- (7) Attached or detached garages shall be located on rear or side façades, unless otherwise approved.
- (8) Townhomes shall meet the design standards established in Section 9-5-06.



**Figure 4.2. Townhome Standards**



**Figure 4.3. Staggered Townhome Standards**



**(C) Multifamily Building, All Units.**

- (1) The building's primary façade and principal entrance shall be oriented toward a public street.
- (2) A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise approved by the Village Administrator or their designee.
- (3) All off-street parking, as required in Section 9-5-01 of this UDO, shall be located in the rear and/or interior side of the primary building. Off-street parking located in the interior side yard shall be set back a minimum of one (1) foot from the front elevation of the primary building.
- (4) ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
- (5) Service areas, dumpsters, utilities and the required nonvegetative screening of these features shall not be visible from public rights-of-way.
- (6) Multifamily buildings shall meet the design standards established in Section 9-5-06.

**(D) Group Homes, All Units.**

- (1) Each group home, before admitting residents, shall have proof of compliance with all applicable local, state, and federal standards.
- (2) Each group home shall submit a copy of its Illinois License or Certification and the sponsoring agency's Illinois License of Certification to the Village Administrator or their designee.
- (3) Before admitting any residents, the group home operator shall submit a statement detailing the following information:
  - (a) The number of residents,
  - (b) The number and type of personnel that will be employed, and
  - (c) The qualifications of the agency operating the group home.
- (4) To the greatest extent practical, a group home shall conform to the type and outward appearances of the residences in the neighborhood in which it is located.

**(E) Senior Housing, Dependent and Independent.**

- (1) Senior housing shall meet applicable federal and state requirements including, but not limited to licensing, health, safety and building code requirements
- (2) Adequate vehicular drop-off and pick-up zones, sidewalks, and exterior lighting for the safety of the residents and other pedestrians shall be provided.
- (3) The site and building characteristics shall complement the visual character of the surrounding neighborhood to the greatest extent possible. Features including roof pitch, window placement, and the location of parking shall be considered.

**9-4-03: Place of Assembly Uses**

RESERVE

**9-4-04: Retail Uses****(A) Adult Oriented Businesses.**

- (1) The Village hereby adopts by reference the following studies and case law decisions, including the specific studies and findings contained therein, as to the negative secondary effects resulting from the location and concentration of adult business uses within a municipality:
  - (a) St. Paul Division of Planning at the Minnesota Crime Control Planning Board - 1978 study of relationships between sexually oriented and alcohol oriented adult entertainment business;
  - (b) Minnesota Crime Prevention Center study on the effects of sex oriented and alcohol oriented adult entertainment upon property values and crime rates - 1980;
  - (c) Indianapolis - 1983 study of sexually oriented businesses and property values;
  - (d) Indianapolis - 1984 "Adult Entertainment Business in Indianapolis";
  - (e) Phoenix - 1979 "Relation of Criminal Activity and Adult Businesses"; and
  - (f) Northend Cinema, Inc. v. City of Seattle (Supreme Court of Wash., 1978) 90 WASH 2d 709, 585 P.2d 1153.
- (2) The Village finds that the negative secondary effects associated with adult business uses, as adopted pursuant to subsection (A) of this section, are applicable to the location of adult business uses in the Village and that the regulation of adult business uses is necessary to lessen said negative secondary effects including, but not limited to, lessening the following negative secondary effects:
  - (a) There is a statistically significant correlation between the location of adult business uses and neighborhood deterioration.
  - (b) That the location of an adult business use in a neighborhood has a negative impact on property value.
  - (c) That the negative impact on property values increases when more than one adult business use is located within a given area.
  - (d) That the effect of adult business uses on the crime rate is positive and significant.
  - (e) That there is a significantly higher crime rate associated with two (2) adult businesses located in a given area than is associated with only one adult business use in a given area.
  - (f) That adult business uses should be located in areas of the Village which are not in close proximity to residential uses, schools and other retail business uses as well as areas frequented by minors.
  - (g) That residents of the Village and persons who are nonresidents but use the Village for shopping and other needs will move from the Village or shop elsewhere if adult business uses are allowed to locate in close proximity to residential dwellings, schools or other retail business uses.
  - (h) That the location of adult business uses in a given area creates the perception in the Village that such area is an unsafe and undesirable part of the Village.
  - (i) Therefore, adult business uses should be separated from other dissimilar uses just as any other land use should be separated from uses with characteristics different from itself. The reasonable regulation of the location of adult business uses will provide for the protection of the image of the Village and its property values, and protect the residents of the Village from the negative secondary effects of such business uses, while providing to those who desire to patronize adult business uses such an opportunity in areas of the Village which are appropriate for location of adult business uses.

- (3) Adult uses shall comply with the following standards.
  - (a) Adult -oriented establishments shall not locate within at least one-thousand (1,000) feet from of any parcel in a residential district or with an existing use classified in the following categories established in this ordinance.
    - (1) Residential.
    - (2) Place of Assembly.
    - (3) Eating and Drinking.
  - (b) A Type D Transition Area shall be provided along all property lines shared with an existing use categorized in subsection (3)(a) or when adjoining a residential district.
  - (c) The hours of operation shall be limited to between 11:30 am and 1:00 am, except for cleaning and maintenance activities necessary for the property's operation, which may occur or after the hours specified in this subsection.
  - (d) No amplified sound equipment audible outside the principal building shall be allowed.

**(B) Adult Use Cannabis Dispensary.**

- (1) The Village may require that additional parking above the standard of one (1) space per two-hundred fifty (250) square feet be provided if it is determined that more parking is necessary.
- (2) Consumption of cannabis and cannabis-infused products on the premises of any adult-use cannabis dispensing organization shall be prohibited.
- (3) Adult-Use Cannabis Dispensing Organization locations must comply with the Illinois Cannabis Regulation and Tax Act.

**9-4-05: Service and Office Uses**

**(A) Animal Hospital, Veterinarian, Kennel**

- (1) No livestock or large animals shall be boarded, treated, or kept on the premises.
- (2) The use shall be conducted primarily within a fully enclosed building designed with noise resistant materials (plans and specifications for noise resistant materials shall be approved by the city through the building permit approval process).
- (3) All litter and waste shall be contained and controlled on site by having appropriate flushing drains and other physical elements to properly dispose of cleaning waste from the boarding area.
- (4) Drainage from outdoor areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.
- (5) The boarding area must be air-conditioned and heated so that windows, doors or other openings can be closed at any time.
- (6) Outdoor areas shall be set back as far as possible from all residential properties, with a minimum setback of one hundred fifty (150) feet. However, the Village Council may consider smaller setbacks in areas with high levels of noise, such as those impacted by highways, provided that the operator can demonstrate how they will mitigate noise impacts in the outdoor area.
- (7) Solid waste will be removed from the outdoor area after each use of the area.
- (8) All outdoor areas shall be screened with a solid opaque fence or wall at least six (6) feet in height. Slatted chain link fences shall not meet this requirement.

- (9) Use of outdoor areas between the hours of 10:00 p.m. and 7:00 a.m. is prohibited.

#### 9-4-06: Eating and Drinking Uses

RESERVE

#### 9-4-07: Lodging Uses

##### (A) Bed and Breakfast.

- (1) The property must be developed, maintained, and operated so that the principal building, accessory buildings, yards, drive, and street frontage complement the appearance and character of its adjacent neighborhood and do not detract from abutting properties.
- (2) The maximum stay by any guest shall be limited to four (4) consecutive weeks.
- (3) Cooking facilities shall not be permitted in any of the guest rooms.

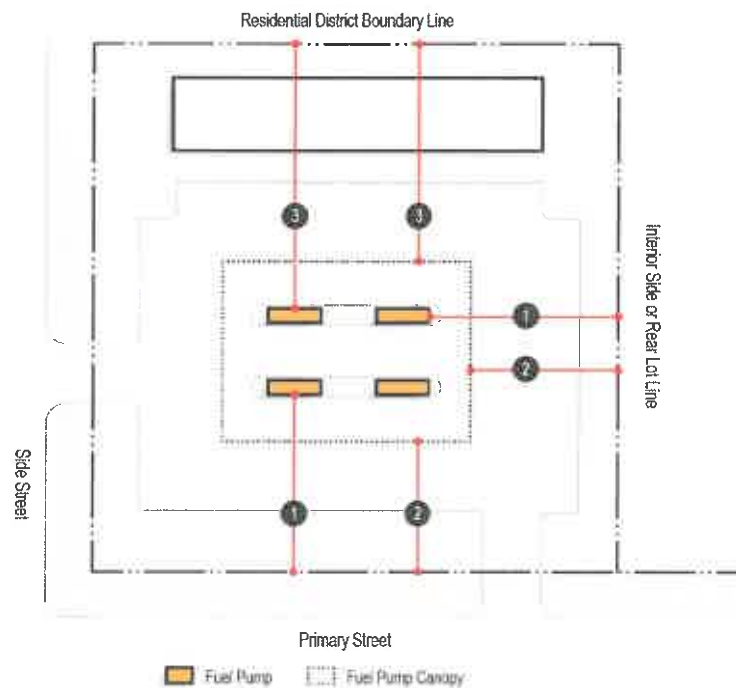
#### 9-4-08: Vehicle Related Uses

##### (A) Carwash.

- (1) A Type B transition area, as detailed in Section ##-###, shall be required along lot lines adjacent to any parcel in a nonresidential Zoning District.
- (2) A Type D transition area, as detailed in Section ##-###, shall be required along lot lines adjacent to any parcel in a residential or the I Institutional Zoning District.
- (3) Hours of operation shall be restricted to between 7am and 10pm only.
- (4) All mechanical equipment, excluding self-service vacuum units, shall be enclosed within a building.
- (5) All facilities shall be designed and configured such that any outdoor spraying preparation or drying activities are directed away from any abutting residential properties,
- (6) All car wash facilities and accessory equipment such as vacuums, dryers, accessory buildings, etc. shall be set back a minimum of two hundred (200) feet from any residential use or Zoning District. Such facilities and equipment shall be enclosed within a building, with the exception of self-service vacuum units.
- (7) If self-service vacuum facilities are provided, a minimum of one (1) parking space for each vehicle capable of being serviced at any one time at such vacuum facility shall be provided, and parking spaces for accessory vacuum facilities shall not interfere with circulation or entrance or exit drives.
- (8) Accessory equipment including vacuum facilities shall be set back a minimum of twenty (20) feet from all property lines.
- (9) All full-service or conveyor-based carwash facilities shall be equipped with, and maintain in operation, a water recycling system that shall recycle a minimum of fifty (50) percent of the water being used by the facility
- (10) Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

**(B) Fuel Sales.**

- (1) All fuel pumps shall be set back a minimum of twenty-five (25) feet from the street right-of-way and side or rear lot lines.
- (2) All fuel pump canopies shall be located a minimum of twenty (20) feet from the street right-of-way and side or rear lot lines.
- (3) All fuel pumps and fuel pump canopies shall be located a minimum of fifty (50) feet from any residential district boundary line.
- (4) Fuel pump canopies shall have a maximum height of seventeen (17) feet.
- (5) Fuel pump canopy columns shall be clad in masonry, stucco, fiber cement, or stone veneer systems with a minimum thickness of three (3) inches.
- (6) Fuel pump canopies shall be lit with only fully recessed lighting.
- (7) A Type B transition area, as detailed in Section ## ###, shall be required along lot lines adjacent to any parcel in a nonresidential district.
- (8) A Type D transition area, as detailed in Section ## ###, shall be required along lot lines adjacent to any parcel in a residential district.
- (9) Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.
- (10) The applicant shall submit all approvals required by external agencies, prior to the approval of a Special Use as specified in Section ## ###.

**Figure 4.4. Fuel Sales Standards**



**(C) Motor Vehicle Sales and Rental.**

- (1) A Type B transition area, as detailed in Section ##-###, shall be required along lot lines adjacent to any parcel in a nonresidential district.
- (2) A Type D transition area, as detailed in Section ##-###, shall be required along lot lines adjacent to any parcel in a residential or the I Institutional Zoning District.
- (3) All outdoor display areas for sales, shall be improved with all-weather surfaces.
- (4) Parking lots utilized for the outdoor display of motor vehicles for sale shall be exempt from the landscape spacing requirements for the parking area perimeter zone, as detailed in Section ##-###, and instead may cluster required landscape elements in order to preserve views to motor vehicles offered for sale and/or rent.
- (5) No vehicles shall be parked within the public right-of-way.
- (6) Repair bays shall not front adjacent public rights-of-way or face a residential use or district.
- (7) No more than one (1) elevated display shall be used, raising the vehicle no more than three (3) feet off the ground.
- (8) Accessory uses and structures, such as car wash facilities and their incidental functions (vacuums and air compressors) shall be set back at least fifty (50) feet from public rights-of-way or a residential use or district.
- (9) No existing buildings shall be occupied or re-used for vehicle sales, rental, and service unless all requirements of this UDO are met.
- (10) The use shall operate in accordance with all other applicable federal, state, and local laws. If additional permits are required, such permits shall be obtained prior to the operation's approval.
- (11) Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

**(D) Major and Minor Automotive Repair.**

- (1) A Type C transition area, as detailed in Section 9-5-02, shall be required along lot lines adjacent to any parcel in a nonresidential district.
- (2) A Type D transition area, as detailed in Section 9-5-02, shall be required along lot lines adjacent to any parcel in a residential or I Institutional Zoning District.
- (3) All repair activities shall take place entirely within a fully enclosed building.
- (4) Outdoor storage of vehicles shall be on an all-weather surface. Surfacing and maintenance shall be within an enclosed fence or wall at least six (6) feet in height.
- (5) Service bay entrances shall not front a public right-of-way, unless otherwise approved.
- (6) Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

#### 9-4-09: Industrial Uses

**(A) Artisan Manufacturing.**

- (1) Gross floor area shall not exceed five thousand (5,000) square feet.
- (2) Outdoor storage shall be prohibited.
- (3) Outdoor operations or activities may be approved with a temporary use permit.
- (4) Artisan manufacturing shall not create or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties.
- (5) Retail sales of goods manufactured on-site shall be required and shall comprise a minimum of ten (10) percent of the total area of the building. Retail sales areas shall be located on the ground floor and shall be directly adjacent to storefront windows.
- (6) Manufacturing areas are encouraged to be visible from retail areas.
- (7) A maximum of one (1) residential unit shall be permitted within the same unit/leasable area as the artisan manufacturing use but shall be limited to twenty-five (25) percent of the total area of the building.

**(B) Building Material, Machinery, and Equipment Rental, Sales, and Service.**

- (1) A Type B transition area, as detailed in Section 9-5-02, shall be required along lot lines adjacent to any parcel in a nonresidential district.
- (2) A Type D transition area, as detailed in Section 9-5-02, shall be required along lot lines adjacent to any parcel in a residential I Institutional Zoning District.
- (3) Metal and/or vinyl siding is prohibited. Exterior building cladding materials shall be brick, stone, or decorative masonry only.
- (4) Outdoor storage and/or activity is prohibited.

#### 9-4-10: Utility Uses

RESERVE

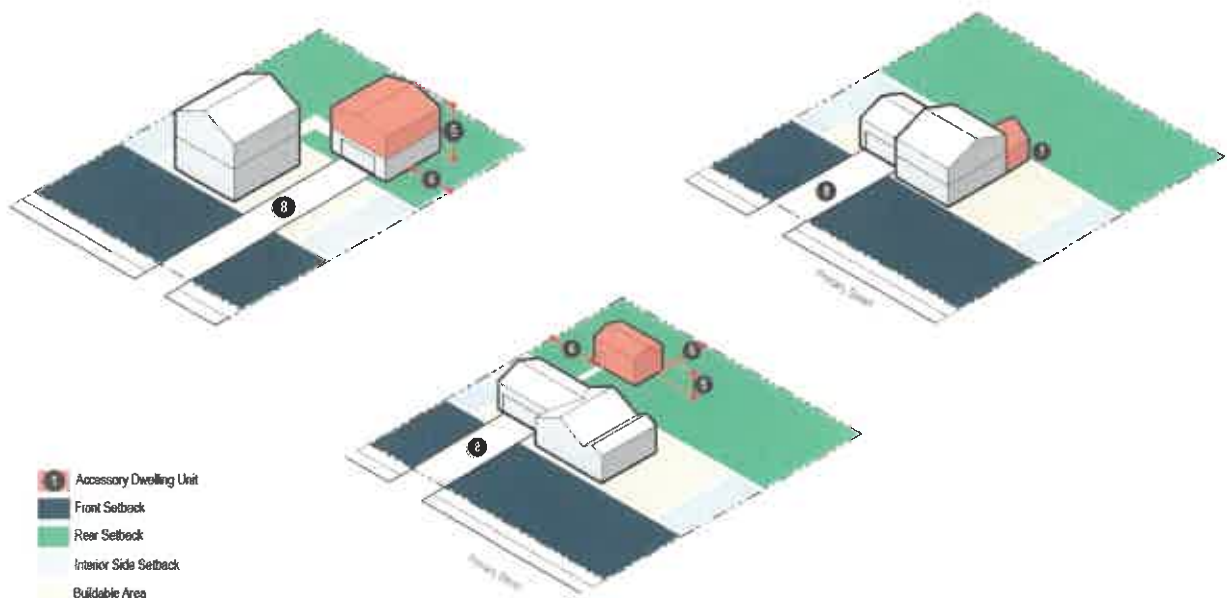


## 9-4-11: Accessory Uses

### (A) Accessory Dwelling, Detached / Attached.

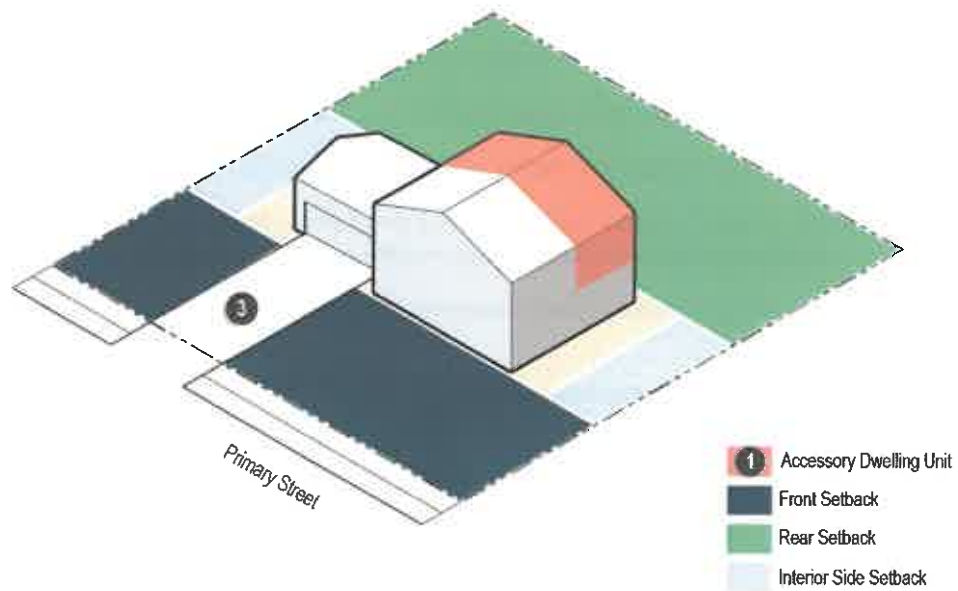
- (1) One (1) detached, attached, or internal accessory dwelling unit shall be allowed per lot.
- (2) If a lot has a detached garage, a detached accessory dwelling unit shall be located above the detached garage. A standalone detached garage and standalone detached accessory dwelling unit shall not be allowed on a lot.
- (3) The detached / attached accessory dwelling shall be located to the interior side or rear of the principal dwelling.
- (4) The maximum size of a detached accessory dwelling shall be seventy five percent of the gross floor area of the principal building.
- (5) An accessory dwelling shall have a maximum height of twenty (20) feet or the height of the principal building, whichever is less.
- (6) Detached accessory dwellings shall be setback a minimum of five (5) feet from the rear and interior side yard lot lines.
- (7) Attached accessory dwellings shall be located fully within the buildable area of the lot.
- (8) The principal dwelling and detached / attached accessory dwelling shall be served by a common driveway.
- (9) The detached / attached accessory dwelling shall have similar architectural features including roof pitch; window type, size, and placement; and exterior building cladding materials as the principal dwelling.
- (10) The principal dwelling or detached / attached accessory dwelling shall be the primary residence of the owner of the property.

**Figure 4.5. Accessory Dwelling Detached/Attached Standards**



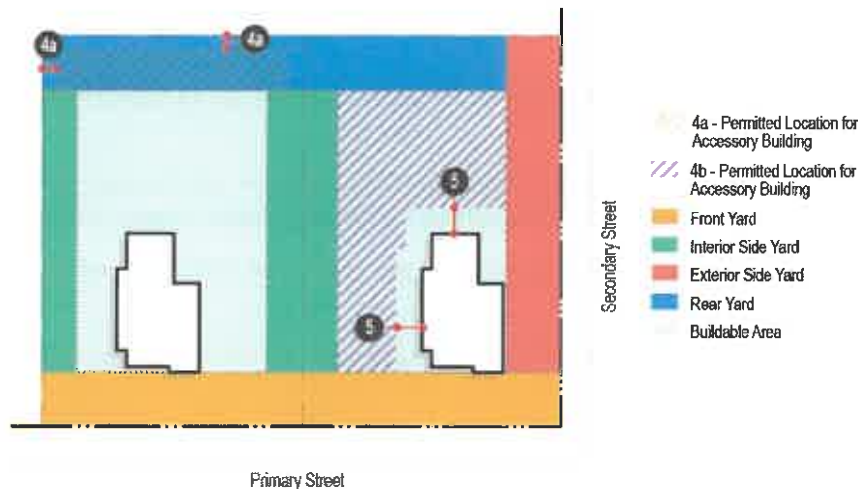
**(B) Accessory Dwelling, Internal.**

- (1) One (1) detached, attached, or internal accessory dwelling unit shall be allowed per lot.
- (2) The maximum size of the internal accessory dwelling shall be twenty-five (25) percent of the floor area of the principal building.
- (3) The principal dwelling and internal accessory dwelling shall be served by a common driveway.
- (4) The principal dwelling or internal accessory dwelling shall be the primary residence of the owner of the property.

**Figure 4.6. Accessory Dwelling, Internal Standards**

**(C) Accessory Buildings.**

- (1) Two (2) accessory buildings shall be allowed per parcel.
- (2) The aggregate size of all accessory buildings on a lot shall be seventy-five (75) percent of the gross floor area of the principal building.
- (3) An accessory building shall have a maximum height of twenty (20) feet or the height of the principal building, whichever is less.
- (4) Unless otherwise detailed in Table 9-3-03(A), an accessory building shall be located either:
  - (a) Completely within the required rear yard and five (5) feet interior side lot lines and ten (10) feet from rear lot lines.
  - (b) Completely within the buildable area of the lot and to the interior side or rear of the principal building.
- (5) An accessory building shall be located at least then (10) feet from the subject parcel's principal building.
- (6) Shipping containers shall not be utilized as an accessory building.

**Figure 4.7. Accessory Building Standards****(D) Accessory Structures.**

- (1) No accessory building shall be constructed on a site without a principal building.
- (2) An accessory structure shall have a maximum height of twenty (20) feet or the height of the principal building, whichever is less..
- (3) Unless otherwise detailed in Table 9-3-03(A), an accessory structure shall be located as follows.
  - (a) Not over an easement, unless a release letter from the easement holder is submitted to the Village.
  - (b) Either:
    - (1) Completely within the required rear yard and five (5) feet interior side lot lines and ten (10) feet from rear lot lines.
    - (2) Completely within the buildable area of the lot and to the interior side or rear of the principal building.
- (4) An accessory building shall be located at least then (10) feet from the subject parcel's principal building.

- (5) All pools having side walls less than four (4) feet above grade, including all pools constructed below grade, shall be required to be completely enclosed by a fence as specified in the building code adopted by the Village.
- (6) Shipping containers shall not be utilized as accessory structures.

**(F) Drive Throughs.**

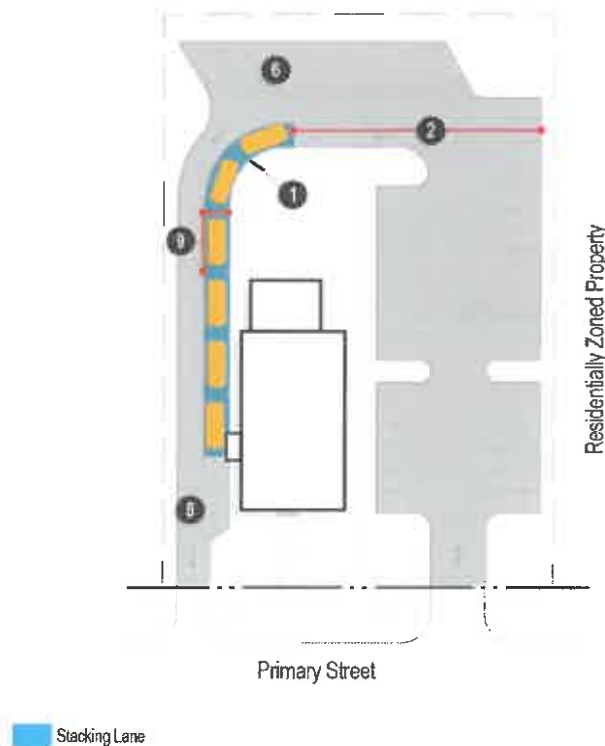
- (1) Drive throughs shall be permitted a maximum of four (4) total menu boards with a combined maximum area of 100 square feet.
  - (a) Each menu board or pre-order board shall not exceed sixty (60) square feet in area and ten (10) feet in height. Menu boards and pre-order boards may utilize electrically activated changeable copy message centers for one hundred (100) percent of the permitted menu board or pre-order board area and must follow all regulations of Section 9-6-07(3).
- (2) Any structural element of a drive through, including pavement, speaker boxes, or menu boards shall be located at least four hundred (400) feet from the parcel boundary of any residentially zoned parcel, unless otherwise approved through the special use permit process.
- (3) Any speaker or intercom associated with a drive through shall not be audible beyond the boundaries of the property.
- (4) The hours of operation for a drive through adjoining a residential property shall be limited to between 7 am and 11 pm daily.
- (5) Drive through canopies shall maintain a uniform and consistent roofline with the building to which the drive-through is associated.
- (6) Stacking spaces and lanes for drive through stations shall not impede on- and off-street traffic movement, shall not cross off-street parking areas or drive aisles and shall not impede pedestrian access to a public building entrance.
- (7) Drive through lanes shall be separated from off-street parking areas. Individual lanes shall be striped, marked, or otherwise delineated.
- (8) Drive through facilities shall be provided with a bypass lane with a minimum width of ten (10) feet unless an alternative means of exit is approved.
- (9) Stacking lanes shall have a minimum depth of twenty (20) feet per stacking space and the following minimum lane widths:
  - (a) One (1) lane: twelve (12) feet,
  - (b) Two (2) or more lanes: ten (10) feet per lane.

- (10) Drive through facilities shall be required to provide a minimum number of stacking spaces as detailed in Table 9-4-11(F).

Table 9-4-11(F): Drive Through Stacking Requirements		
Use	Minimum Stack	Measure From
Automated Teller Machine	3 per machine	teller machine
Bank Teller Lane	2 per lane	teller or window
Restaurant	6 per order box	order box <sup>(1)</sup>
Carwash Stall, Automatic, less than 100 feet long	5 per stall	stall entrance
Carwash Stall, Automatic, 100 feet long or more	25 per stall	stall entrance
Carwash Stall, Manual	3 per stall	stall entrance
Oil Change Shop	3 per service bay	service bay entrance
Pharmacy	4 per lane	machine or window
Notes:		
(1) Four of the required stacking spaces shall be located between the order-box and pick-up window, including the stacking space at the order box.		

- (11) The Village Board may require the applicant to provide a traffic impact study conducted by an independent engineering consultant as part of the Special Use approval process specified in Section 9-9-05.
- (12) Permits from all relevant state or county agencies, including the Illinois Department of Transportation and DuPage County Division of Transportation shall be required prior to the issuance of zoning approval.

**Figure 4.8. Drive Through Standards**



**(H) Food Cart / Truck, accessory.**

- (1) Food carts or trucks shall be allowed accessory to craft brewery and brewery/winery/distillery uses.
- (2) Accessory food carts or trucks shall submit all approvals required by external agencies, including the DuPage County Health Department, prior to the approval of a Special Use Permit as specified in Section 9-9-05.

**(I) Home Occupations.** Home Occupations shall comply with the following standards:

- (1) A Home Occupation shall employ only individuals that reside on-site.
- (2) A Home Occupation shall not receive customers or clients on site, with the exception of home based child care services with fewer than eight (8) children.
- (3) A Home Occupation shall not involve manufacturing or processing of any kind.
- (4) A Home Occupation shall be conducted entirely within the principal building or accessory structure. No outdoor storage of goods, equipment, or other home occupation related items shall be allowed.
- (5) No more than twenty five (25) percent of the area of one story of a single-family dwelling, nor more than twenty (20) percent of the area of any other dwelling unit, may be devoted to the Home Occupation.
- (6) No sign shall advertise the presence or conduct of the occupation.
- (7) The outdoor display, storage, sale of goods, materials, merchandise, or equipment or activities associated with home occupation shall be prohibited.
- (8) No mechanical equipment shall be used except such that is normally used for domestic household purposes and shall be contained within the principal or accessory building or structure.
- (9) A Home Occupation shall not alter the exterior appearance of the principal residential structure which changes the site's residential character.
- (10) The following occupations shall be prohibited as home occupations:
  - (a) Autobody repair;
  - (b) Motor Vehicle Service;
  - (c) Small engine and equipment repair;
  - (d) Animal training, breeding, and boarding;
  - (e) Landscape contracting;
  - (f) Pickers / junkers.



**(I) Outdoor Display/Sale of Merchandise, Permanent.**

- (1) The permanent outdoor display and sale of merchandise shall be limited to the following types of sites in the B Community Business Zoning Districts as follows.
  - (a) Principal use is a retail grocery store with a gross floor area exceeding thirty thousand (30,000) square feet.
  - (b) Principal use is a pharmacy and with a gross floor area of thirteen thousand, five hundred (13,500) square feet.
- (2) The permanent outdoor display of merchandise shall be limited to between April 1 and December 15, annually.
- (3) The sum of all merchandise display areas shall be no larger than one hundred (100) square feet in size unless an exception to this provision has been granted by the Village Administrator or their designee.
- (4) All outdoor displays shall be located within fifteen (15) feet of the side or front of the principal building as measured from the building foundation, and not occupy a required yard.
- (5) Such outdoor display of merchandise shall be incidental to the primary business and shall be located only on private property.
- (6) Merchandise shall not occupy more than ten (10) percent of the required parking spaces and shall not occupy those spaces designated for disabled persons.
- (7) At least three feet (3') of walkway shall be maintained at all times for pedestrian traffic, and if applicable, as required by the Illinois Accessibility Code.
- (8) Only goods and materials associated with the existing principal on-site use may be displayed or sold.
- (9) Permanent outdoor display or sales areas shall not be located within any required yard or parking area.
- (10) Permanent outdoor display or sales areas shall be surfaced with an approved hard surface material. Partially paved or unpaved outdoor display or sales areas shall be prohibited.
- (11) Permanent outdoor display or sales areas shall not exceed ten (10) percent of the gross floor area of the primary building on the property unless approved as a Special Use.

**(J) Outdoor Seating For Eating and Drinking Uses.**

- (1) The outdoor seating area shall be located on an approved hard paved surface.
- (2) Outdoor seating areas may utilize a maximum of twenty (20) percent of the parking spaces required for the operation of the principal use or two thousand (2,000) square feet, whichever is less.
- (3) The capacity of an outdoor seating area shall not exceed the posted capacity of the principal eating and drinking use it is associated with, when combined with the capacity of the eating and drinking use.
- (4) Outdoor seating areas shall not block a pedestrian walkway or public sidewalk in a manner which reduces the width of that walkway or sidewalk to less than five (5) feet.
- (5) Outdoor seating areas shall be visually delineated on-site by a fence, landscape hedge, or wall, the height and placement of which shall be deemed appropriate by the Plan Commission. The fence, landscape hedge, or wall shall be at least four (4) feet in height when facing a residential property or use.
- (6) A fence, landscape hedge, or wall with a height of four (4) feet shall be utilized to delineate the outdoor seating area from other structures and features on-site.
- (7) The use of outdoor seating areas shall be limited to the posted operational hours of the associated eating and drinking use, but shall not extend past 10:00 PM when adjoining a residential use.

**(K) Outdoor Storage, Permanent.**

- (1) Permanent outdoor storage areas shall obtain a building permit and comply with all other building, fire, and zoning codes.
- (2) Permanent outdoor storage areas must be screened on all sides with a minimum six (6) foot high solid fence, chain link fence with slats, wall, or Type C Transition Area as detailed in Section 9-5-02.
- (3) Permanent outdoor storage areas shall be located in rear yards and interior side yards only.
- (4) Permanent outdoor storage areas shall be located on impervious surfaces only.
- (5) Permanent outdoor storage areas shall not be located in drive aisles, fire lanes, or required parking spaces.
- (6) Permanent outdoor storage areas shall not be adjacent to residentially zoned properties.
- (7) Materials and/or equipment stored in permanent outdoor storage areas shall not exceed the height of the principal building.
- (8) Permanent outdoor storage areas shall not be visible from a public right-of-way.

**(L) Small Cell Wireless Facilities.**

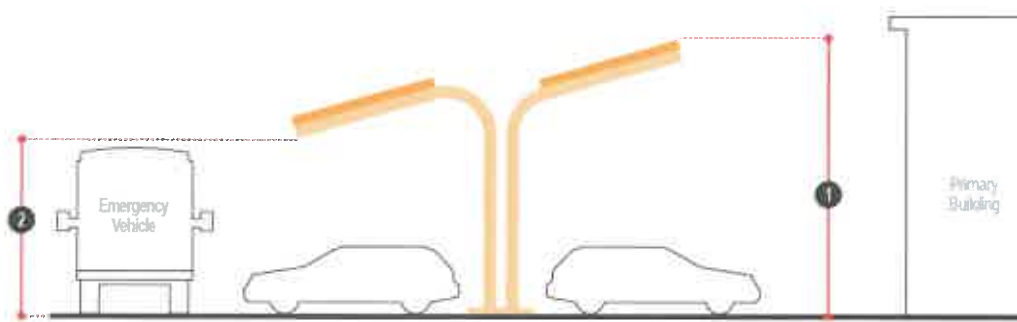
**(1) Appearance Standards.**

- (a) Mobile service support structures shall be of a monopole design unless the Village Board determines that an alternate design would better blend into the surrounding environment.
  - (b) Mobile service support structures and facilities shall be designed to blend into the surrounding environment as closely as possible through the use of color, camouflaging and/or stealth architectural treatment, where possible.
  - (c) A mobile service support structure shall be painted a single, neutral color.
  - (d) Mobile service support structures and facilities shall not be illuminated by artificial means and shall not display lights unless such lights are specifically required by a Federal or State authority. Lights are permitted during on-going maintenance activities.
  - (e) All structures shall be enclosed with a solid fence and a vegetative screen as provided. To the extent feasible, equipment enclosures should be sized to accommodate co-location of additional facilities.
- (2) If the operator/property owner ceases using the small cell wireless facilities, the small cell wireless facilities within thirty (30) of the date upon which its use ceases



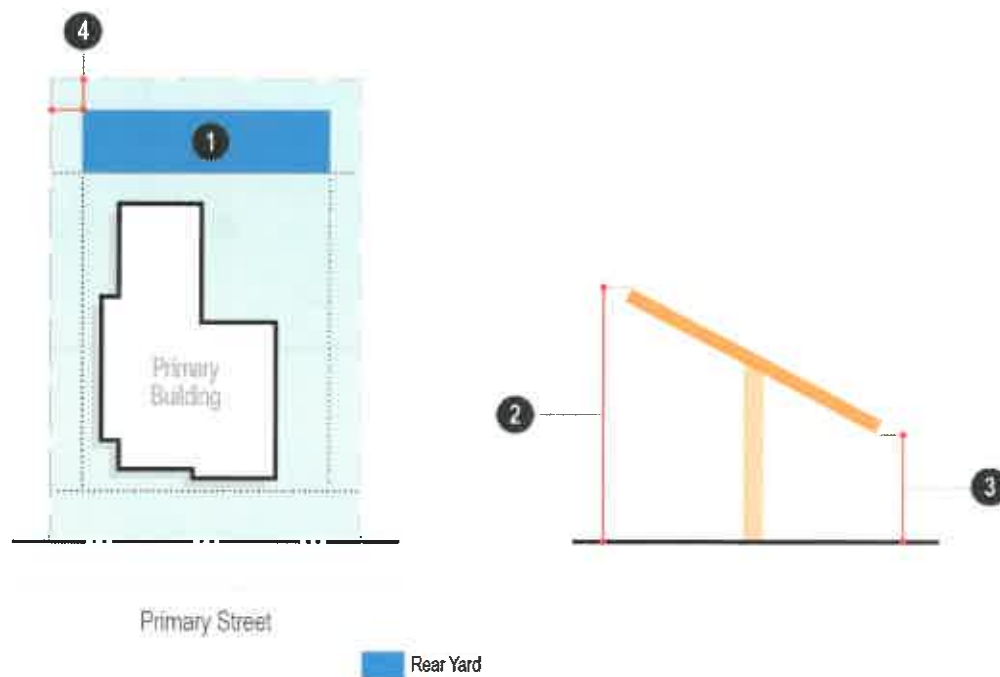
**(M) Solar Energy Collection System, Canopy.**

- (1) The height of canopy solar energy collection systems shall not exceed the height of the primary building that the parking area serves.
- (2) The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

***Figure 4.9. Solar Energy Collection System, Canopy Standards***

**(N) Solar Energy Collection System, Ground.**

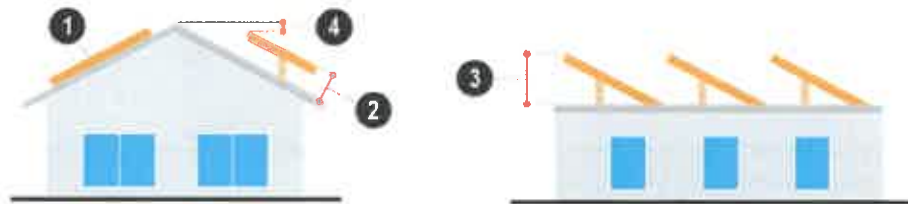
- (1) Ground mounted solar energy collection systems shall be permitted in the rear yard only.
- (2) The maximum height of ground mounted solar energy collection systems shall be five (5) feet in height, measured from the grade at the base of the pole to the highest edge of the system.
- (3) Minimum clearance between the lowest point of the system and the surface on which the system is mounted is twelve (12) inches.
- (4) All parts of the freestanding system shall be set back ten (10) feet from the side and rear lot lines and shall not be located in a public utility easement.

**Figure 4.10. Solar Energy Collection System, Ground Standards**

(O) **Solar Energy Collection System, Roof.**

- (1) Roof mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.
- (2) Systems on structures with a pitched roof shall not extend beyond twelve (12) inches parallel to the roof surface of the roof.
- (3) Systems on structures with flat roofs shall not extend beyond thirty-six (36) inches parallel to the surface of the flat roof.
- (4) Systems on all structures shall not extend above the highest peak of a pitched roof. Height is measured from the roof surface on which the system is mounted to the highest edge of the system.
- (5) All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility.

**Figure 4.11. Solar Energy Collection System, Roof Standards**



**9-4-12: Temporary Uses****(A) Food Cart or Truck.**

- (1) Sites for food carts or trucks are required to have full public improvements including curb, gutter, sidewalk, and an access drive, etc.
- (2) Food carts or trucks shall locate on paved surfaces. The location of a food cart or truck on unimproved surfaces, required landscape areas, in required setbacks, or on dirt or gravel areas is prohibited.
- (3) One (1) food cart or truck shall be allowed per lot.
- (4) Food carts or trucks shall obtain written permission from the owners of the subject property and shall submit such documentation as part of the temporary use approval process specified in Section 9-9-02(G).
- (5) A food cart or truck, including all vending activity, tables, chairs, and trash receptacles may occupy no more than four (4) parking stalls or six hundred and fifty (650) square feet of parking area, whichever is less.
- (6) Tables and chairs shall be permitted and located on improved or paved surfaces and shall not locate in parking stalls, landscape areas, or drive aisles, aside from the four (4) parking stalls designated for vending.
- (7) Food carts or trucks shall not occupy or operate within an ADA parking stall or pedestrian path.
- (8) A minimum of one (1) trash receptacle and one (1) recycling receptacle shall be provided per food cart or truck.
- (9) Required tables, chairs, and trash and recycling receptacles shall not be retained on-site overnight.
- (10) Fire lanes, drive aisles, sidewalks, access to trash enclosures, and similar areas may not be blocked by any vending activity.
- (11) The food cart or truck shall not involve the use of amplified sound or music.
- (12) Food carts or trucks shall be located a minimum of five hundred (500) feet from any brick-and-mortar restaurant in the Village of Willowbrook, as measured from the property line.
- (13) Food carts or trucks shall be set back at least one thousand (1,000) feet from any arterial or major collector roadway as defined by the Illinois Department of Transportation.
- (14) The applicant for a food cart or truck shall submit all approvals required by external agencies, including the DuPage County Health Department, prior to the approval of a Temporary Use Permit as specified in Section 9-9-02(G).
- (15) Food carts or trucks shall be allowed only in residential zoning districts when approved as a Special Event pursuant to Section 9-9-02(H).

**(B) Parking of Trailers, Boats, and Other Vehicles.** No trailer, travel trailer, pickup coach, camping trailer, motorized home, boat, all-terrain vehicle, or other recreational vehicle shall be parked in a residential district except in compliance with the following regulations.

- (1) A trailer, travel trailer, pickup coach, camping trailer, motorized home, boat, all-terrain vehicle, or other recreational vehicle parked in a residential district for up to thirty (30) days shall:
  - (a) Receive a temporary use permit as specified in Section 9-9-02(G).
  - (b) Be parked on a legally established driveway or parking pad only.
  - (c) Be parked outside of any designated special flood hazard area.

- (2) A trailer, travel trailer, pickup coach, camping trailer, motorized home, boat, all-terrain vehicle, or other recreational vehicle parked in a residential district for more than thirty (30) days shall:
  - (a) Be parked on a hard surfaced area to rear of the principal dwelling.
  - (b) Be parked outside of any designated special flood hazard area.
- (3) A trailer may be used as a temporary office on a parcel incident to construction or development when construction or development is actively under way.
- (4) No vehicle shall be used or occupied for living, housekeeping or business purposes.
- (5) A vehicle may be parked anywhere on the premises for active loading or unloading purposes or for a period not exceeding eight (8) hours, provided that they are not used for living, housekeeping or business purposes.
- (6) Mobile homes shall not be placed, parked, stored, kept or occupied in any district.

**(C) Portable Outdoor Storage Devices.**

- (1) One (1) device shall be allowed per lot.
- (2) The size of the device shall be limited to one hundred eighty (180) square feet.
- (3) Portable outdoor storage devices shall be allowed for a maximum of thirty (30) days unless specifically exempted allowed for a longer duration through a building permit.
- (4) Permanent outdoor display or sales areas shall not be located within any required yard, pedestrian travelway, or parking area, or in the front of a principal building.

**(D) Seasonal Sales.**

- (1) Seasonal sales shall be permitted for a period not to exceed ninety (90) days per calendar year, unless otherwise approved.
- (2) Seasonal sales areas may use a maximum of twenty (20) percent of the parking spaces required for the operation of the principal use or two thousand (2,000) square feet, whichever is less.
- (3) Seasonal sales areas shall not block pedestrian walkways in a manner which reduces the width of that walkway to less than five (5) feet.

## Chapter 5. General Development Standards

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### 9-5-01: Off-Street Parking and Loading

(A) **Applicability.** The off-street loading and off-street parking provisions of this chapter shall apply as follows:

- (1) **Change in Intensity of Use.** When the intensity of use of any building, structure or premises shall be increased or expanded through the addition of dwelling units, gross floor area, seating capacity or other units of measurement specified herein for required parking or loading facilities, parking, and loading facilities as required herein shall be provided for such increase or expansion in intensity of use.
- (2) **Change in Use.** Whenever the existing use of a structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said structure was erected prior to the effective date of this chapter, additional parking or loading facilities are mandatory only as the required quantity exceeds those for the existing use.
- (3) **Relief.** If the subject site conditions, including size, topography, shape, or configuration would prevent additional parking from being constructed as required in Subsections (1-2), the Village Administrator or their designee may provide relief from the requirement as deemed appropriate.
- (4) **Building Permits Issued Prior to the Effective Date of This Ordinance.** Where a building permit has been issued prior to the effective date of this Ordinance, and construction has begun within six (6) months after such effective date and diligently prosecuted to completion, parking and loading facilities in the amounts required for the issuance of said building permit may be provided in lieu of any different amounts required by this chapter.

(B) **Design and Location.**

- (1) **Location on Same Lot.** Required off street parking spaces shall be located on the same lot as the principal use or structure, except when approved as Shared Parking as detailed in Section 9-5-01(#) or when the Plan Commission recommends and the Board of Trustees authorizes a specific use, for which the location of all or a part of the required off street parking spaces may be located on a lot that does not contain the principal use or structure.

- (2) **Location on Separate Lot.** In cases where parking facilities are permitted on a lot other than the lot on which the structure or use served is located, a covenant running with the land must be recorded in the Office of the Recorder of Deeds of DuPage County, Illinois, on the lot upon which the accessory off street parking is located which prohibits any other use on that lot, and a copy of the recorded covenant certified by the Recorder of Deeds of DuPage County, Illinois, must be deposited with the Village Administrator or their designee. The covenant shall not be released until such time as either one of the following occurs:
- (a) The structure on the lot containing the principal use is removed and the principal use is terminated.
  - (b) Another lot of the required size is properly developed and used for the required accessory off-street parking in lieu of the initial lot used for accessory off-street parking with the same requirements, covenants and conditions attaching to such substitute accessory use lot as approved by the same authority as required for approval of such initial lot.
  - (c) Unless such permitted off-street parking spaces are provided by permitted collective use of accessory off- street parking spaces for another use, they shall be located in a district where parking lots or storage garages are allowable principal uses.
  - (d) The parking of vehicles shall only be permitted on approved paved driveways, parking pads and other paved off-street parking areas as provided for in this title.
- (3) **Vertical Clearance.** Enclosed parking spaces shall have a vertical clearance of at least seven feet (7').
- (4) **Use.** Off-street parking facilities, as necessary to uses listed herein, shall be solely for the parking of automobiles of patrons, occupants, or employees. When bus transportation is provided for patrons, occupants, or employees of a specific establishment, additional open or enclosed off- street parking spaces for buses to be parked on the premises shall be provided.
- (5) **Location in Yards.**
- (a) **Interior Side or Rear Yards.** Off-street parking spaces, access drives or drive aisles, including any and all impervious surfaces, open to the sky may be located in required interior side or rear yards within ten (10) feet of the nearest lot line, except a parking area and drive aisle containing more than four (4) parking spaces with a residential or nonresidential district adjoining a single-family residential district boundary or a parking area, which shall not be less than forty (40) feet from the lot line.
  - (b) **Exterior Side and Front Yards.** Off-street parking spaces, access drives, or aisles including any and all impervious surfaces may be located in required exterior side and front yards in only nonresidential districts to within fifteen (15) feet of the nearest lot line.
  - (c) **Yards Adjacent to Illinois Route 83 or Plainfield Road.** All parking areas located within a required yard adjacent to Illinois Route 83 or Plainfield Road shall be set back a minimum of twenty five (25) feet from the property line.
- (6) **Surfacing And Maintenance.**
- (a) **Open And Enclosed Spaces.** All parking spaces, whether open or enclosed, shall at all times be clearly designated with striping outlining each parking space and the direction of traffic in access aisles.
  - (b) **Surfacing.**
    - (1) **Single-Family Residential Districts.** All open off-street parking areas and driveways in the R-1, R-2 and R-3 Single-Family Residential Districts shall be improved with all-weather, hard surface pavement installed in accordance with the following standards and specifications:



- (i) A two (2) inch thick bituminous concrete surface course on an eight (8) inch thick compacted crushed stone base commonly known as driveway mix.
  - (ii) A five (5) inch portland cement concrete surface on a four (4) inch thick compacted crushed stone base.
  - (iii) Wire mesh shall be prohibited in the right-of-way including but not limited to driveway aprons and public sidewalks.
- (2) **Residential And Nonresidential Districts.** All open off- street parking areas and driveways in the R-4 Single-Family Attached and R-5 Multifamily Residential Districts and in all nonresidential districts shall be improved with all-weather, hard surface pavement installed in accordance with the following standards and specifications:
- (i) A two and one half (2.5) inch thick bituminous concrete binder course and a one and one-half thick surface course, State of Illinois Class I, shall be constructed over a compacted crushed stone base that is eight (8) inches thick, constructed in accordance with the Illinois Department of Transportation's Standard Specifications for Road and Bridge Construction, latest edition.
- (c) **Curb And Gutter.** All open off-street parking areas, driveways and aisles serving multi-family dwellings having more than four (4) dwelling units and all nonresidential uses shall be improved with concrete barrier curb and gutter installed in accordance with the Illinois Department of Transportation's Standard Specifications for Road and Bridge Construction, latest edition.
- (d) **Permissible Slopes.** For all parking lots, aisles and driveways, whether constructed on public parkways or private property, the minimum and maximum allowable vertical slopes shall be one percent (1) percent and five (5) percent respectively.
- (1) **Drainage.** All off-street parking areas constructed for the purposes of parking more than four (4) vehicles shall be drained utilizing underground storm sewers, concrete barrier curb and gutter and other necessary appurtenances. The design of all storm sewer facilities and curb and gutter shall comply with the Village standards found in the Standards and Specifications for the Design and Construction of Public Improvements.
- (e) **Maintenance Requirements.** The owner and/or occupant of business, commercial, office, research, industrial or multiple-family uses of four (4) dwelling units or greater shall be responsible for the maintenance of all driveways and parking lots serving such use including such portions located in public rights-of-way. All pavement that represents a hazard to vehicular or pedestrian travel shall be repaired.
- (1) Hazards shall be defined as including but not limited to, one or more of the following:
- (i) A pothole two (2) inches or more in depth covering one (1) square foot or more in area. Potholes must be repaired within the time frame indicated on the notice of violation. During winter months a temporary patch must be provided and maintained until permanent repairs can be performed. Materials used for cold patching must be approved by the Zoning Officer.
  - (ii) A rut two (2) inches or more in depth.
  - (iii) A fault with a one (1) inch or greater difference in elevation.
  - (iv) A crack one-half (1/2) inch or greater in width
  - (v) Settlement or sinking one (1) inch or greater in depth.
  - (vi) Disintegration covering a one (1) square yard or greater area or any other condition that is determined by the Zoning Officer to be a hazard.



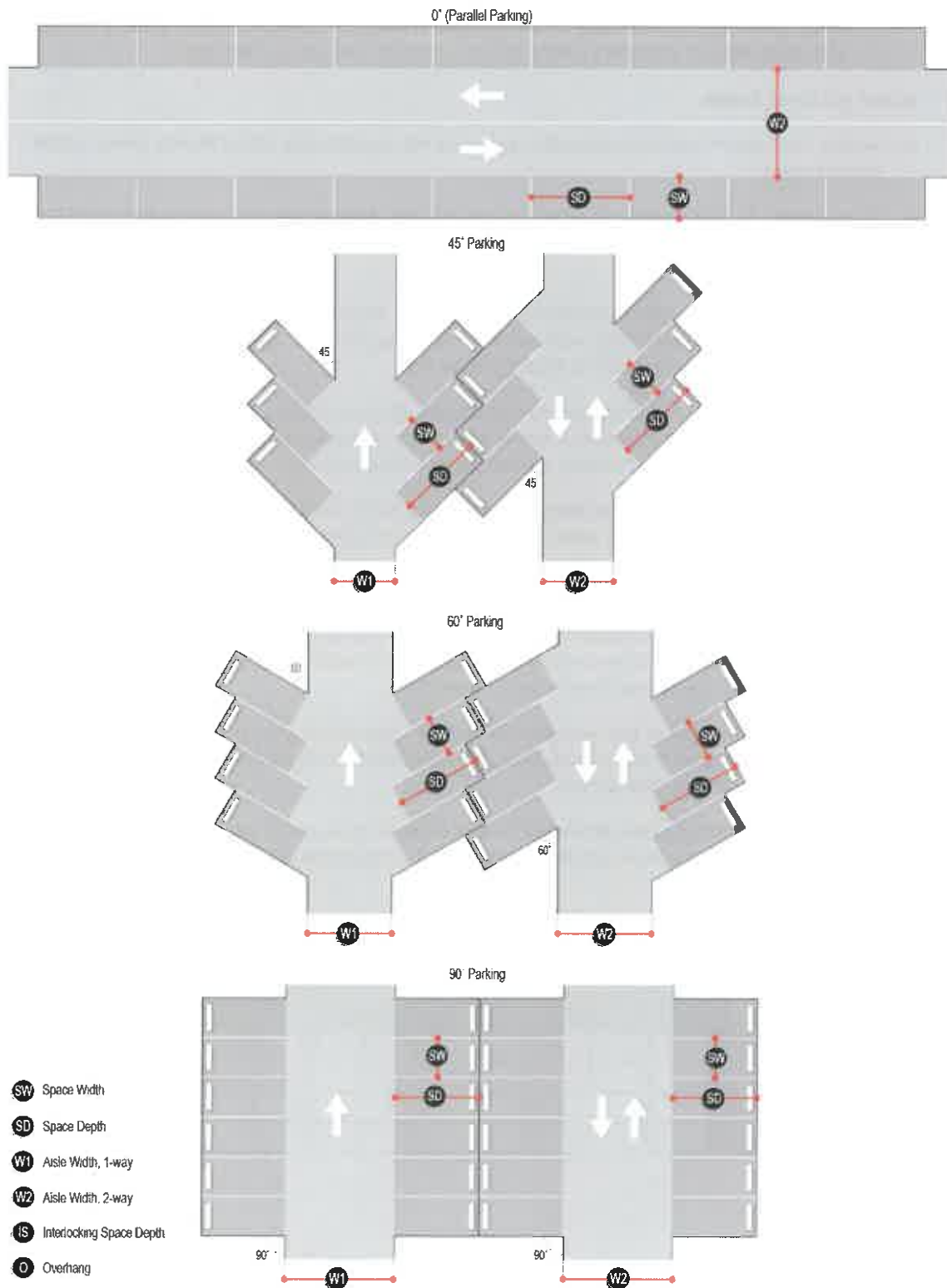
- (2) The Village shall notify the owner and/or occupant of any violations of this subsection. Such notification shall indicate the nature of the hazard and an amount of time given to correct same. Time to comply shall not exceed a maximum of thirty (30) days during the construction season. Upon receipt of said notice, such owner and/or occupant shall notify the Zoning Officer in writing of his plans for corrective action. A striping plan will be required whenever a parking lot is to be overlaid, sealcoated, or restriped.

(7) **Access and Cross Access.**

- (a) **Access.** Each required parking space shall be accessible from a public street without passing through another required space.
- (b) **Cross Access.** To facilitate vehicular access between adjoining developments and to minimize off-street parking area access points along streets and alleys, non-single-family development shall comply with the following standards:
- (1) Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's off-street parking areas and off-street parking areas in an adjoining non-single-family development, or to the boundary of adjoining vacant land.
  - (2) Required vehicular cross access between the adjoining off-street parking areas shall be provided through the use of a single two-way maneuvering lane or two one-way maneuvering lanes that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
  - (3) The Village Administrator or their designee may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or there exists an inability to connect to adjacent property.
  - (4) Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with DuPage County before issuance of a building permit for the development.
  - (5) **Village Administrator or their designee Waiver.** The Village Administrator or their designee may waive the cross access required in any instance in which site conditions, including lot configuration, topography, or size, would prohibit its establishment.
- (C) **Minimum Standards For Parking Spaces, Aisles And Parking Bays.** Minimum parking space and aisle dimensions shall be in accordance with the following schedule and further provided that parallel parking shall be expressly prohibited in all business districts for required parking:

Table 9-5-01(C): Standard Parking Stall and Aisle Dimensional Requirements						
Parking Angle (Degrees)	Space Width	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang
0	8'	22'	18'	12'	n/a	n/a
45	9'	17'	18'	12'	28.25'	1.5'
60	9'	18'	18'	16'	32'	1.5'
90	9'	18'	24'	24'	36'	n/a

**Figure 5.1. Parking Dimensions**



**(D) Parking Of Vehicles Prohibited.**

- (1) The outdoor storage or parking of any vehicles requiring a State vehicle license greater than a Class B, or any vehicle in excess of eight thousand (8,000) pounds as regulated by the State, or buses designed for more than sixteen (16) occupants, is prohibited within all residential districts.
  - (a) **Exceptions.**
    - (1) Loading or unloading of household belongings between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. for the purpose of moving a personal residence; or
    - (2) Deliveries, repairs, construction, maintenance, or service calls.
- (2) The outdoor storage or parking of more than one unoccupied taxicab, limousine, or any other vehicle used to transport individuals for hire, regardless of gross vehicle weight (GVW) or State license designation or more than one van or truck, having a first division or Class B State vehicle license which is used for business or commercial purposes, is prohibited within all residential districts.
  - (a) **Exception.** Property under the jurisdiction of a special use permit having a nonresidential use in a residential district shall be exempt.

**(E) Off-Street Parking Required.**

- (1) **Minimum Requirements.** Except as otherwise expressly stated, off-street parking spaces shall be provided in accordance with the parking ratio requirements established in Table 9-5-01(E). Required parking spaces shall not interfere with drive through facilities per Section 9-4-11(F) or loading and unloading activity per Section 9-5-01(H).
  - (a) **Parking Reserved for Specific User Groups.** Parking spaces reserved for specific user groups other than ADA compliant spaces, spaces with electric vehicle charging stations, and spaces for curb side pick, shall not count towards the minimum requirement.
- (2) **Maximum Requirements.** To minimize excessive areas of pavement, no off-street parking area shall exceed the required minimum number of parking spaces by more than thirty (30) percent for multifamily, mixed-use, and nonresidential uses only, except as approved by the Village Administrator or their designee. In approving additional spaces above the maximum, the Village Administrator or their designee shall determine that the parking is needed based on documented evidence of actual use and demand provided by the applicant.
- (3) **Calculations.** The following rules shall apply when calculating the required minimum number of parking spaces:
  - (a) **Fractions.** When measurements of the number of required spaces result in a fractional number, the number shall be rounded up to the next higher whole number.
  - (b) **Area Measurements.** Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed on the basis of gross floor area (GFA).
  - (c) **Occupancy or Capacity-Based Standards.** For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations must be based on the largest number of persons working on any single shift, the maximum enrollment, or the maximum fire-rated capacity, whichever is applicable as determined by the Village Administrator or their designee and the Fire Department.
  - (d) **Unlisted Uses.** In the case of uses not listed in Table 9-5-01(E), the number of spaces for a similar use, as determined by the Village Administrator or their designee, shall apply.

Table 9-5-01(E): Minimum Parking Requirements	
Use	Minimum Parking Requirement
Residential Uses	
Dwelling, Single-Family Detached	2 / dwelling
Dwelling, Duplex	
Dwelling, Multiple Family, up to 8 units	1.5 / dwelling
Dwelling, Multiple Family, 8+ units	
Dwelling, Multiple Family, above ground floor	
Dwelling, Multiple Family, Complex	
Dwelling, Townhouse	
Group Homes, up to 8 residents	2 / dwelling
Group Homes, 9+ residents	3 / dwelling
Senior Housing, Dependent	0.5 / dwelling
Senior Housing, Independent	1 / dwelling
Place of Assembly Uses	
Indoor Commercial Place of Assembly, 3,000 sq ft or less	1 / 300 sq ft
Indoor Commercial Place of Assembly, more than 3,000 sq ft or more	
Outdoor Commercial Place of Assembly	
Indoor Non-Commercial Place of Assembly, 3,000 sq ft or less	
Indoor Non-Commercial Place of Assembly, more than 3,000 sq ft	
Outdoor Non-Commercial Place of Assembly	
Retail Uses	
Adult Oriented Business	1 / 250 sq ft
Adult Use Cannabis Dispensary	
Alcohol/Liquor Sales	
Boat Showroom	
Firearms Retailer	
Retail, less 3,000 sq ft or less	
Retail, more than 3,000 sq ft	
Multitenant Shopping Center	1 / 150 sq ft
Pawn Shop	1 / 250 sq ft
Service and Office Uses	
Acute Care Center	1.5 / exam room
Adult Day Care	1 / 300 sq ft
Animal Hospital, Veterinarian	
Check Cashing / Pay Day Loan Store	
Child Care Center	
Coworking Space	
Financial Institution	
Hospital	1 / hospital bed
Kennel	1 / 300 sq ft
Laundry, Self Service	
Massage Therapy	

Table 9-5-01(E): Minimum Parking Requirements	
Use	Minimum Parking Requirement
Personal Service, 3,000 sqft or less	
Personal Service, more than 3,000 sqft	
Professional Office, 3,000 sqft or less	
Professional Office, more than 3,000 sqft	
Tattoo / Body Piercing Facility	
Video Gaming Cafes	
Eating and Drinking Uses	
Bar/Tavern	1 / 100 sq ft
Carry-Out Facility	
Craft Brewery	
Restaurant	
Lodging Uses	
Bed and Breakfast	1.5 / guest room
Hotel	
Vehicle Related Uses	
Car Wash	1 / stall
Fuel Sales	
Motor Vehicle Sales/Rental	1 / 300 sq ft
Minor / Major Motor Vehicle Service	1 / stall
Industrial Uses	
Artisan Manufacturing	1 / 1,000 sq ft
Building Material, Machinery, and Equipment Sales or Storage	
Brewery/Winery/Distillery Production Facility	
Contractor Shop	
Crematorium	
Dry Cleaner, Processing On Site	
Greenhouse, Wholesale	
Laundry, Commercial	
Light Manufacturing, Assembly, Fabrication	
Materials Salvage Yard / Recycling Operations	
Mining and Aggregate Extraction	
Mini-Warehouse / Personal Storage	
Research and Development	
Warehouse, Distribution/Storage	
Accessory Uses	
Accessory Dwelling, Detached / Attached	1 / dwelling
Accessory Dwelling, Internal	
Accessory Retail / Restaurant	1 / 250 sq ft
Accessory Structure / Building	n/a
Drive-Through Facility	
Food Cart or Truck, accessory	

Table 9-5-01(E): Minimum Parking Requirements	
Use	Minimum Parking Requirement
Home Based Childcare	
Home Occupation	
Outdoor Display / Sale of Merchandise, Permanent	
Outdoor Storage, Permanent	
Small Cell Wireless Facilities	
Solar Energy Collection System, canopy	
Solar Energy Collection System, ground	
Solar Energy Collection System, roof	
Temporary Uses	
Civic Uses of Public Property	As determined through applicable permit process
Contractors Trailers and Real Estate Model Units	
Food Cart or Truck, temporary	
Outdoor Display/Sale of Merchandise, Temporary	
Parking of Trailers, Boats, and Other Vehicles	

(4) **Shared Parking Facilities.**

- (a) **Purpose.** Shared parking is encouraged as a means of conserving land resources, reducing stormwater runoff, reducing the heat island effect caused by large, paved areas, and improving community appearance.
- (b) **Authorization.** Shared parking facilities for off-street parking of two (2) or more buildings or uses may be approved by the Plan Commission subject to compliance with this Section.
- (c) **Location.** Shared parking facilities shall be located within three hundred (300) linear feet of the primary entrance of the main residential building and within five hundred (500) linear feet of the primary entrance of the main nonresidential building.
- (d) **General Requirements.**
  - (1) The number of parking spaces provided shall not be less than the sum of the separate requirements for each such building or use. Where a mix of two (2) or more land uses creates staggered peak periods of parking demand, shared parking agreements that have the effect of reducing the total amount of required parking may be approved.
  - (2) Required accessible parking spaces for persons with disabilities may not be shared and shall be located on-site.
  - (3) Adjacent lots that are subject to a shared parking agreement shall be interconnected by the provision of a cross-access easement for vehicular and pedestrian passage.
- (e) **Shared Parking for Uses with Different Hours of Operation.**
  - (1) For purposes of this Section, the following uses are considered daytime uses:
    - (i) Office Uses,
    - (ii) Service and Office Uses,
    - (iii) Retail Uses,



- (iv) Place of Assembly Uses
  - (v) Industrial Uses, and
  - (vi) Other similar primarily daytime uses, as determined by the Plan Commission.
- (2) For purposes of this Section, the following uses are considered evening or weekend uses:
- (i) Lodging Uses,
  - (ii) Eating and Drinking Uses, and
  - (iii) Other similar primarily nighttime or weekend uses, as determined by the Plan Commission.
- (f) **Shared Parking Study.** The applicant(s) shall demonstrate, through a professionally prepared shared parking study, that there is no substantial conflict in the peak periods of parking demand of the uses for which shared parking is proposed. The shared parking analysis shall include, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated hourly and peak parking and traffic loads for all uses that will be sharing parking spaces. If existing land uses are to be included in the shared parking agreement, the study shall also include parking counts that document parking occupancy during weekday, weekend, daytime, and evening periods of peak and off-peak parking demand.

**(F) Off-Street Loading Requirements.**

- (1) **Purpose.** The purpose of this Section is to prevent congestion of public rights-of-way and private lots to promote the safety and general welfare of the public by establishing minimum requirements for the provision of loading facilities on various sites.
- (2) **Applicability.** Any use which has a gross floor area of six thousand (6,000) square feet or more, and which requires deliveries or makes shipments, shall provide off-street loading facilities in accordance with the regulations of this Section.
- (3) **Location.** All loading berths shall be located twenty-five (25) feet or more from the intersection of two (2) street right-of-way lines. Loading berths shall be located in the interior side or rear yard only and shall be oriented away from the primary road unless approved as a Special Use due to site conditions. All loading areas shall be located on the private lot and shall not be located within, or to interfere with, any public right-of-way, off-street parking area, or pedestrian circulation area.
- (4) **Size of Off-Street Loading Area.** Adequate space for standing, turning, loading, and unloading services shall be provided in a manner that does not interfere with required off-street parking areas, pedestrian circulation areas, and with the public use of streets or alleys.
- (5) **Access to Off-Street Loading Area.** Each loading berth shall be located to facilitate access to a public street or alley and shall not interfere with other vehicular or pedestrian traffic and shall not interfere with the function of parking areas. In no instance shall loading areas rely on backing movements into public rights-of-way. Users of shared loading areas are encouraged to coordinate loading activities to minimize off-site impacts.
- (6) **Surfacing and Marking.** All required loading areas shall be paved and maintained in a dust-free condition at all times. Said surface shall be marked in a manner that demarcates the loading areas.
- (7) **Use of Off-Street Loading Areas.** The use of all off-street loading areas shall be limited to the loading and unloading of vehicles. Said area shall not be used to provide minimum required parking spaces.
- (8) **Lighting.** Lighting used to illuminate an off-street loading area, if any, shall meet all requirements for outdoor lighting as detailed in Section 9-5-09.

- (9) **Required Loading Spaces.** The number of loading spaces provided shall be determined by the developer and shall provide for adequate space for standing, turning, loading, and unloading services. These spaces shall be provided in a manner that does not interfere with internal site circulation, ingress or egress to the site, access to or use of required off-street parking areas and pedestrian circulation areas, and with the public use of streets or alleys.

## 9-5-02: Landscaping

### (A) Applicability.

- (1) Landscape improvements required by this Section shall apply to all new nonresidential, mixed use, and multifamily development and substantial reinvestment or redevelopment the cost of which comprises fifty (50) percent or more of the site's market value, unless otherwise required in this Section.
- (2) Landscape improvements required by this Section shall not be required for changes of use or minor site alterations the cost of which comprise less than fifty (50) percent of the market value of the subject property.
- (3) Landscape improvements required by this section shall consist of living vegetation in a combination of plants, trees, shrubs, native grasses, perennials, and/or groundcover.

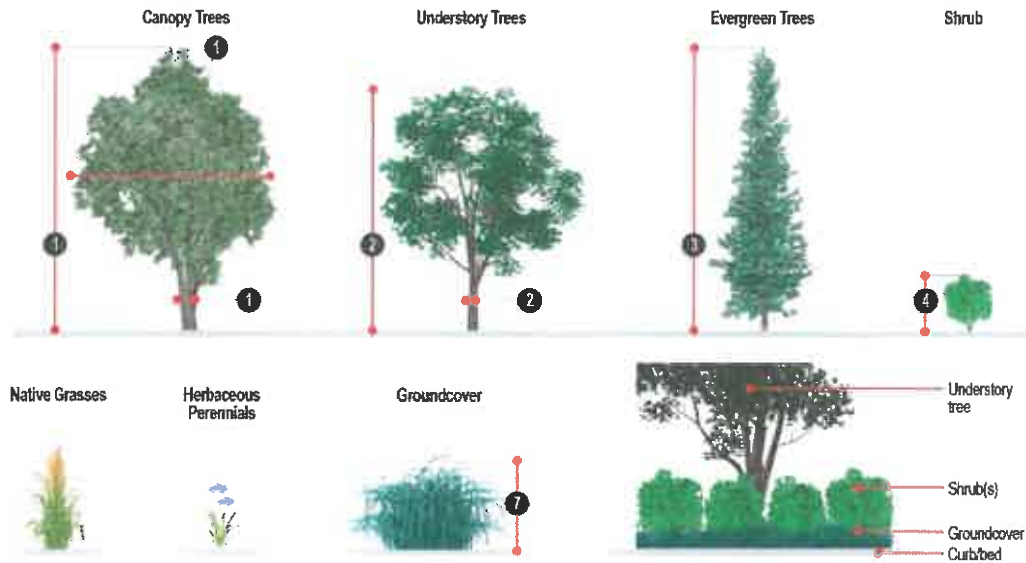
### (B) General Provisions.

- (1) Unless otherwise stated in this section, all size specifications for plant materials shall be based upon the time of planting. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured at average breast height.
- (2) Any plant materials used to meet the requirements of this section shall not include any plant material identified as an invasive species by the Illinois Department of Natural Resources.

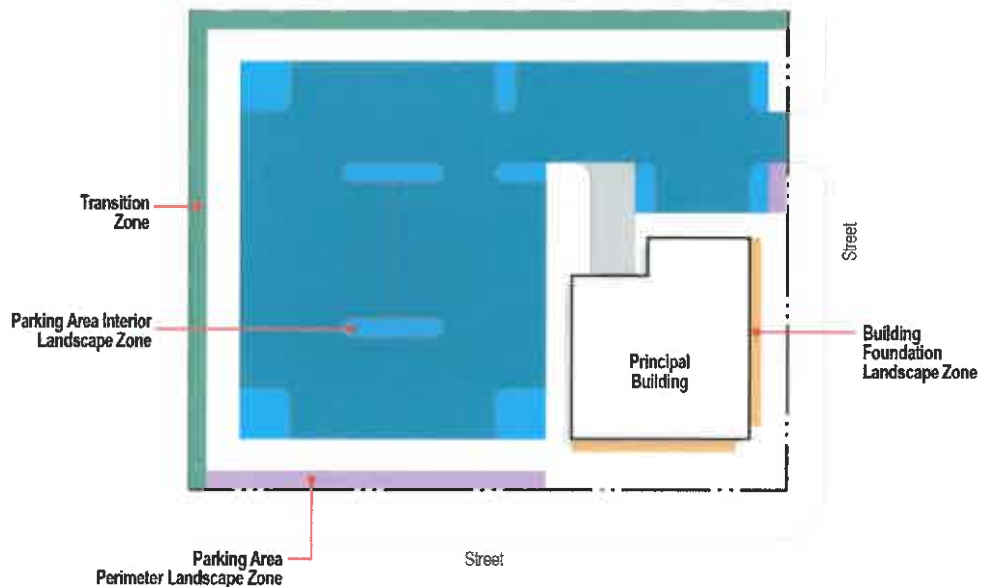
### (C) Planting Types.

- (1) **Canopy Trees.** A woody plant (deciduous or evergreen) having not less than a two and one-half (2.5) inch caliper with single central axis which typically reaches a mature height of not less than forty (40) feet and a mature spread of not less than fifteen (15) feet.
- (2) **Understory Trees.** A woody plant having not less than a one and one-half (1.5) inch caliper, or six (6) feet tall for multiple stem species, that normally attains a mature height of at least fifteen (15) feet.
- (3) **Evergreen Trees.** A tree having foliage that persists and remains green throughout the year and has a height of not less than six (6) feet at installation and maturing to a height of not less than twenty (20) feet.
- (4) **Shrubs.** A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and having a height of not less than two (2) feet, unless classified as a shrub by the State of Illinois.
- (5) **Native Grasses.** Grasses that are native to the State of Illinois, not including noxious weeds.
- (6) **Herbaceous Perennials.** Plants with non-woody stems whose above-ground growth largely or totally dies back during winter months but whose underground plant parts (roots, bulbs, etc.) survive.
- (7) **Groundcover.** Spreading herbaceous plants, other than turf grass, or prostrate shrubs, or woody vines normally reaching an average maximum height of eighteen (18) inches at maturity.



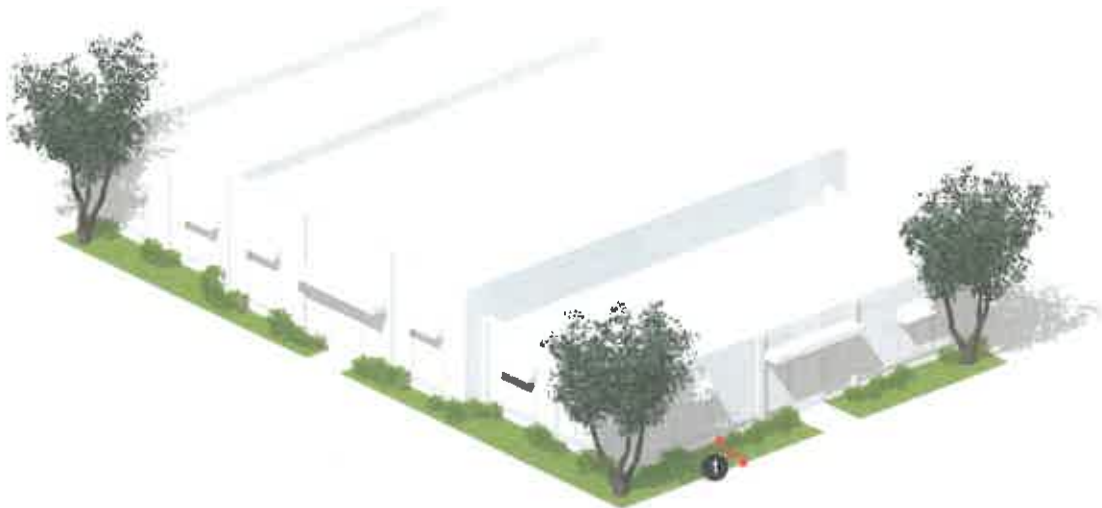
**Figure 5.2. Planting Types**

(D) **Required Landscape Zones.** Figure 5.3 illustrates the location of the required landscape zones as detailed in the following sections. The Village Administrator or their designee may approve exceptions to the required landscape zone as an administrative exception specified in Section 9-9-02(D).

**Figure 5.3. Required Landscape Zones**

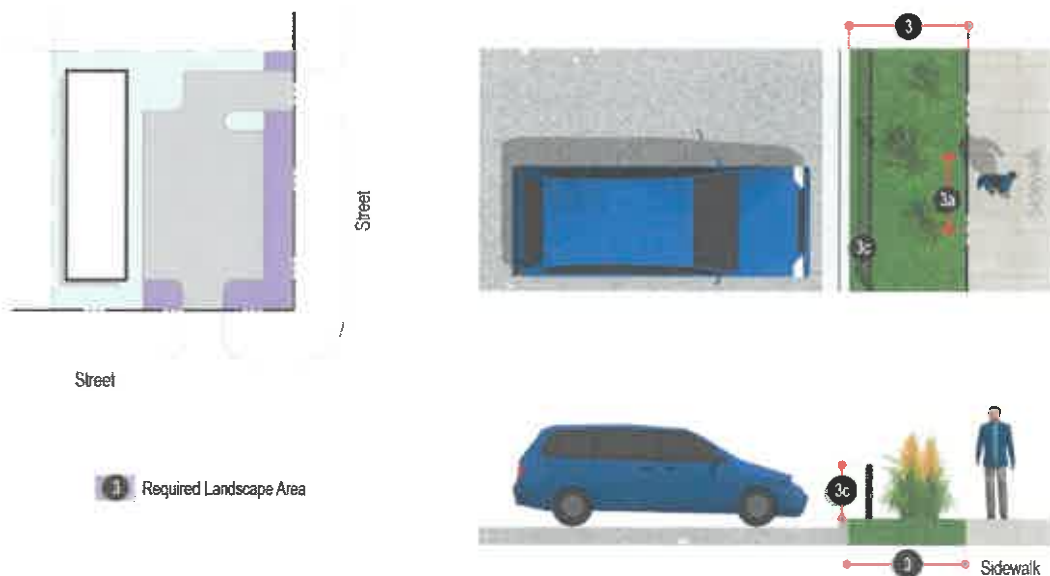
- (E) **Building Foundation Landscape Zone.** All nonresidential, mixed use, and multifamily development where a front yard setback is required, with the exception of food processing facilities regulated by the FDA, shall include landscape located at the building foundation as required by this Section. Landscape required by this Section shall be in addition to landscape required under other sections of this Ordinance. It is the objective of this Section to provide a softening effect at the base of buildings.
- (1) Applicable development is required to maintain a building foundation area at front and exterior side yards with a minimum width of seven (7) feet.
  - (2) Foundation plantings shall be designed to supplement buffer yard plantings to frame important views, while visually softening long expanses of walls.
  - (3) Foundation plantings shall be installed across forty (40) percent of the length of the façade of the building.
  - (4) Foundation plantings may include trees, shrubs, native grasses, and groundcover.
  - (5) Where the area between the building and parking lot or street curb is entirely paved for pedestrian use, landscaping may consist of canopy trees planted in structural soils beneath tree grates or permeable pavement, at the rate of one (1) tree per fifty (50) linear feet of building façade. Minimum structural soil volume shall be six hundred (600) cubic feet.
  - (6) Above-ground stormwater planter boxes along building facades may be substituted for foundation plantings.
  - (7) Required foundation plantings may be installed between parking lots and the building but shall be installed within twelve (12) feet of the building façade.

**Figure 5.4. Building Foundation Landscape Zone**



- (F) **Parking Area Perimeter Landscape Zone.** Landscape required by this Section shall be in addition to landscape required under other Sections of this Ordinance. It is the objective of this Section to provide screening between off-street parking areas and rights-of-way, and to provide for the integration of stormwater management with required landscaping.
- (1) **Location.** All off-street parking areas which abut a public or private right-of-way, excluding alleys, shall include landscape and trees as required by this Section located between the back of curb of the off-street parking area and the right-of-way.
  - (2) **Applicability.** The parking lot perimeter landscape regulations of this Section apply to the following:
    - (a) The construction or installation of any new off-street parking area, and
    - (b) The expansion of any existing off-street parking area, in which case the requirements of this Section apply only to the expanded area.
  - (3) **Requirements.** Perimeter landscape shall be established along the edge of the off-street parking area and have a minimum width of seven (7) feet as measured from the back of curb of the off-street parking area, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.
    - (a) One (1) shrub or native grasses the height of which shall not be less than three (3) feet nor greater than five (5) feet, shall be planted for every four (4) feet of landscape area length when no masonry wall or fence is provided as described in this subsection, or when such wall or fence is not entirely opaque. One (1) shrub or native grass shall be planted every eight (8) feet when an opaque masonry wall or fence is provided as detailed in this subsection. Such plantings may be clustered or spaced at even intervals as deemed appropriate by the Village.
    - (b) Landscaped areas outside of shrubs/native grasses and tree masses shall be planted in live groundcover.
    - (c) A low masonry wall or fence the height of which provides effective screening to a maximum height of three (3) feet may be used in conjunction with required landscaping as detailed above. Plant materials shall be installed between the sidewalk and the fence or wall to provide a softening effect.

**Figure 5.5. Parking Area Perimeter Landscape Zone**



(G) **Parking Area Interior Landscape Zone.** All off-street parking areas shall include parking area interior landscape as required by this Section. Trees and landscape required in in this Section shall be in addition to trees and landscape required under other Sections of this Ordinance. It is the objective of this Section to provide shade within parking areas, break up large expanses of parking area pavement, support stormwater management, improve the appearance of parking lots as viewed from rights-of-way, and provide a safe pedestrian environment.

(1) **Applicability.** The parking area end cap requirements apply to the following:

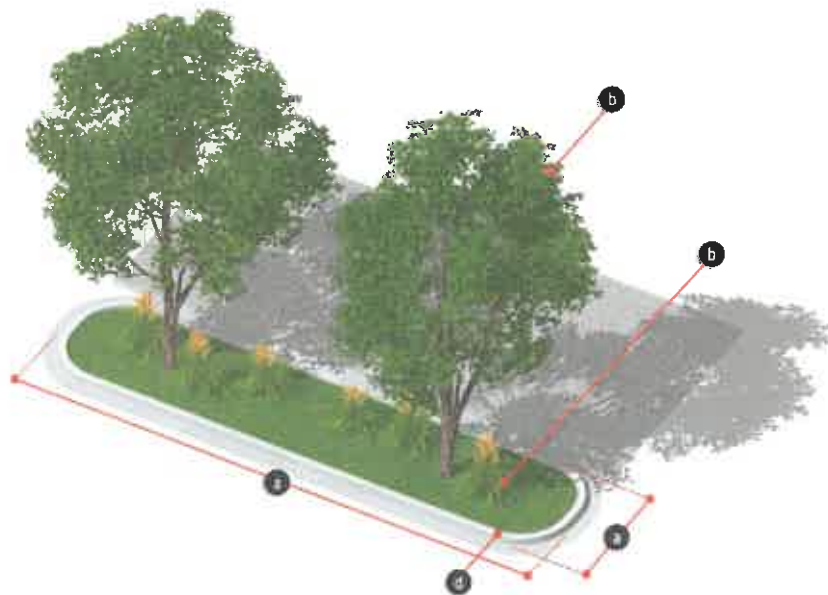
- (a) The construction or installation of any new off-street parking lot containing fifteen (15) or more parking spaces, or
- (b) The expansion of any existing off-street parking area if the expansion would result in fifteen (15) or more new parking spaces, in which case the requirements of this Section apply only to the expanded area.

(2) **Parking Area End Caps Required.** A parking area end cap shall be located at the end of all bays of parking.

(3) **Parking Area End Cap Standards.**

- (a) **Size.** Parking area end caps shall be a minimum nine (9) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area end caps opposite one another to form continuous single end cap.
- (b) **Planting.** A minimum of one (1) canopy tree and three (3) shrubs or native grasses shall be provided within each parking area end cap. If the end cap extends the width of a double bay, then two (2) canopy trees and six (6) shrubs or native grasses shall be provided.
- (c) **Other Types of Landscape Material.** Understory trees, evergreen trees, shrubs, native grasses, groundcover, and other plant materials may be used to supplement the required plantings as deemed appropriate by the Village Administrator or their designee but shall not create visibility concerns for automobiles and pedestrians.
- (d) **Design.** Parking area end caps shall be protected with concrete curbing or other suitable barriers approved by the Village Administrator or their designee. Such end caps shall be properly drained and/or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

**Figure 5.6. Parking Area Interior Landscape Zone Standards**



(H) **Transition Zone Landscape Requirements.** Transition zone landscape shall be required along interior property lines of all nonresidential, mixed use, and multifamily development. It is not expected that the transition area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics. Landscape required by this Section shall be in addition to landscape required under other Sections of this Ordinance.

(1) **Applicability.** Transition zone landscaping is required as follows:

- (a) The construction or installation of any new primary building or primary use; and
- (b) The expansion of any existing primary building or primary use that results in an increase in gross floor area by more than five (5) percent or one thousand (1,000) square feet, whichever is greater. In the case of expansions that trigger compliance with transition zone requirements, transition zone landscaping is required only in proportion to the degree of expansion. The Village Administrator or their designee is authorized to allow the transition zone to be established adjacent to the area of expansion or to disperse transition zone landscaping along the entire site transition zone.

(2) **Application of Transition Zone Types.** Transition zones shall be provided based on Table 9-5-02(H)(2), except where adjacent uses are of a similar nature, scale, and intensity as determined by the Village Administrator or their designee. As per Table 9-5-02(H)(2), the type of required transition zone is dependent upon the land use type of the subject lot and the land use type of the adjacent lot(s).

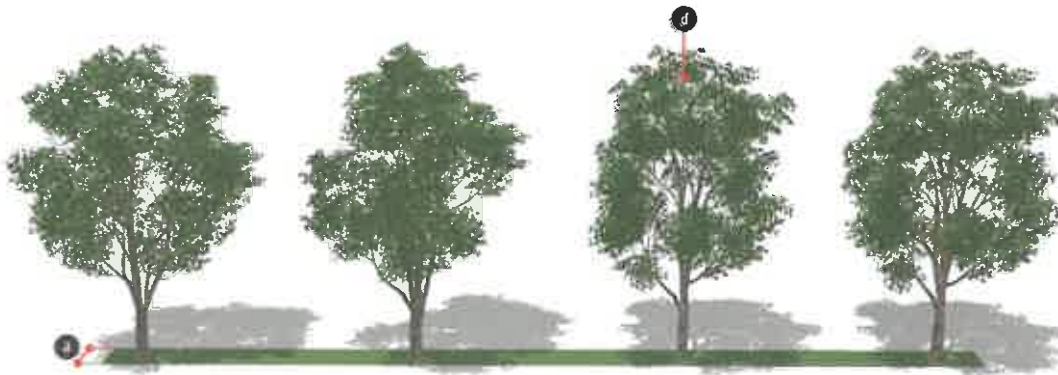
Subject Lot Land Use	Adjacent Lot Land Use									
	Agricultural and Open Space	Single-Family Residential	All Other Residential	Place of Assembly	Retail	Service and Office	Lodging	Eating and Drinking	Vehicle Related	Industrial
Agricultural and Open Space	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Single-Family Residential	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
All Other Residential	n/a	C	A	B	B	B	B	B	C	D
Place of Assembly	n/a	C	B	A	B	B	B	B	C	D
Retail	n/a	C	B	B	A	A	A	A	B	C
Service and Office	n/a	C	B	B	A	A	A	A	B	C
Lodging	n/a	C	B	B	A	A	A	A	B	C
Eating and Drinking	n/a	C	B	B	A	A	A	A	B	C
Vehicle Related	n/a	C	B	B	A	A	A	A	B	C
Industrial	n/a	D	D	D	D	D	D	D	D	B



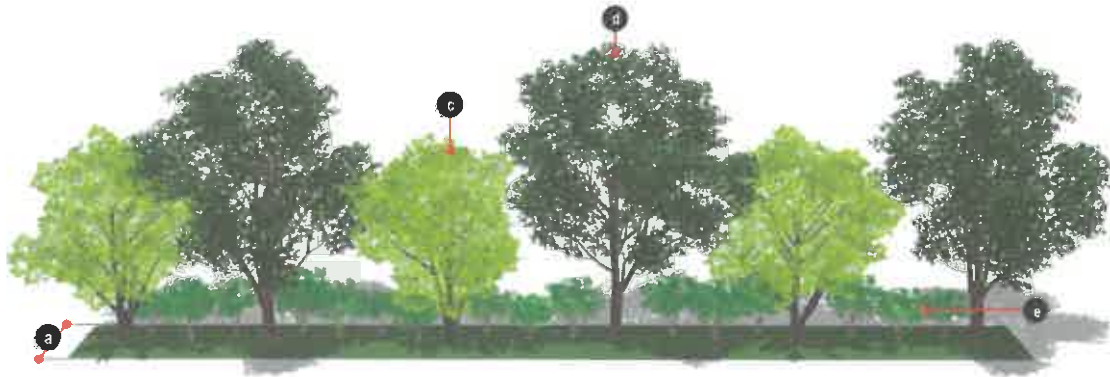
- (3) **Transition Zone Types.** Four (4) transition zone types are established in recognition of the different contexts that may exist, as shown in Table 9-5-02(H)(3). Transition zones may include a combination of elements including setback distances for separation, planting types, solid fencing, green walls, vegetated stormwater management areas, living groundcover, or turf.

Table 16-6-3(H)(3): Transition Zone Types					
	Specification	Type A	Type B	Type C	Type D
(a)	Minimum Zone Width (1)	5 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height (2)(3)	optional	optional	6 feet	6 feet
<i>Minimum Number of Landscape Elements per 100 Linear Feet</i>					
(c)	Understory Tree	optional	3	4	5
(d)	Canopy/Evergreen Tree	4	3	4	5
(e)	Shrubs/Native Grasses	optional	15	25	35
<b>Notes</b>					
(1) Required yard setbacks may be utilized for transition zone landscape.					
(2) Fence or wall requirements may be satisfied by a solid evergreen hedge with a maximum height of six (6) feet, as approved by the Zoning Administrator.					
(3) Fencing shall still be required on the subject lot in any instance that the adjoining property contains a fence along the lot line.					

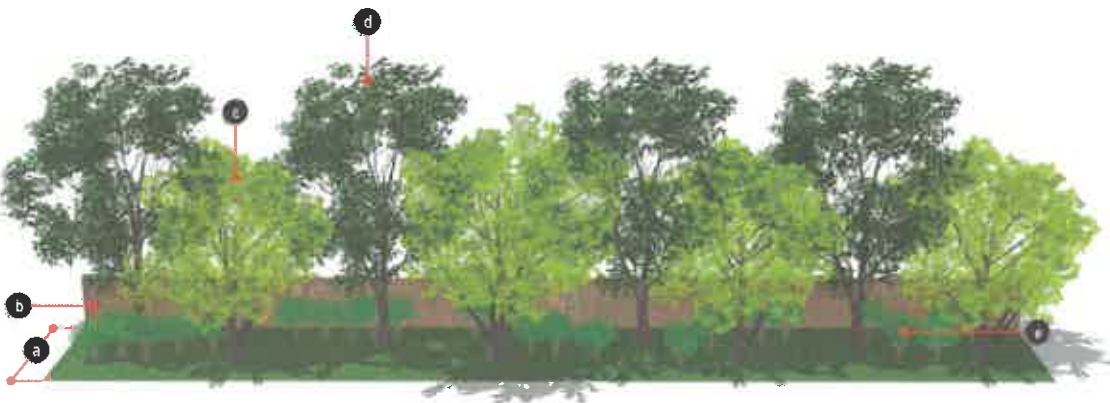
**Figure 5.7. Transition Zone Type A**



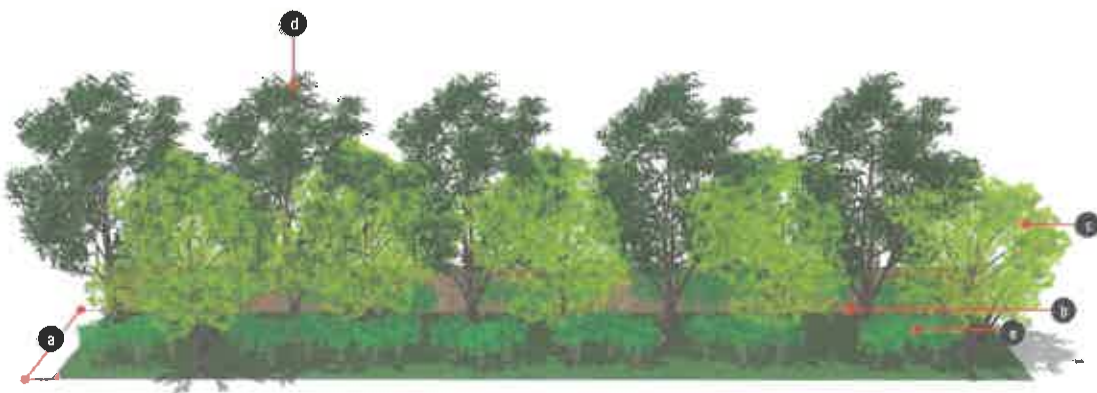
**Figure 5.8. Transition Zone Type B**



**Figure 5.9. Transition Zone Type C**



**Figure 5.10. Transition Zone Type D**



- (I) **Species Diversity Requirements.** The following species diversity standards shall be required for all developments, unless otherwise approved by the Village Administrator or their designee in conjunction with approval of vegetated stormwater management areas.
- (1) A minimum of fifty (50) percent of the landscape elements utilized on a parcel that is less than one-half (0.5) acre shall be drought tolerant native species.
  - (2) A minimum of sixty (60) percent of the landscape elements utilized on a parcel that is between one-half (0.5) and five (5) acres shall be drought tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than thirty (30) percent of any single species or fifty (50) percent of any genus.
  - (3) A minimum of seventy-five (75) percent of the landscape elements utilized on a parcel that is greater than five (5) acres shall be drought tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than twenty (20) percent of any single species or twenty-five (25) percent of any genus.
- (J) **Tree Preservation.** Preservation of existing high-quality trees within a new development or redevelopment site is highly encouraged. Preserved trees may fulfill a portion of the landscape requirements established in this Section. Should the developer propose to maintain existing high-quality trees to count toward satisfying certain landscape requirements of this Ordinance, the Village Administrator or their designee may, upon receipt of a tree preservation plan, waive certain landscape requirements if mature, high-quality trees on a lot are proposed to be preserved. If, upon inspection at the conclusion of the project, trees identified for preservation have been removed, damaged, or are otherwise in declining condition, all waived required landscape shall be installed.
- (K) **Installation and Maintenance of Landscape Zones.**
- (1) Immediately upon planting, all landscape shall conform to the American Standard for Nurserymen, published by the American Association of Nurserymen, Inc., as revised from time to time.
  - (2) Dead plant materials shall be replaced within sixty (60) days upon notification from the Village, taking into consideration the season of the year, and shall have at least the same quantity and quality of landscape elements as initially approved. If the particular project is constructed in more than one (1) phase, the sixty (60) day timeframe shall apply to each individual phase.
  - (3) All landscape shall be maintained in a healthy, clean, and weed-free condition. The ground surface of landscape areas shall be covered with either turf and/or other types of pervious groundcover or mulch.
  - (4) All landscape zones shall be irrigated as follows:
    - (a) For stormwater management areas where irrigation is not specified, all installed plantings shall be guaranteed to the Village for a period of eighteen (18) months following municipal approval of installation. During this guarantee period, the landowner shall supply water as necessary to promote successful establishment and growth.
    - (b) Any required landscaped zone not intended for stormwater management, greater than one hundred and fifty (150) square feet in area, shall be provided with an underground irrigation system or be provided with a portable water supply within fifty (50) feet of said landscaped areas.



### 9-5-03: Driveways

(A) **Single Family and Duplex Driveway Standards.** A single slab or ribbon driveway from the property line to legal, on-site parking shall be provided and shall be in conformance with the following criteria.

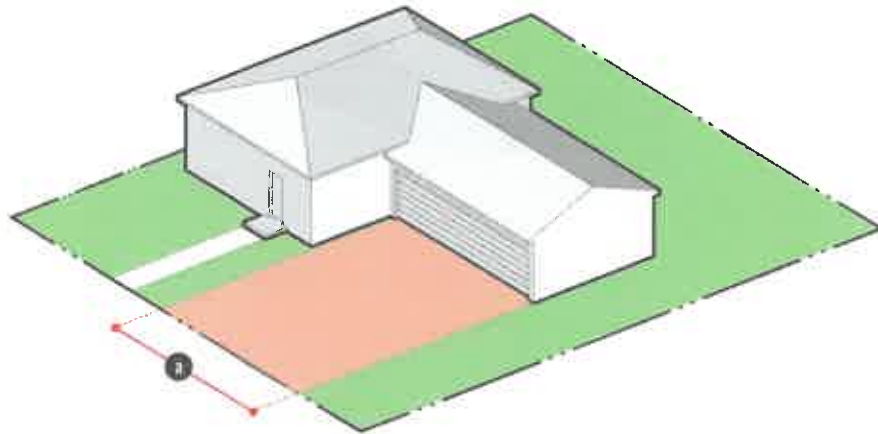
(1) **Limit of One.**

- (a) One (1) single slab or ribbon driveway and one (1) curb cut shall be permitted per seventy-five (75) feet of lot frontage.
- (b) New single-family detached residential parcels taking access from collector or arterial streets, as identified by CMAP, shall share driveways in order to protect public safety by limiting curb cuts, unless otherwise approved as an administrative exception as detailed in Section 9-5-02(D).

(2) **Single-Slab Driveway Design Standards.**

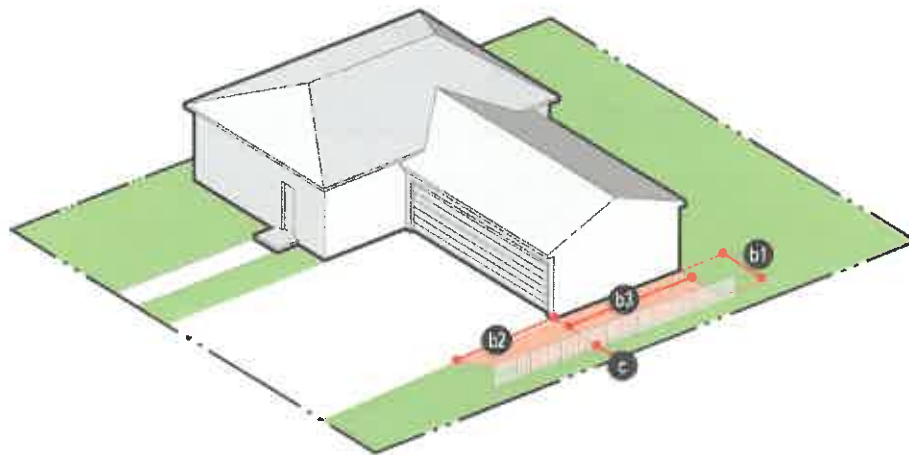
- (a) Single-slab driveways shall not exceed thirty-three (33) feet in width.
- (b) All single-slab driveways for single-family detached and duplex uses shall be improved with all-weather, hard surface pavement installed in accordance with one of the following standards and specifications:
  - (1) A two (2) inch thick bituminous concrete surface course on an eight (8) inch (thick compacted crushed stone base commonly known as "driveway mix".
  - (2) A five (5) inch portland cement concrete surface on a four (4) inch thick compacted crushed stone base.
  - (3) Wire mesh shall be prohibited in the right-of-way including but not limited to driveway aprons and public sidewalks.

**Figure 5.11. Single-Slab Driveway Standards**



**(3) Parking Pad.**

- (a) **Limit of One.** A single-slab driveway may be extended to include one (1) parking pad.
- (b) **Configuration.**
  - (1) A parking pad shall be a minimum of nine (9) feet and a maximum of ten (10) feet in width.
  - (2) The portion of the parking pad adjacent to the driveway shall have a maximum length of twenty (20) feet, as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty (20) foot maximum.
  - (3) The portion of the parking pad adjacent to the garage shall have a maximum length equal to the depth of the garage, as measured from the front façade line of the garage.
- (c) **Location.** The parking pad shall be set back a minimum of five (5) feet from any side property line.
- (d) **Screening.** A fully opaque fence with a height of six (6) feet shall be constructed in the side yard abutting the parking pad.

**Figure 5.12. Parking Pad Standards**

**(B) Townhouse Driveway Standards.****(1) Location.**

- (a) Where an off-street parking area of a corner lot abuts an alley or a corner side street, access to the off-street parking area shall be obtained from a driveway off the alley or corner side street.
- (b) No lot shall have multiple driveways for purposes of vehicular ingress and egress without a minimum of three hundred (300) foot separation between such curb cuts along a street, unless otherwise approved by the Village Engineer.

**(2) Driveway Design Standards.**

- (a) One-way driveways for townhouse uses shall be a minimum of nine (9) feet wide and a maximum of twenty-four (24) feet wide at the property line.
- (b) Two-way driveways for townhouse uses shall be a minimum of twenty (20) feet and a maximum of thirty-three (33) feet at the property line.
- (c) All driveways for townhouse uses shall be improved with all-weather, hard surface pavement installed in accordance with the following standards and specifications:
  - (1) A two and five-tenths (2.5) inch thick bituminous concrete binder course and a one and five-tenths inch (1.5) thick surface course, State of Illinois Class I, shall be constructed over a compacted crushed stone base that is eight (8) inches thick, constructed in accordance with the Illinois Department of Transportation's Standard Specifications for Road and Bridge Construction, latest edition.

**(C) Multifamily and Nonresidential Driveway Standards.****(1) Location.**

- (a) Where an off-street parking area of a corner lot abuts an alley or a corner side street, access to the off-street parking area shall be obtained from a driveway off the alley or corner side street.
- (b) No lot shall have multiple driveways for purposes of vehicular ingress and egress without a minimum of three hundred (300) foot separation between such curb cuts along a street, unless otherwise approved by the Village Engineer.

**(2) Driveway Design Standards.**

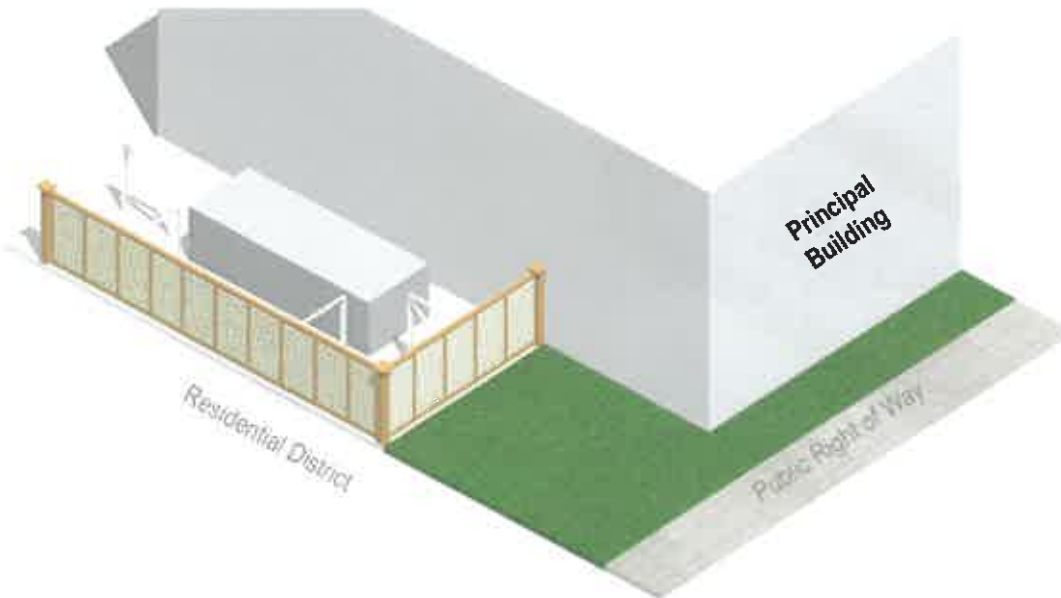
- (a) One-way driveways for multifamily and nonresidential uses shall be a minimum of nine (9) feet wide and a maximum of thirty-three (33) feet wide at the property line.
- (b) Two-way driveways for multifamily and nonresidential uses shall be a minimum of twenty (20) feet and a maximum of thirty-six (36) feet at the property line.
- (c) All driveways for multifamily and nonresidential uses shall be improved with all-weather, hard surface pavement installed in accordance with the following standards and specifications:
  - (1) A two and five-tenths inch (2.5") (6.4 cm) thick bituminous concrete binder course and a one and five-tenths inch (1.5") (3.8 cm) thick surface course, State of Illinois Class I, shall be constructed over a compacted crushed stone base that is eight inches (8") (20.3 cm) thick, constructed in accordance with the Illinois Department of Transportation's Standard Specifications for Road and Bridge Construction, latest edition.

**9-5-04: Screening**

- (A) **Grease Traps, Trash, and Recycling Receptacles.** The following regulations shall apply to all nonresidential, mixed use, and multifamily development.
- (1) Grease traps, trash, and recycling receptacles shall be screened on three (3) sides with a solid, opaque material with a minimum height of six (6) feet and a maximum height of eight (8) feet.
  - (2) Materials used for screening shall complement the exterior building cladding materials of the primary building.
  - (3) Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.
  - (4) If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
  - (5) Shrubs shall be installed every three (3) feet along the exterior of the enclosure, with the exception of enclosure openings, to provide a softening effect.
  - (6) Enclosure openings shall be gated with an opaque material.
  - (7) Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
  - (8) Property owners shall be responsible for ensuring that grease traps, trash, and recycling receptacles be placed in the enclosure at all times other than when it is being accessed.
  - (9) Access drives shall be constructed of materials and to a thickness which accommodates truck loading. Year-round access to the enclosure area for service trucks shall be maintained by the property owner or tenant.
  - (10) Enclosures shall be of an adequate size to accommodate expected containers. The enclosure shall be designed to be expandable to accommodate future additional containers.
  - (11) Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, or other similar means.
  - (12) Grease traps, trash, and recycling receptacle enclosures shall not occupy areas used for required parking spaces.

- (B) **Ground/Wall Mounted Mechanical Units.** The following regulations shall apply to all ground/wall-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment. Tanks and / or silos accessory to a brewery, winery, and/or distillery are exempt from these requirements.
- (1) Locating mechanical units within the primary building is strongly encouraged to minimize exterior visual impacts. Ground-mounted mechanical units are prohibited within the front yard, regardless of whether screening is provided.
  - (2) Ground/wall mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view.
  - (3) Materials used for screening shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen. Evergreen hedges or non-transparent walls such as stone masonry shall be allowed.
  - (4) Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

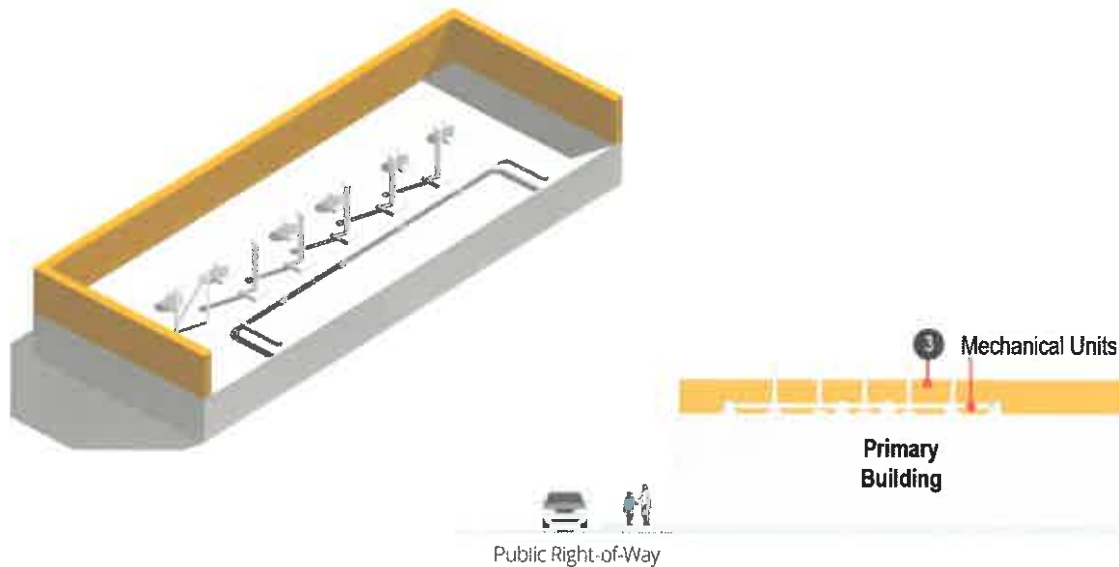
**Figure 5.13. Ground/Wall Mounted Mechanical Unit Screening Standards**



(C) **Roof Mounted Mechanical Units.** The following regulations shall apply to all roof mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment which service multifamily, non-residential, or mixed-use developments.

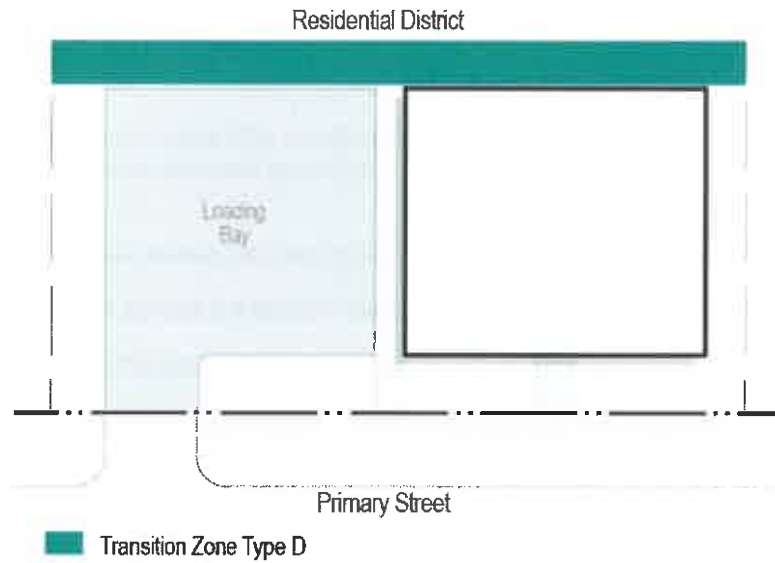
- (1) Locating mechanical units within the primary building is strongly encouraged to minimize exterior visual impacts.
- (2) Roof mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be completely screened from public view.
- (3) Materials used for screening shall be architecturally integrated with the building and shall be continuous and permanent.
- (4) Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not mandate the screening requirements.
- (5) Additional screening may be required due to topographic differences in the adjoining properties.

**Figure 5.14. Roof Mounted Mechanical Unit Screening Standards**



- (D) **Loading Docks and Truck-Parking Areas.** Loading docks and truck-parking areas that are visible from any property in a residential district shall be completely screened from view with a Type D transition zone as specified in Section 9-5-02.

**Figure 5.15. Loading Dock and Truck-Parking Area Screening Standards**



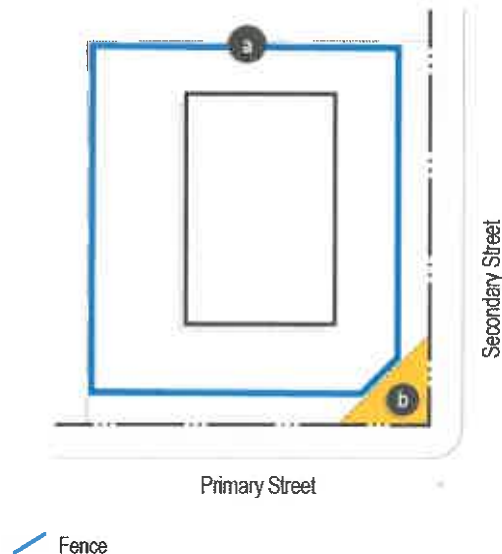
## 9-5-05: Fences

### (A) General Provisions.

(1) **Location.** All fences allowed in this Section shall be located:

- (a) Wholly within property lines,
- (b) Outside of a clear sight triangle as detailed in Section 9-5-06,
- (c) A minimum of eighteen (18) inches from an underground utility access structure; drainage structure; telephone, electric, cable television or gas pedestal; or in any manner that would interfere with the maintenance for these utilities,
- (d) In a manner which does not block access to underground utility access structures or fire hydrants,
- (e) A minimum of two (2) inches above finished grade if located in a drainage swale or a drainage easement, and
- (f) In a manner which does not inhibit the function of stormwater drainage structures.

**Figure 5.16. General Fence Location Standards**



### (2) Construction Standards.

#### (a) Wind Pressure Resistance.

- (1) Fences of six (6) feet in height or less shall be designed and constructed to resist a horizontal wind pressure of not less than thirty-five (35) pounds per square foot, in addition to all other forces to which they may be subjected.
- (2) Fences greater than six (6) feet in height shall be designed and constructed to resist a horizontal wind pressure of not less than forty-five (45) pounds per square foot, in addition to all other forces to which they may be subjected.

- (b) **Leaning Fences.** Fences that are leaning at an angle of fifteen (15) degrees or greater are considered dangerous and shall be in violation of this Ordinance.

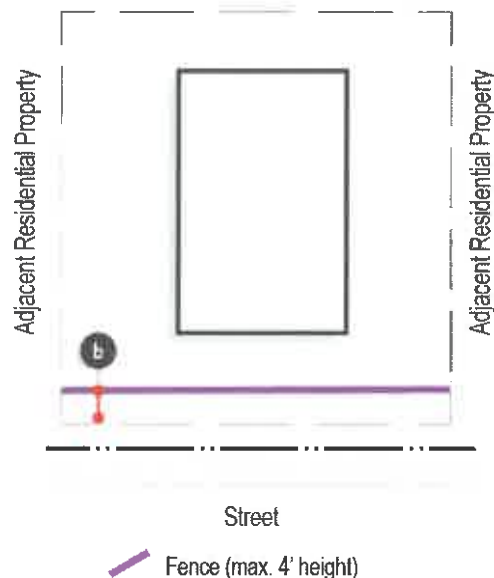


(B) **Fences on Lots with Single-Family Detached and Duplex Uses.** Fences on lots with single-family detached and duplex uses shall meet the requirements established below. Barbed wire, razor wire, or makeshift materials such as plywood or tarps shall be prohibited on lots with single-family detached and duplex uses. All fences shall be erected so that the posts and all other supporting members face inward toward the owner's property.

(1) **Fences in Front Yards.**

- (a) **Height.** Fences in front yards shall not exceed four (4) feet in height.
- (b) **Setback.** Fences in front yards shall be set back a minimum of seven (7) feet from the property line.
- (c) **Materials.**
  - (1) Fences in front yards shall be of non-sight barrier construction and have a maximum opacity of fifty (50) percent.
  - (2) Fence materials utilized in front yards shall complement fence materials utilized in other yards.
  - (3) Permitted fence materials shall be only those materials which are designed and intended for use in fence installations and shall be limited to:
    - (i) Wood, chemically treated or naturally resistant to decay,
    - (ii) Wood Composites,
    - (iii) Aluminum,
    - (iv) Vinyl/PVC,
    - (v) Wrought Iron,
    - (vi) As approved by the Village Administrator or their designee.

**Figure 5.17. Fence Standards in Front Yards For Single-Family Detached and Duplex Uses**

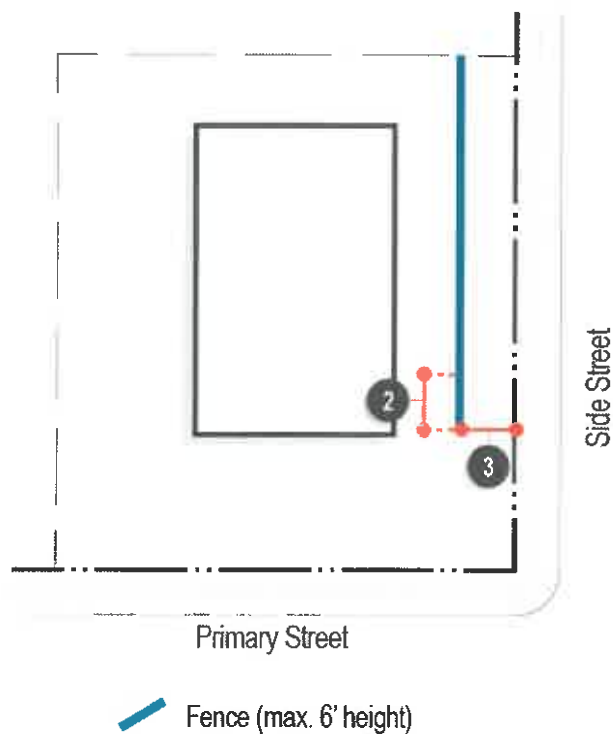


**(2) Fences in Exterior Side Yards.**

- (1) **Height.** Fences in exterior side yards shall not exceed six (6) feet in height.
- (2) **Taper.** Fences in exterior side yards shall taper to a maximum height of four (4) feet within five (5) feet of the front façade of the primary building.
- (3) **Setback.** Fences in exterior side yards shall be setback a minimum of seven (7) feet from the property line.

**(b) Materials.**

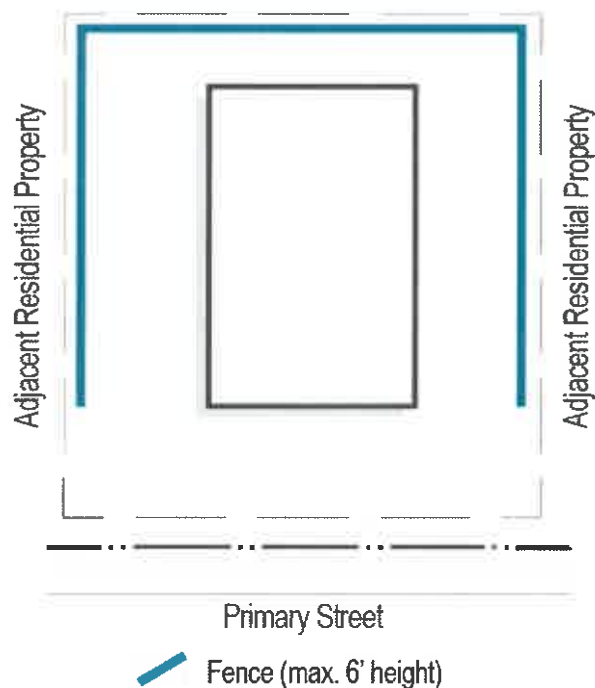
- (1) Fences in exterior side yards may be one hundred (100) percent opaque.
- (2) Fence materials utilized in exterior side yards shall complement fence materials utilized in other yards.
- (3) Permitted fence materials shall be only those materials which are designed and intended for use in fence installations and shall be limited to:
  - (i) Wood, chemically treated or naturally resistant to decay,
  - (ii) Wood Composites,
  - (iii) Aluminum,
  - (iv) Vinyl/PVC,
  - (v) Wrought Iron,
  - (vi) As approved by the Village Administrator or their designee.

**Figure 5.18. Fence Standards in Exterior Side Yards For Single-Family Detached and Duplex Uses**

**(3) Fences in Interior Side and Rear Yards.**

- (a) **Height.** The maximum height of a fence in interior side yards and rear yards shall be six (6) feet.
- (b) **Materials.**
  - (1) Fence materials utilized in interior side yards and rear yards shall complement fence materials utilized in other yards.
  - (2) Fences in interior side and rear yards may be one hundred (100) percent opaque.
  - (3) Permitted fence materials shall be only those materials which are designed and intended for use in fence installations and shall be limited to:
    - (i) Wood, chemically treated or naturally resistant to decay,
    - (ii) Wood Composites,
    - (iii) Aluminum,
    - (iv) Vinyl/PVC,
    - (v) Wrought Iron,
    - (vi) Chain Link without slats or inserts,
    - (vii) As approved by the Village Administrator or their designee.

***Figure 5.19. Fence Standards in Interior Side and Rear Yards For Single-Family Detached and Duplex Uses***



**(C) Fences on Lots with Townhome, Multifamily, Mixed-Use, and Nonresidential Uses.**

- (1) **Height.** The maximum height of fences on a lot with townhome, multifamily, mixed-use, and nonresidential uses shall not exceed six (6) feet.
- (2) **Location.** Fences on lots with townhome, multifamily, mixed-use, and nonresidential uses shall be located in rear and interior side yards only, with the exception of fences on lots in the M-1 Light Manufacturing District which may be located in exterior side, interior side, and rear yards only. Fences located in the exterior side yard in the M-1 Light Manufacturing District shall be buffered from the sidewalk by a Type B Transition Zone as detailed in Section 9-5-02.
- (3) **Barbed Wire.** In the M-1 Light Manufacturing District, barbed wire may be utilized in interior side and rear yard fences and shall be limited to a maximum height of one (1) foot, and a maximum of three (3) strands of wire. The barbed wire shall not be included in the determination of fence height.

**(D) Fences in Exterior Side or Rear Yards Adjacent Specified Roadways.**

- (1) **Specified Roadways.** The standards established in sections (2-3) below shall apply to the following roadways:
  - (a) Illinois Route 83,
  - (b) Plainfield Road
  - (c) 75<sup>th</sup> Street
  - (d) Madison Street
- (2) **Height.** The maximum height of a fence in exterior side or rear yards adjacent to the roadways listed in section (1) above shall be eight (8) feet.
- (3) **Materials.**
  - (a) Fence materials utilized in exterior side or rear yards adjacent to the roadways listed in section (1) above shall complement fence materials utilized in other yards.
  - (b) Fences in exterior side or rear yards adjacent to the roadways listed in section (1) above may be one hundred (100) percent opaque.

**9-5-06: Clear Sight Triangle**

- A. Unobstructed visibility shall be maintained at the intersection of any driveway and right-of-way, and at the intersection of two (2) or more streets. Such area of unobstructed visibility shall be referred to as a clear sight triangle.
- B. The clear sight triangle shall be measured perpendicular to and starting at the back of curb or edge of pavement of each intersecting street or driveway.
- C. The minimum distance at any intersection shall be fifteen (15) feet. Greater distances may be required based on the criteria of the American Association of State Highway and Transportation Officials (AASHTO), the Illinois Department of Transportation (IDOT), and the discretion of the Village Engineer.
- D. The maximum height of any building or structure within the clear sight triangle shall be three (3) feet.

#### 9-5-07: Sidewalks

- (A) **Intent.** The intent of the standards of this section is to improve the pedestrian environment in the Village and support walking as a mode of transportation throughout Willowbrook.
- (B) **Applicability.** The standards of this section shall apply to all new development and substantial redevelopment throughout the Village. Substantial redevelopment shall be considered redevelopment that equates to fifty (50) percent or more of the assessed value of the subject property.
- (C) **General Standards.** Sidewalks, designed and constructed in accordance with standard specifications adopted, from time to time, by the Village Board shall be constructed on both sides of all streets, unless otherwise restricted by the Illinois Department of Transportation or by DuPage County.
- (D) **Design Standards.**
  - (1) Sidewalks shall have a minimum width of five (5) feet and shall comply with all standards of the Americans with Disabilities Act, as amended.
  - (2) Where existing sidewalk abuts an area where new sidewalk is to be developed, the new sidewalk shall be the same width as the existing sidewalk.
  - (3) Where the existing right-of-way is substandard, the fronting property owner shall be required to dedicate the appropriate amount of right-of-way (as measured from the centerline of the existing street) as well as install all sidewalk improvements.
- (E) **Payment in Lieu.** In lieu of installing required sidewalks, the Plan Commission may recommend, and the Village Board may approve a payment in lieu (in accordance with an adopted annual fee schedule).

**9-5-08: General Townhouse, Multifamily, Mixed-Use, and Nonresidential Design Standards**

- (A) **Applicability.** The standards of this section shall apply to all townhouse, multifamily, mixed-use, and nonresidential development.
- (B) **Exterior Building Cladding Materials.** Allowable exterior building cladding materials shall be as detailed in Table 9-5-06(B) below. Glazing shall not be included in the façade material calculations. When part of a common development, buildings shall utilize materials that are consistent with or complement surrounding development.

**Table 9-5-06(B): Exterior Building Cladding Materials**

District	Building Façade Elevation	Masonry (1)	Lap Siding, Stucco (2)	EIFS, Concrete	Architectural Metal Siding (3)	Vinyl Siding, Unfinished Concrete Block
<i>R-4, R-5, B Districts</i>	<i>Front, Exterior Side</i>	Min. 50%	Max. 50%	Max. 15%	Max. 15%	Not permitted
	<i>Interior Side</i>	Min. 25%	Max. 75%	Max. 25%	Max. 25%	Not permitted
	<i>Rear</i>	Any % allowed	Any % allowed	Max. 25%	Max. 25%	Max. 25%
<i>LOR, M-1, I Districts</i>	<i>Front, Exterior Side</i>	Min. 30%	Max 60%	Max. 30%	Max. 30%	Not permitted
	<i>Interior Side</i>	Any % allowed	Max. 80%	Max 40%	Max 40%	Not permitted
	<i>Rear</i>	Any % allowed	Any % allowed	Max. 40%	Max. 40%	Max. 40%

**Notes:**

(1) Masonry shall include brick, stacked stone, stone, stone masonry units, and architectural concrete masonry units.

(2) Lap siding shall include cementitious fiber board.

(3) Architectural metal siding shall not be corrugated.

(C) **Façade Articulation.** Articulation involves the horizontal and vertical variation of the façade so that walls are subdivided into bays or sections that are vertically proportioned. The following provisions for façade articulation shall apply to any building elevations facing a public right of way or property in a residential district.

- (1) The frontage of the building shall be divided into architecturally distinct sections or bays with each section taller than it is wide.
- (2) Sections or bays shall be visually established by architectural features such as columns, ribs, pilasters, piers, recesses, projections, windows, awnings, arcades, or an equivalent element that visually subdivides the wall with a roof or cap features that provides a rational terminus and integrates with the overall design of the façade.
- (3) The required dividing elements shall have a minimum width of one (1) foot and minimum projection to width ratio of 1:4.

**Figure 5.20. Façade Articulation Standards**



**(D) Glazing.**

- (1) **Transparency Zone.** Glazing that is transparent under all lighting conditions shall extend from a base of contrasting material (not exceeding four (4) feet in height above the adjacent grade) to at least the height of the door head. Table 9-5-06(D)(1) details the minimum required percentage of square footage in the transparency zone that must have a glazing treatment.

Table 9-5-06(D)(1): Transparency Zone Glazing Requirements		
District	Elevation Facing Yard	
	Front	Exterior Side
B	40%	30%
LOR	40%	30%
M-1	30%	20%
I	30%	20%

- (1) **Upper Story Glazing.** A minimum of twenty (20) percent of the square footage of upper stories of buildings in the B District shall include glazing.
- (2) **Glazing to be Dispersed.** Required glazing shall not be aggregated into a single, undivided area of glazing treatment. Individual glazing areas shall not span more than fifteen (15) linear feet.

**9-5-09: Outdoor Lighting**

- (A) **Fixture Classification.** All outdoor lighting fixtures, with the exception of wall mounted accent lighting, shall either have a fixture cutoff classification of "Full Cutoff" or be fully shielded, unless otherwise expressly permitted in this Ordinance.
- (B) **LED Fixtures.** All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following standards:
- (1) **Color Rendering.** Outdoor LED fixtures shall be rated a minimum Color Rendering Index (CRI) value of seventy (70) or higher.
  - (2) **Color Temperature.** Outdoor LED fixtures shall have a correlated color temperature between four thousand (4,000) and five thousand (5,000) degrees Kelvin.
- (C) **Pole Mounted Outdoor Lighting.**
- (1) **Pole Placement.** Pole-mounted outdoor lighting shall be located outside of utility easements, designed in coordination with required landscape zones.
  - (2) **Maximum Pole Height.** Pole-mounted fixtures shall be mounted at heights no greater than thirty-seven (37) feet above grade.
- (D) **Wall Mounted Accent Lighting.** Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.
- (E) **Outline Lighting Prohibited.** Outline lighting shall be prohibited from signs, buildings, and structures.
- (F) **Maximum Light Level at Property Line.**
- (1) On lots adjacent to lots in a Nonresidential District, all outdoor lighting fixtures shall be designed and located so that the maximum light level shall be one-half (0.5) maintained foot candles at any property line.
  - (2) On lots adjacent to lots in a Residential District, all outdoor lighting fixtures shall be designed and located so that the maximum light level shall be zero (0) maintained foot candles at any property line.



**(G) Light Level Measurement.**

- (1) **Location.** Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the sensor in the horizontal position and not mounted more than six (6) inches above ground level, and with the light-registering portion of the meter held parallel to the ground and pointing upward.
- (2) **Light Meter Specifications.** Light levels shall be measured in foot candles with a direct-reading portable light meter. The meter shall have:
  - (a) Cosine and color correction,
  - (b) An accuracy tolerance of no greater than plus or minus five (5) percent, and
  - (c) Been calibrated within the last two (2) years.

**9-5-10: Performance Standards****(A) Applicability.**

- (1) **New Uses.** All uses hereafter established in all districts shall comply with the performance standards of this title.
- (2) **Existing Conforming Uses.** Any such existing use which, on the date this chapter is adopted, complies with the applicable performance standards of this title shall continue to comply. If, at such time, the operations of any lawful existing use violate the performance standards of this title, such operations shall not be varied or changed in such a way as to increase the degree of such violation.
- (3) **Existing Nonconforming Uses.**
  - (a) Any business or commercial use that is located in a zoning district in which such use is not permitted but which is a lawful nonconforming use and which complies, on the date this chapter is adopted, with the performance standards of this title, shall continue to so comply. If, at such time, the operations of such lawful nonconforming business or commercial use violate such standards, then such operations shall not be varied or changed in such a way as to increase the degree of such violation.
  - (b) Any industrial or manufacturing use that is located in a zoning district in which such use is not permitted but which is a lawful nonconforming use and which complies, on the date this chapter is adopted, with all of the performance standards of this title, shall continue to so comply. If, at such time, the operations of such lawful nonconforming industrial or manufacturing use violate such standards, then such operations shall not be varied or changed in such a way as to increase the degree of such violation.
- (4) **Conflicting Provisions.** In the event that any of the provisions contained in this chapter conflict with the provisions found elsewhere in this Code, the more restrictive Code, rule, regulation or provision shall govern.

**(B) Noise Standards.**

- (1) **Required Performance Level.** No operation or activity shall cause or create noise in excess of the sound levels prescribed below.
- (2) **Method Of Measurement.** For the purpose of measuring the intensity and frequency of sound, the sound level meter, the octave band analyzer, and the impact noise analyzer shall be employed. The flat network and the fast meter response of the sound level meter shall be used. Sounds of short duration as from forge hammers, punch presses, and metal shears which cannot be measured accurately with the sound level meter shall be measured with the impact noise analyzer.

- (a) Octave band analyzers calibrated in the preferred frequencies (American Standards Association S1.6-1960, Preferred Frequencies for Acoustical Measurements) shall be used with tables IA and IIA of this section. Octave band analyzers calibrated with pre-1960 octave band (American Standards Association 224.10-1953, Octave Band Filter Set) shall use tables IB and IIB of this section.
  - (b) For impact sounds measured with the impact noise analyzer, the sound pressure levels set forth in Tables 9-5-06(B)(4)(a) of this section may be increased by six (6) decibels in each octave band.
- (3) **Exemptions.** The following uses and activities shall be exempt from the noise level regulations:
- (a) Noises not directly under the control of the property user.
  - (b) Noises emanating from construction and maintenance activities between the hours of seven o'clock (7:00) A.M. and seven thirty o'clock (7:30) P.M. on weekdays, other than Saturday, and between the hours of seven o'clock (7:00) A.M. and five thirty o'clock (5:30) P.M. on Saturday. Noise emanating from construction and maintenance activities on Sunday or legal holidays when conducted pursuant to Section 4-2-18 of the Village of Willowbrook Municipal Code.
  - (c) The noises of safety signals, warning devices and emergency pressure relief valves.
  - (d) Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.
- (4) **Standards In All Districts.**
- (a) **At Residential District Boundaries.** In all districts, at no point on or beyond the boundary of a residential district shall the sound pressure level resulting from any use, operation or activity exceed the maximum permitted sound levels as set forth in Table 9-5-06(B)(4)(a).

Table 9-5-06(B)(4)(a): Preferred Frequencies	
Center Frequency, Cycles Per Second	Maximum Permitted Sound Pressure Level, Decibels
31.5	69
63	67
125	66
250	59
500	52
1,000	46
2,000	37
4,000	26
8,000	17

Table 9-5-06(B)(4)(a): Pre-1960 Octave Bands	
Octave Band, Cycles Per Second	Maximum Permitted Sound Pressure Level, Decibels
20 - 75	67
75 - 150	66
150 - 300	61
300 - 600	54
600 - 1,200	47
1,200 - 2,400	39
2,400 - 4,800	29
4,800 - 10KC	20

- (b) **At Lot Lines.** In all districts, at no point on or beyond the boundary of any lot shall the sound pressure level resulting from any use, operation, or activity exceed the maximum permitted decibel levels for the designated octave bands as set forth in Tables 9-5-06(B)(4)(b) of this section.

Table 9-5-06(B)(4)(b): Preferred Frequencies	
Center Frequency, Cycles Per Second	Maximum Permitted Sound Pressure Level, Decibels
31.5	76
63	74
125	68
250	63
500	57
1,000	52
2,000	45
4,000	38
8,000	32

Table 9-5-06(B)(4)(b): Octave Bands	
Octave Band, Cycles Per Second	Maximum Permitted Sound Pressure Level, Decibels
20 - 75	75
75 - 150	70
150 - 300	64
300 - 600	59
600 - 1,200	53
1,200 - 2,400	47
2,400 - 4,800	40
4,800 - 10KC	34

- (5) **Prohibited Activities.** Notwithstanding any provision contained in this Code to the contrary, from and after the effective date of this title, the owner and/or occupant of any premises shall not permit any of the following activities to be conducted on said premises from ten o'clock (10:00) P.M. to six o'clock (6:00) A.M., within six hundred (600) feet of any residential district boundary.
- (a) The collection, pick-up or disposal of refuse, recyclable materials, empty containers, drums, etc., or any other reusable product or device, except when conducted entirely within a completely enclosed building;
  - (b) The sweeping or cleaning of any parking lot or sidewalk by any mechanical means;
  - (c) The shipping or receiving of any goods, merchandise or any other materials, except when conducted entirely within a completely enclosed building;
  - (d) The use of amplified music without a Special Event Permit per Section 9-5-02(H);
  - (e) Outdoor concert or outdoor entertainment without a Special Event Permit per Section 9-5-02(H); or
  - (f) Any other outdoor maintenance activity requiring the use of any mechanical device or outdoor event without a Special Event Permit per Section 9-5-02(H).

(C) **Earthborne Vibration Standards.**

- (1) **Required Performance Level.** No activity or operation shall cause or create earthborne vibrations in excess of the displacement values given below.
- (2) **Method Of Measurement.** Measurements shall be made at or beyond the adjacent lot line or the nearest residential district boundary line, as described below. Vibration displacements shall be measured with an instrument capable of simultaneously measuring in three (3) mutually perpendicular directions. The maximum permitted displacements shall be determined in each zoning district by the following formula:

$$D = K/f$$

Where:

*D = Displacement in inches.*

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

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

- (3) **Standards In The L-O-R Limited Office And Research And M-1 Light Manufacturing Districts.** In the L-O-R Limited Office and Research and M-1 Light Manufacturing Districts, the maximum earth displacement permitted at the points described below shall be determined by use of the formula in subsection (2) of this section and the appropriate K constant shown in table III of this section.

Table 9-5-06(C)(3): Values of K to be Used in Vibration Formula	
Location	K
<i>On or beyond any adjacent lot line</i>	
Continuous	0.015
Impulsive	0.3
Less than 8 pulses per 24-hour period	0.075
<i>On or beyond any residential district boundary line</i>	
Continuous	0.003
Impulsive	0.006
Less than 8 pulses per 24-hour period	0.015

(D) **Smoke and Particulate Matter Standards.**

- (1) **Required Performance Level.** No operation or activity shall cause or create the emission of smoke from any vent, stack, chimney, flue or other opening that exceeds the density or equivalent opacity prescribed below. The total emission of particulate matter from all vents, stacks, chimneys, flues or other openings of any process, operation or activity shall not exceed the particulate matter limitations prescribed below.
- (2) **General Limitations.**
- Particulate matter emissions caused by the wind from open storage areas, yards, roads, etc., shall be kept to a minimum by appropriate landscaping, paving, oiling, wetting or other means.
  - No operation shall cause or allow to be emitted into the open air from any process or control equipment or to pass any convenient measuring point in a breeching or stack particulate matter in the gases that exceeds 0.60 pounds per thousand pounds of gases during any one hour.
- (3) **Method of Measurement.**
- Smoke.** For the purpose of determining the density or equivalent opacity of smoke, the Ringelmann chart as adopted and published by the United States Bureau of Mines in Circular No. 6888 shall be employed.

- (b) **Particulate Matter.** Particulate matter loadings in pounds per acre described below shall be determined by selecting a continuous four-hour period which will result in the highest average emission rate. In computing pounds per acre, the gross area of the zoning lot on which the use is located shall be employed.

(4) **Standards In M-1 Light Manufacturing District.**

- (a) **Smoke.** The continuous emission of smoke from any vent, stack, chimney or combustion process shall not exceed a density or equivalent opacity of Ringelmann no. 1. Smoke exceeding Ringelmann no. 1 but not exceeding Ringelmann no. 3 shall be permitted up to three (3) minutes during any four (4) hour period. Smoke in excess of Ringelmann no. 3 is prohibited.
- (b) **Particulate Matter.** The emission of particulate matter from all vents, stacks, chimneys and openings of any operation shall not exceed 0.2 pounds per hour per acre.

(E) **Toxic Matter Standards.**

- (1) **Required Performance Level.** No operation or activity shall cause or create the emission of toxic matter in amounts or quantities that exceed the levels prescribed below.
- (2) **Method Of Measurement.** In determining the maximum permissible concentration allowed an industrial worker, the most recent listing of threshold limit values published by the American Conference of Governmental Industrial Hygienists shall be used. If a toxic substance is not contained in the most recent listing of threshold limit values published by the American Conference of Governmental Industrial Hygienists, then the applicant shall satisfy the DuPage County Health Department that the proposed levels will be safe to the general population. Concentrations shall be measured and calculated as the highest average that will occur over a continuous eight-hour period.
- (3) **Standards In The L-O-R Limited Office And Research And M-1 Light Manufacturing Districts. In the L-O-R Limited Office Research and M-1 Light Manufacturing Districts.** a release of airborne toxic matter (including radioactive matter) shall not exceed ten (10) percent of the maximum permissible concentration allowed an industrial worker when measured at any point beyond the lot line, either at ground level or habitable elevation, whichever is more restrictive.

(F) **Odorous Matter Standards.**

- (1) **Required Performance Level.**
  - (a) No operation or activity shall cause or create the emission of odorous matter or vapor in amounts or quantities that exceed the levels prescribed for the zoning district in which such operation or activity is located.
  - (b) No operation or activity shall release materials capable of becoming odorous, either by bacterial decomposition or chemical reaction, that cause, or will cause, odorous matter or vapor to be generated or occur at a point distant from the source of such materials in amounts or quantities that exceed the levels prescribed for the zoning district in which such odorous matter or vapor is generated. When the release of such materials causes, or will cause, the generation of odorous matter or vapor in a residential or business district, the amounts or quantities thereof shall not exceed the levels permitted in the M-1 Light Manufacturing District.
- (2) **Method Of Measurement.** The emission of odorous matter shall be measured by the "Standard Method for Measurement of Odor in Atmosphere" (dilution method), method D-1391-57 of the American Society for Testing and Measurement.
- (3) **Standards In The M-1 Light Manufacturing District.** When odorous matter, or material capable of becoming odorous, is released from any operation, activity or use, the concentration of such odorous matter or vapor shall not exceed the odor threshold when measured beyond the lot line, either at ground level or habitable elevation.



**(G) Hazardous Materials Standards.**

- (1) **Required Performance Level.** All operations, activities and uses shall be conducted so as to comply with the performance standards governing hazardous materials prescribed below.
- (2) **Definitions.** The following terms as used in this section shall have the meaning respectively ascribed to them in this subsection, unless the context otherwise requires.
  - (a) **Boiling Point.** Is the temperature at which the vapor pressure equals atmospheric pressure, such that the pressure of the atmosphere can no longer hold the liquid in a liquid state and bubbles begin to form. In general, a low boiling point (Class 1A) indicates a high vapor pressure and, possibly, an increased fire hazard.
  - (b) **Chemical.** An element, chemical compound or mixture of elements or compounds or both.
  - (c) **Container.** A vessel of sixty (60) gallons or less in capacity used for transporting or storing hazardous materials. Pipes, piping systems, engines and engine fuel tanks are not considered to be containers.
  - (d) **Cylinder.** A pressure vessel designed for pressures higher than forty (40) psia (275.6 kPa) and having a circular cross section. It does not include a portable tank, multiunit tank car tank, cargo tank or tank car.
  - (e) **Environmentally Damaging Substances.** Any substance spilled or released into the environment in sufficient quantity so as to cause actual or potential human health problems if not dealt with by remedial action, or to contaminate air, land or water.
  - (f) **Explosion.** An effect produced by the sudden violent expansion of gases, which may be accompanied by a shock wave or disruption, or both, of enclosing materials or structures. An explosion could result from chemical changes such as rapid oxidation, deflagration, or detonation, decomposition of molecules and run-away polymerization (usually detonation).
  - (g) **Facility.** Any building, structure, installation, equipment, pipe or pipeline including but not limited to any pipe into a sewer or publicly owned treatment works, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock or air craft or any site where hazardous materials or environmentally damaging substances have been deposited, stored, disposed of, placed or otherwise came to be located.
  - (h) **Flammable Gas.** A material which is a gas at sixty eight degrees Fahrenheit (68°F) or less at 14.7 pounds per square inch atmosphere (psia) (101 kPa) of pressure (a material that has a boiling point of 68°F or less at 14.7 psia (101 kPa)) which:
    - (1) Is ignitable at 14.7 psia (101 kPa) when in a mixture of thirteen percent (13%) or less by volume with air; or
    - (2) Has a flammable range at 14.7 psia (101 kPa) with air of not less than twelve percent (12%), regardless of the lower limit.
    - (3) The limits specified shall be determined at 14.7 psia (101 kPa) of pressure and a temperature of sixty eight degrees Fahrenheit (68°F) in accordance with ASTM E681.

- (i) **Flammable Liquid.** A liquid having a closed cup flashpoint below one hundred degrees Fahrenheit (100°F). Flammable liquids are further categorized into a group known as Class I liquids. The Class I category is subdivided as follows:
  - (1) **Class IA.** Liquids having a flashpoint below seventy three degrees Fahrenheit (73°F) and having a boiling point below one hundred degrees Fahrenheit (100°F).
  - (2) **Class IB.** Liquids having a flashpoint below seventy three degrees Fahrenheit (73°F) and having a boiling point at or above one hundred degrees Fahrenheit (100°F).
  - (3) **Class IC.** Liquids having a flashpoint at or above seventy three degrees Fahrenheit (73°F) and below one hundred degrees Fahrenheit (100°F).
  - (4) The category of flammable liquids does not include compressed gases or cryogenic fluids.
- (j) **Flammable Liquified Gas.** A liquefied compressed gas which, under a charged pressure, is partially liquid at a temperature of sixty eight degrees Fahrenheit (68°F) (20°C) and which is flammable.
- (k) **Flammable Material.** A material capable of being readily ignited from common sources of heat or at a temperature of six hundred degrees Fahrenheit (600°F) or less.
- (l) **Flammable Solid.** A solid, other than a blasting agent or explosive, that is capable of causing fire through friction, absorption of moisture, spontaneous chemical change or retained heat from manufacturing or processing, or which has an ignition temperature below two hundred twelve degrees Fahrenheit (212°F) or which burns so vigorously and persistently when ignited as to create a serious hazard. A chemical shall be considered a flammable solid as determined in accordance with the test method of CPSC 16 CFR part 1500.44, if it ignites and burns with a self-sustained flame at a rate greater than 0.0866 inch per second along its major axis.
- (m) **Flashpoint.** Is the minimum temperature at which the vapor concentration near the surface of the liquid is high enough to form an ignitable mixture. Any liquid with a flashpoint less than one hundred degrees Fahrenheit (100°F) (Class IA) is considered to be a flammable liquid. A liquid with a flashpoint between one hundred degrees Fahrenheit (100°F) and two hundred degrees Fahrenheit (200°F) is combustible. In general, the relative hazard of a flammable liquid increases as the flashpoint decreases.
- (n) **Hazardous Material.** Substances or materials in quantity and forms that may pose an unreasonable risk to health, safety or property when stored, transported or used in commerce. Such materials include but are not limited to: explosives, blasting agents, poisons, flammable and combustible liquids, flammable and non-flammable gases, corrosives, oxidizers, organic peroxides, flammable solids, radioactive materials, etiologial agents. Hazardous materials also include hazardous substances and hazardous wastes.
- (o) **Hazardous Substances.** Any substance designated under the Clean Water Act and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 USC sec. 9601 et seq.), as now or hereafter amended, as posing a threat to the waterways and the environment when released.
- (p) **Hazardous Waste.** Discarded material under Resource Conservation and Recovery Act (RCRA) (42 USC sec. 6901 et seq.) regulated by the United States Environmental Protection Agency because of public health and safety concerns.
- (q) **Release.** Any spilling, leaking, pumping, pouring, emitting, escaping, emptying, discharging, injecting, leaching, dumping, disposing, exploding or burning of hazardous materials or environmentally damaging substances into or on any land, air, water, well, stream, sewer, or pipe such that hazardous materials or any constituent or environmentally damaging substances thereof, that may enter the environment.

(r) **Responsible Party or Parties.** Include the following:

- (1) The owner and operator of a facility or vessel from which there is a fire or release or threatened release of hazardous materials or environmentally damaging substances;
- (2) Any person who at the time of disposal, transport, storage, or treatment of hazardous materials or environmentally damaging substances owned or operated the facility or vehicle used for such disposal, transport, treatment or storage from which there was a fire, release or threatened release of hazardous materials or environmentally damaging substances;
- (3) Any person who by contract, agreement or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous materials or environmentally damaging substances owned, controlled or possessed by such person at a facility owned and operated by another party or entity from which there is fire, release or threatened release of such hazardous materials or environmentally damaging substances;
- (4) Any person who accepts or accepted any hazardous materials or environmentally damaging substances for transport to disposal, storage or treatment sites from which there is a fire, release or threatened release of hazardous materials or environmentally damaging substances;
- (5) In the case of an abandoned facility or vehicle any person owning or operating the abandoned facility or any person who owned or operated or otherwise controlled activities at the abandoned facility immediately prior to abandonment;
- (6) In the case of a land trust owning or operating a facility or vehicle the person owning the beneficial interest in the land trust.

(s) **Tank.** A vessel containing more than sixty (60) gallons.(t) **Vapor Pressure.** Is a measure of a liquid's volatility. A high vapor pressure usually is an indication of a volatile liquid, or one that readily vaporizes.(u) **Volatility.** Is the tendency or ability of a liquid to vaporize.(3) **General Requirements.**

- (a) **Safe Hazardous Materials Storage Required.** Hazardous materials shall be stored in such a way that products which, when mixed, react violently or evolve toxic fumes, vapors or gases, or that, in combination, become hazardous by reason of toxicity, oxidizing power, flammability or other properties are not in close proximity. These materials shall be handled, stored, utilized or manufactured in accordance with the International Fire Code ("IFC"), as adopted by the Village, and shall be stored separately, segregated by distance, partitions, or other methods as required by the IFC.
- (b) **Unlawful Releases Prohibited.** No person shall cause, threaten, or allow the release of hazardous materials, unless such release is in accordance with an appropriate permit granted by the Illinois Environmental Protection Agency ("IEPA") or other State or Federal agency having primary authority over the release, as permitted by the IEPA, and such release is in such a place and manner as will not create a hazard to human health, property, or the environment. Any prohibited release is hereby declared a public nuisance. Any violation of this section shall be subject to the general penalty provisions of this Code and/or revocation of any special use permit issued.



- (c) **Materials.** Activities involving the manufacturing, processing, generation, storage or utilization, or any combination thereof, of the following materials or products are permitted only in accordance with the regulations of each zoning district. Such materials or products shall include, but are not limited to, the following:

- (1) Any material or product which contains a chemical compound, mixture or device, the primary or common purpose of which is to function by explosion including any material or product determined to be within the scope of the United States Code (USC) title 18: chapter 40 or any material or product classified as an explosive by the International Fire Code ("IFC"), as adopted by the Village, other than consumer fireworks, 1.4G (Class C, common) by the hazardous materials regulations of the Department of Transportation ("DOT") 49 CFR, parts 100 - 185.
- (2) Nuclear fuels, fissionable materials and products and reactor elements such as uranium 235 and plutonium 239.
- (3) Any materials or products that constitute a physical or health hazard as identified by the IFC, as adopted by the Village, as high-hazard group H occupancies.
- (4) Any chemicals governed by the Environmental Protection Agency ("EPA") and regulated by the IEPA.

- (d) **Liability For Costs.** Each responsible party or parties shall be liable to the Village of Willowbrook for all costs incurred by the Village resulting from a fire, release or threatened release involving hazardous materials. This section shall not limit any fines or penalties resulting from a successful prosecution for violation of this Code.

**(4) Standards In The M-1 Light Manufacturing District.**

- (a) The use of a facility, building or structure, or a portion thereof, that involves the manufacturing, processing, generation, storage or utilization, or any combination thereof, of any of the materials or products identified under subsection (3)c of this section shall be allowed only as a special use.
- (1) **Exceptions.** Hazardous materials that are utilized for the following on-site activities: yard and building maintenance, custodial services, forklift operations, and other ancillary purposes as authorized by the building official.
- (b) The use of a facility, building or structure, or a portion thereof, that involves the manufacturing, processing, generation, storage or utilization, or any combination thereof, of materials or products that constitute a physical or health hazard as identified in the IFC, as adopted by the Village, as high-hazard group H occupancies shall require you to make an application for a Village of Willowbrook issued operational permit for the purpose of assisting facilities in correctly reporting chemicals, their quantities, locations, and hazards for the benefit of alerting emergency response agencies to chemical hazards at a facility should an emergency occur. Having properly informed emergency responders allows a more effective and well-organized response and can limit liability and injuries during a response effort due to one or more of the following issues:
- (i) Hazardous or flammable materials or processes.
  - (ii) High fire loads.
  - (iii) Materials or processes that have unique fire management characteristics, as determined by the authority having jurisdiction over the matter.
- (1) **Exceptions.** Hazardous materials that are utilized for the following on-site activities: yard and building maintenance, custodial services, forklift operations, and other ancillary purposes as authorized by the building official.

- (c) The use of a facility, building or structure, or a portion thereof, that involves the manufacturing, processing, generation, utilization or storage, or any combination thereof, of hazardous materials or products that require a permit or reporting by the United States Environmental Protection Agency ("EPA") or the Illinois Environmental Protection Agency ("IEPA"), shall, prior to commencement of operations, provide a copy of any permit(s) or report(s) required by the EPA or IEPA to the Village.
- (d) The manufacturing, processing, generation, storage or utilization, or any combination thereof, of flammable liquids or materials which produce flammable or explosive vapors or gases shall be permitted in accordance with table IV of this subsection, except that the storage of finished products in original sealed containers as defined in this section shall be permitted.

Table 9-5-06(G)(4)(d): Total Capacity of Flammable Materials Permitted, Gallons		
<i>Industries Engaged in Storage for Resale</i>		
	<i>Above Ground</i>	<i>Below Ground</i>
Class IC	Prohibited	100,000
Class IB	Prohibited	100,000
Class IA	Prohibited	100,000
Total	—	300,000
<i>Industries Engaged in Utilization or Manufacture or Combination Thereof of Flammable Materials Where Storage is an Ancillary Use</i>		
	<i>Above Ground</i>	<i>Below Ground</i>
Class IC	50,000	100,000
Class IB	25,000	100,000
Class IA	Prohibited	100,000
Total	75,000	300,000

(F) **Glare Standards.**

- (1) **Required Performance Level.** No operation or activity shall be conducted so as to cause or create glare in excess of the amounts permitted below.
- (2) **Standards For All Districts.** Any operation, activity or other source of illumination producing glare shall be conducted so that direct and indirect illumination from the source of light shall not cause illumination in excess of 0.5 foot-candles in any Residential District or public right-of- way.

### 9-5-11: Floodplain Regulations

- (A) Those lands within the jurisdiction of the Village that are subject to inundation shall be designated and regulated by the "DuPage County Countywide Stormwater And Floodplain Ordinance Adopted", as amended.

## Chapter 6. Sign Standards

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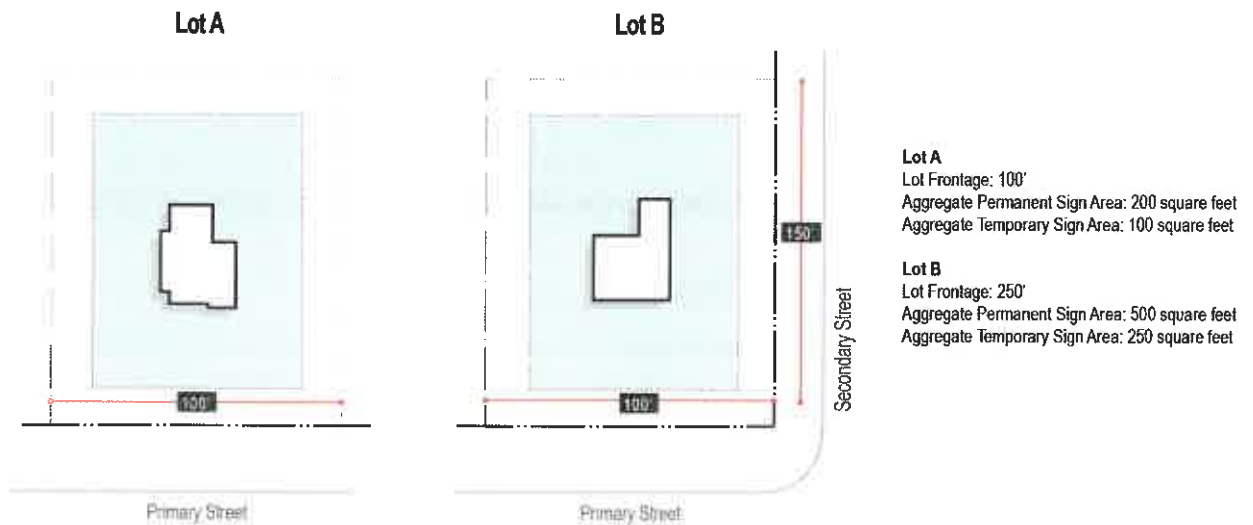
### 9-6-01: Purpose and Intent

The purpose of this Chapter is to preserve and protect the public health, safety, and welfare by regulating signs of all types. It is intended to:

- (A) Enhance the physical appearance of the Village,
- (B) Make Willowbrook a more enjoyable and pleasing community and create an attractive economic and business climate,
- (C) Reduce sign distractions which may increase traffic accidents,
- (D) Eliminate hazards caused by unsafe signs,
- (E) Relieve pedestrian and traffic congestion, and
- (F) Avoid the "canceling out" effect of adjacent signs.

**9-6-02: Limit on Sign Area**

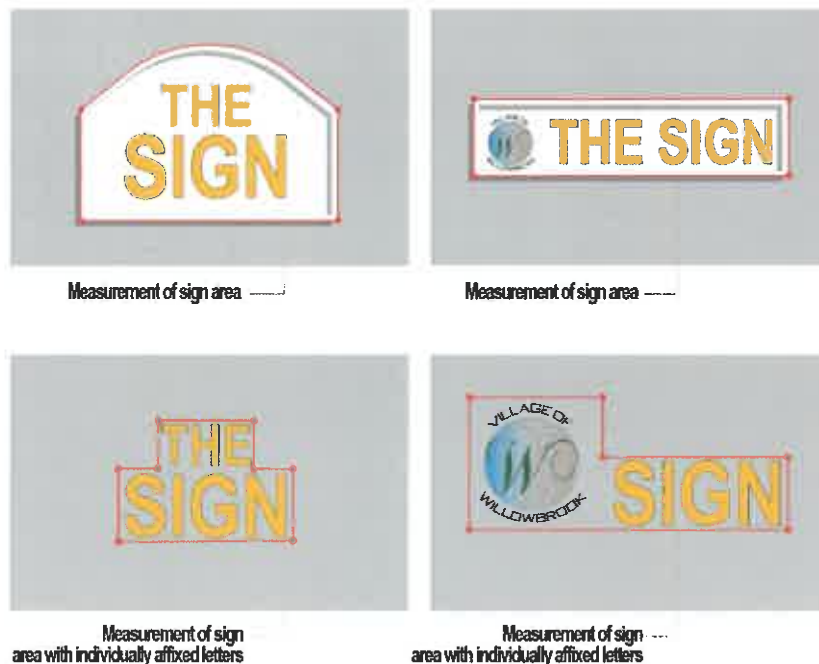
- (A) **Permanent Sign Area Limit.** Each lot shall be allowed aggregate permanent sign area equal to two (2) square feet of sign area per linear foot of lot frontage.
- (B) **Temporary Sign Area Limit.** Each lot shall be allowed aggregate temporary sign area equal to one (1) square foot of sign area per linear foot of lot frontage.
- (C) **Premises Having Frontage on More Than One Dedicated Street.** Premises having frontage on more than one (1) dedicated street will be allowed an additional one (1) square foot of aggregate sign area for each lineal foot of the secondary lot frontage; however additional sign area shall only be displayed on the secondary frontage.
- (D) **Irregularly Shaped Lots.** Irregularly shaped lots with minimal lot frontage, relative to more typically shaped lots in the district, may petition for additional aggregate sign area through the Comprehensive Sign Plan process as detailed in Section 9-9-07.

**Figure 6.1. Limit on Sign Area**

### 9-6-03: Sign Measurement

- (A) **Sign Height.** Sign height shall be measured by the total distance between the highest point on the sign to the average elevation of the ground upon which the sign supports are placed, except when:
- (1) The sign supports rest upon a berm or other area elevated above the surrounding ground, or
  - (2) The sign supports rest upon a ditch or other area lower than the surrounding ground.
- (B) In the cases detailed in Section 9-6-03(A)(1-2) above, the elevation of the centerline of the adjacent roadway shall be considered as the ground level.
- (C) **Sign Area.**
- (1) Unless otherwise defined, sign area is determined by the total area enclosed by a continuous perimeter along the edges of a sign, including any frame or border.
  - (2) The area of a sign composed of individually-affixed letters is determined by the total area of the smallest geometric shape enclosing the copy.
  - (3) A maximum of two (2) geometric shapes may be utilized in sign area calculation.
  - (4) The calculation for a double-faced sign shall be the area of one (1) face only.

**Figure 6.2. Sign Area Measurement**



### 9-6-04: Permitted and Allowed Sign Types by District

(A) The following key is to be used in the interpretation of Table 9-6-04 Permitted and Allowed Sign Types by District.

- (1) **Sign Types Requiring a Permit.** Sign types marked as "●" in the table shall be permitted subject to all applicable regulations of this Ordinance and only after the issuance of a Sign Permit as detailed in Section 9-9-02(E).
- (2) **Sign Types not Requiring a Permit.** Sign types marked as "○" in the table shall be allowed subject to all applicable regulations of this Ordinance without the issuance of a Sign Permit.
- (3) **Prohibited Sign Types.** A blank space in the table indicates that a sign type is prohibited in the respective district.
- (4) **Interpretation of Similar Sign Type.** If a proposed sign is not listed in the table, the Village Administrator or their designee shall determine if the sign is substantially similar to a sign listed in the table. If it is, the standards applied to the proposed sign shall be the standards applicable to the similar sign. If not, the sign shall be regarded as prohibited.

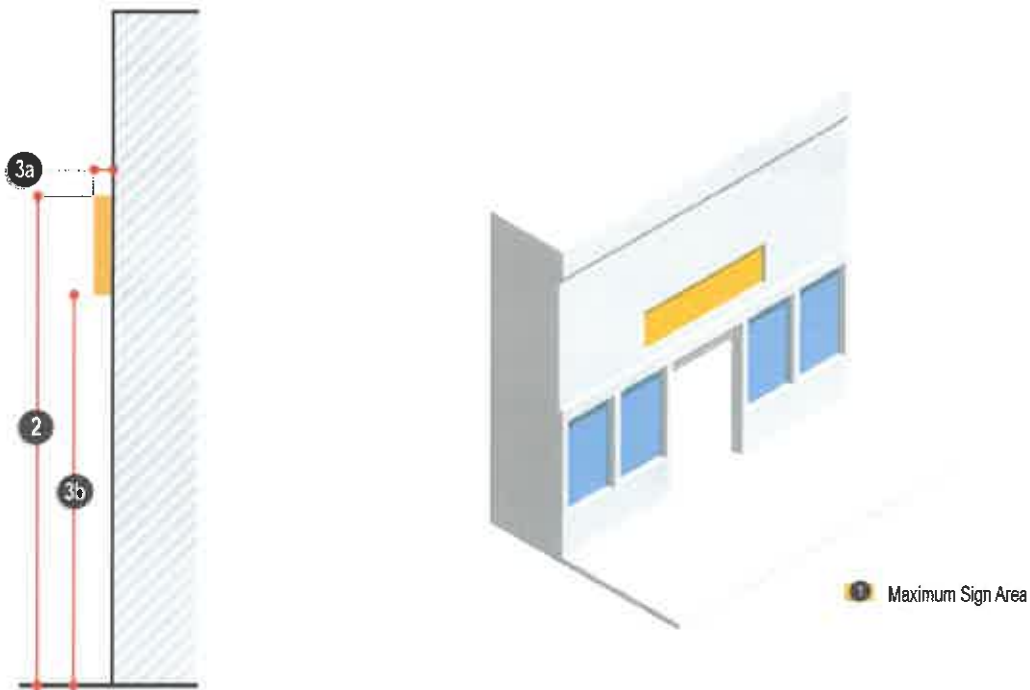
Table 9-6-04 Permitted and Allowed Sign Types by District									
Sign Type	District								
	R-1	R-2	R-3	R-4	R-5	B	LOR	M-1	I
<b>Permanent Signs</b>									
Wall Sign					●(1)	●	●	●	●
Single-Tenant Monument Sign	●(1)(2)	●(1)(2)	●(1)(2)	●(1)(2)	●(1)(2)	●	●	●	●
Multi-Tenant Monument Sign						●	●	●	●
Awning/Canopy Sign						●	●	●	●
Projecting Sign						●			
Window Sign, Permanent						●			
On-Site Traffic Directional Sign				○(1)	○(1)	○	○	○	○
<b>Temporary Signs</b>									
Wall Mounted Banner Sign						●	●	●	●
Ground Mounted Temporary Sign						●	●	●	●
Window Sign, Temporary						●	●	●	●
A-Frame/Sandwich Board Sign						○	○	○	○
Post Sign	○	○	○	○	○				○
Yard Sign	○	○	○	○	○				○
<b>Notes:</b>									
(1) Sign shall be permitted for nonresidential, mixed use, or multifamily developments only.									
(2) Sign shall be permitted at entry ways or gateways to subdivisions or neighborhoods only.									

### 9-6-05: Standards for Permanent Signs

#### (A) Wall Signs.

- (1) **Sign Area.** The maximum sign area of wall signs shall be ten (10) percent of the total area of the face of the wall to which the sign is to be affixed.
- (2) **Sign Height.** No wall sign shall protrude above the highest roofline or the top of the parapet wall or mansard roof.
- (3) **Projection.**
  - (a) A wall sign shall not extend more than six (6) inches from the wall of the building or structure to which it is attached.
  - (b) A wall sign shall maintain a minimum vertical clearance of ten (10) feet from grade.

**Figure 6.3. Wall Sign Area, Height, and Projection**



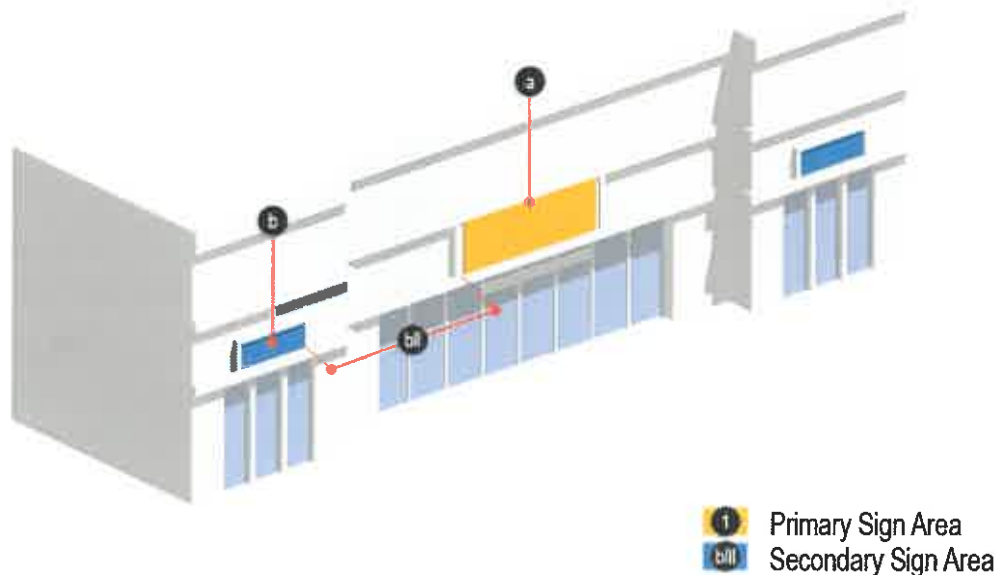


**(4) Number of Signs.****(a) Primary Wall Signs.**

- (I) Single tenant buildings shall be permitted a total of two (2) primary wall signs; however only one (1) wall sign shall be displayed on any single building façade.
- (II) Multi-tenant buildings shall be permitted one (1) primary wall sign per unit.

**(b) Secondary Wall Signs.** A maximum of two (2) secondary wall signs may be authorized for buildings with lineal frontage in excess of seventy-five (75) feet by the Village Administrator or their designee provided such additional signage is:

- (I) In keeping with the overall design and architecture of the building,
- (II) A minimum of twenty (20) feet from the primary wall sign and other secondary wall signs,
- (III) A maximum of fifty (50) percent of the size of the primary wall sign,
- (IV) Less visually prominent on the site than the building's primary wall sign, and
- (V) The total area of all primary and secondary wall signs does not exceed the maximum wall sign area as established in Section 9-6-05(A)(1).

**Figure 6.4. Secondary Wall Sign Standards****(5) Sign Copy.**

- (a) If the sign copy is individually affixed letters, the Village Administrator or their designee may approve an increase in sign area up to an additional five (5) percent of the total area of the face of the wall to which the sign is to be affixed.
- (b) Box/cabinet wall signs shall be prohibited.



**(6) Other Provisions.**

- (a) No wall sign shall cover any architectural features (architectural features shall include but not be limited to, pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel) of the building to which it is affixed.
- (b) No wall sign shall be affixed to HVAC screening, elevator overrun, or other structures protruding from the roof of the principal building, excluding architectural features that are an integral part of the principal building.

**(B) Single-Tenant Monument Signs.**

- (1) **Sign Area.** The maximum sign area of a single-tenant monument sign shall be fifty (50) square feet.
- (2) **Sign Height.** The maximum sign height of a single-tenant monument sign shall be seven (7) feet.
- (3) **Number of Signs.** A maximum of one (1) single-tenant monument sign shall be permitted per lot frontage.
- (4) **Sign Base.**
  - (a) The base of a single-tenant monument sign, including all structural components, shall extend horizontally from the sign face a minimum of ten (10) percent and a maximum of twenty-five (25) percent of the width of the sign face.
  - (b) The base of single-tenant monument signs shall be constructed from masonry, stone, or similar high-quality materials in keeping with the materials and design of the principal building of the lot.
- (5) **Landscape Requirement.**
  - (a) All single-tenant monument signs shall be required to plant and maintain a landscape area at the base of the sign.
  - (b) The minimum area of the landscape area shall be equal to half of the square footage of the sign area of the associated sign.
  - (c) Landscape areas shall be planted with one (1) shrub or native grass per every three (3) square feet of required landscape area.
- (6) **Other Provisions.**
  - (a) The address of the building(s) to which the single-tenant monument sign is associated shall be displayed on the single-tenant monument sign but shall not count towards maximum sign area.

**Figure 6.5. Single-Tenant Monument Sign Standards**

**1** Maximum Sign Area

(C) **Multi-Tenant Monument Signs.**

(1) **Sign Area.**

- (a) The maximum sign area of a multi-tenant monument sign in the B District shall be one-hundred (100) square feet.
- (b) The maximum sign area of a multi-tenant monument sign in the LOR District or M-1 District shall be one-hundred (100) square feet.

(2) **Sign Height.** The maximum sign height of a multi-tenant monument sign shall be sixteen (16) feet.

(3) **Number of Signs.** Number of Signs. A maximum of one (1) single-tenant monument sign shall be permitted per lot frontage.

(4) **Sign Base.**

- (a) The base of a multi-tenant monument sign, including all structural components, shall extend horizontally from the sign face a minimum of ten (10) percent and a maximum of twenty-five (25) percent of the width of the sign face.
- (b) The base of multi-tenant monument signs shall be constructed from masonry, stone, or similar high-quality materials in keeping with the materials and design of the principal building of the lot.

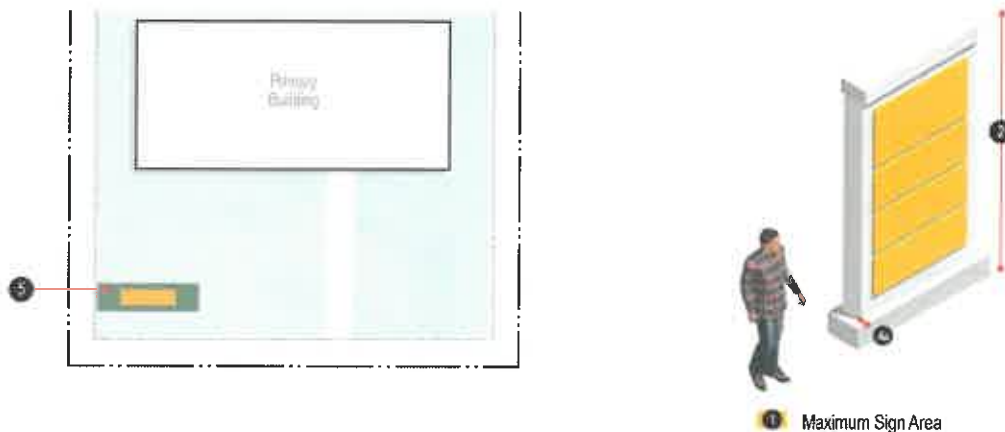
(5) **Landscape Requirement.**

- (a) All multi-tenant monument signs shall be required to plant and maintain a landscape area at the base of the sign.
- (b) The minimum area of the landscape area shall be equal to half of the square footage of the sign area of the associated sign.
- (c) Landscape areas shall be planted with one (1) shrub or native grass per every three (3) square feet of required landscape area.

(6) **Other Provisions.**

- (a) The address of the building(s) to which the single-tenant monument sign is associated shall be displayed on the single-tenant monument sign but shall not count towards maximum sign area.

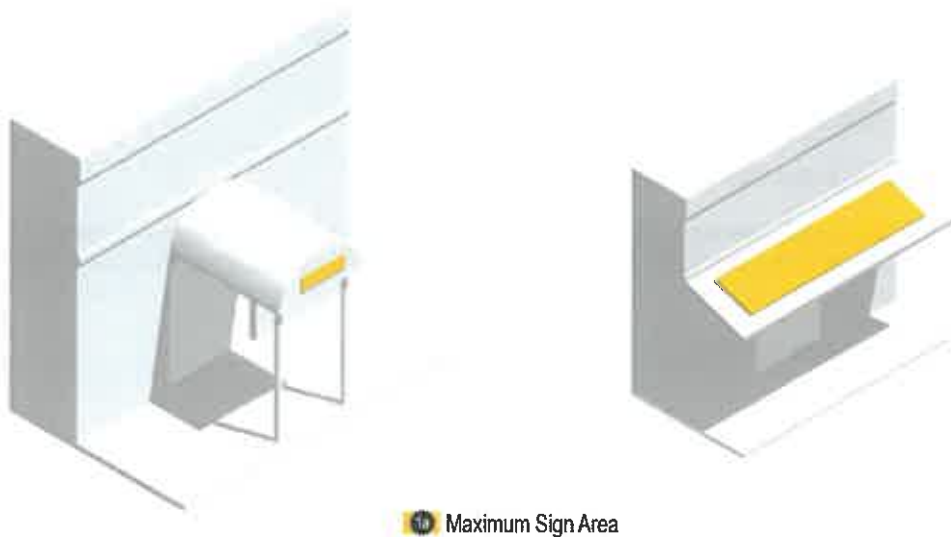
**Figure 6.6. Multi-Tenant Monument Sign Standards**



**(D) Awning/Canopy Signs.****(1) Sign Area.**

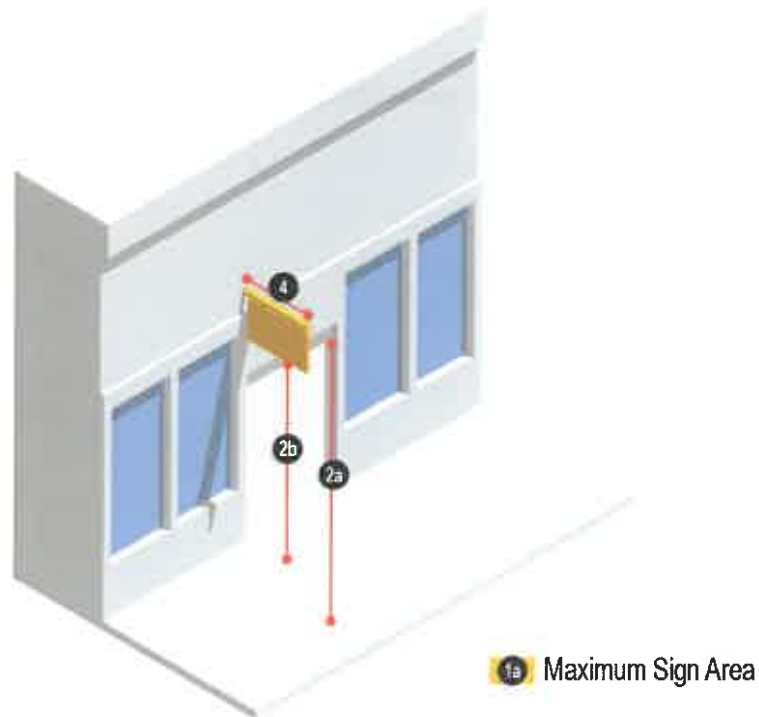
- (a) The maximum sign area of awning/canopy signs shall be fifty (50) percent of the face of the awning/canopy upon which the sign shall be printed or affixed.
- (b) The area of the awning/canopy sign shall count towards the maximum amount of sign area permitted for wall signs as detailed in Section 9-6-05(A)(1).

- (2) **Other Provisions.** Awning/canopy signs shall only be permitted on awnings/canopies extending above ground floor entrances or windows.

**Figure 6.7. Awning/Canopy Sign Standards**

**(E) Projecting Signs.**

- (1) **Sign Area.** The maximum permitted sign area of projecting signs shall be four (4) square feet.
- (2) **Sign Height.**
  - (a) Projecting signs shall not extend above the roofline of the building to which it is attached, or a maximum of twelve (12) feet, whichever is less.
  - (b) Projecting signs shall maintain a minimum vertical clearance of ten (10) feet.
- (3) **Number of Signs.**
  - (a) A maximum of one (1) projecting sign shall be permitted per ground floor tenant space.
  - (b) A projecting sign shall not be displayed on the same building frontage as an awning/canopy sign.
- (4) **Projection.** Projecting signs shall horizontally project a maximum of four (4) feet from the building to which it is attached.
- (5) **Other Provisions.**
  - (a) Projecting signs shall not be internally illuminated.
  - (b) Projecting signs may encroach upon, extend, or project over a public right-of-way or easement. The property owner may be required to provide a release or hold harmless to the Village prior to issuing permits for any such signs.

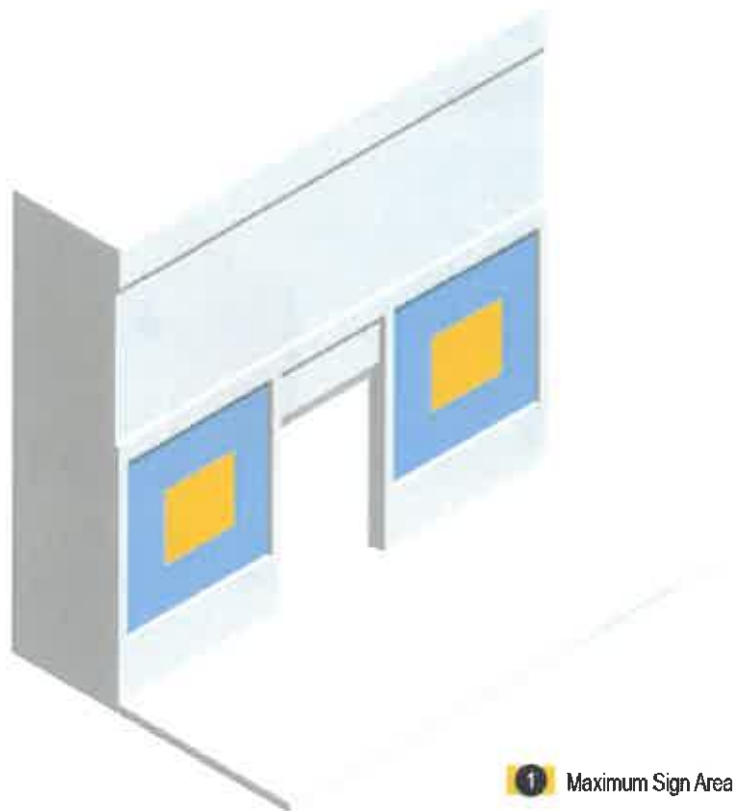
**Figure 6.8. Projecting Sign Standards**

(F) **Window Signs, Permanent.**

(1) **Sign Area.**

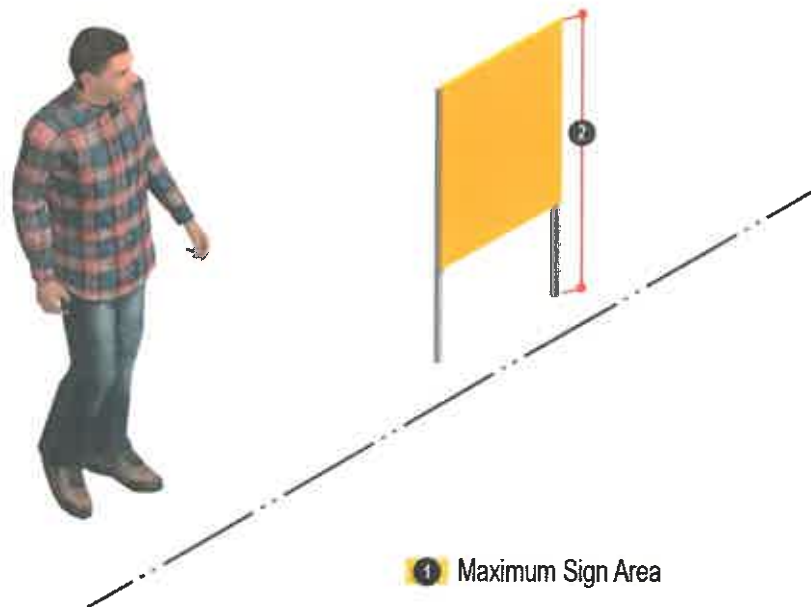
- (a) The maximum permitted sign area of a permanent window sign shall be twenty-five (25) percent of the square footage of the individual window on which the sign shall be located.
- (b) The area of the permanent window sign shall count towards the maximum amount of sign area permitted for wall signs as detailed in Section 9-6-05(A)(1).

**Figure 6.9. Permanent Window Sign Standards**



**(G) On-Site Traffic Directional Signs.****(1) Sign Area.**

- (a) The maximum sign area of an on-site traffic directional sign shall be four (4) square feet.
- (b) Permitted on-site traffic directional sign area shall not count towards the maximum allowed aggregate sign area as detailed in Section 9-6-02.

**(2) Sign Height.** The maximum height of an on-site traffic directional sign shall be four (4) feet.**(3) Number of Signs.** The permitted number of on-site traffic directional signs shall be determined by the Village Administrator or their designee as necessary to assist in the safe movement of vehicular, bicycle, and pedestrian traffic on a property and between properties with vehicular cross access.**Figure 6.10. On-Site Traffic Directional Sign Standards**

## 9-6-06: Standards for Temporary Sign

### (A) General Standards Temporary Signs.

#### (1) Temporary Signs Requiring a Permit.

##### (a) Concurrent Display.

(I) **Single-Tenant Building.** A maximum of two (2) permitted temporary signs, as permitted per district in Table 9-6-04, may be displayed concurrently on a lot with a single-tenant building.

##### (II) **Multi-Tenant Building.**

(i) A maximum of one (1) permitted temporary sign, as permitted per district in Table 9-6-04, may be displayed per unit on a lot with a multi-tenant building concurrently.

(ii) In no instance shall more than two (2) freestanding temporary signs be displayed concurrently.

#### (2) Display Period.

(a) The permitted display period of a permitted temporary sign shall be a maximum of fourteen (14) days.

(b) A total of three (3) nonconcurrent display periods shall be permitted per single-tenant building or unit of a multi-tenant building per calendar year.

(c) Display periods shall be separated by a minimum of thirty (30) days.

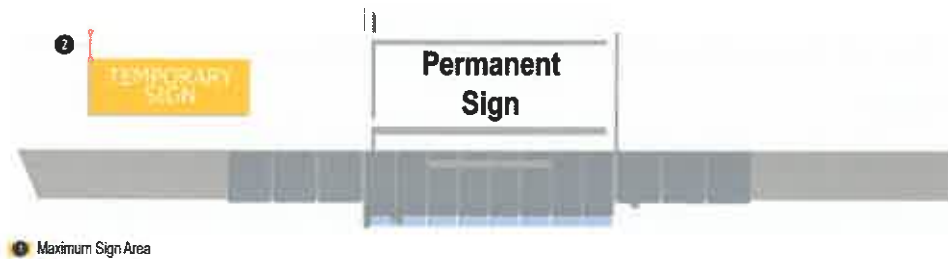
#### (3) **Temporary Freestanding Signs.** Temporary freestanding signs shall include ground mounted banner, feather, post, and yard signs.

(a) Temporary freestanding signs shall be securely anchored into the ground or secured in a portable base designed for such function.

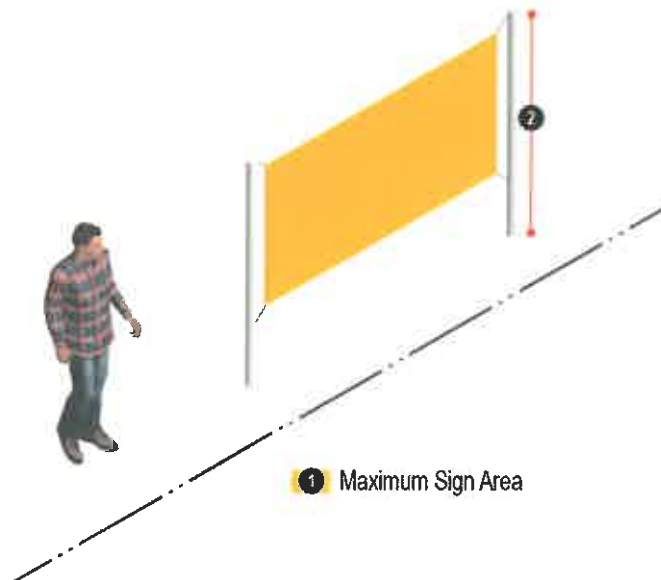
(b) Temporary freestanding signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

**(B) Wall Mounted Banner Sign.**

- (1) **Sign Area.** The maximum area of a wall mounted banner sign shall be five (5) percent of the total area of the face of the wall to which the sign is to be affixed.
- (2) **Sign Height.** No wall mounted banner sign shall protrude above the highest roofline or the top of the parapet wall or mansard roof.
- (3) **Location.** Wall mounted banner signs shall be affixed to a building only.
- (4) **Projection.** Wall mounted banner signs shall be affixed flat against the building to which they are mounted.

**Figure 6.11. Wall-Mounted Banner Sign Standards****(C) Ground Mounted Temporary Sign.**

- (1) **Sign Area.** The maximum sign area of a ground mounted temporary sign shall be thirty-two (32) square feet.
- (2) **Sign Height.** The maximum sign height of a ground mounted temporary sign shall be eight (8) feet.
- (3) **Permit Period and Fee.** Ground-mounted temporary signs shall be allowed six (6) months per calendar year subject to a monthly fee as approved by the Village Board.

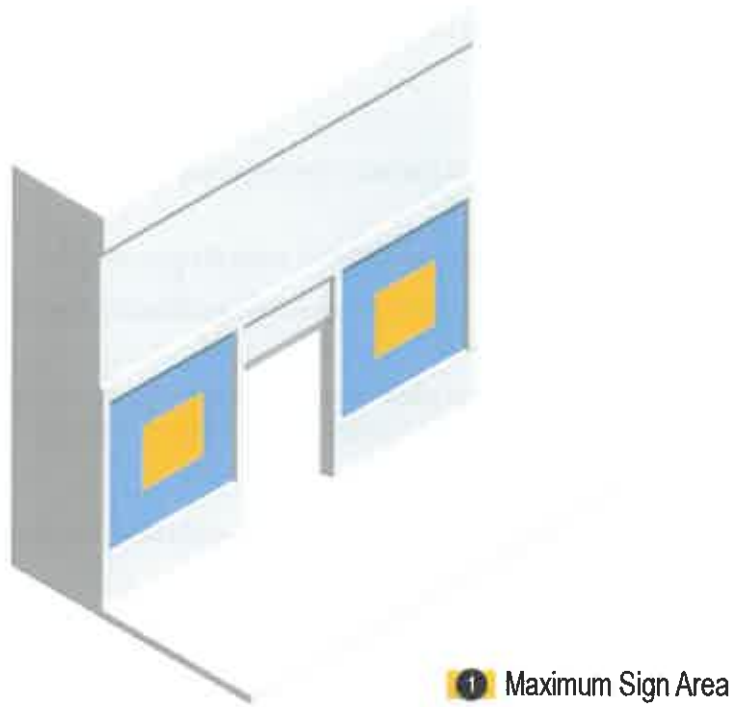
**Figure 6.12. Ground-Mounted Temporary Sign Standards**



(D) **Window Signs, Temporary.**

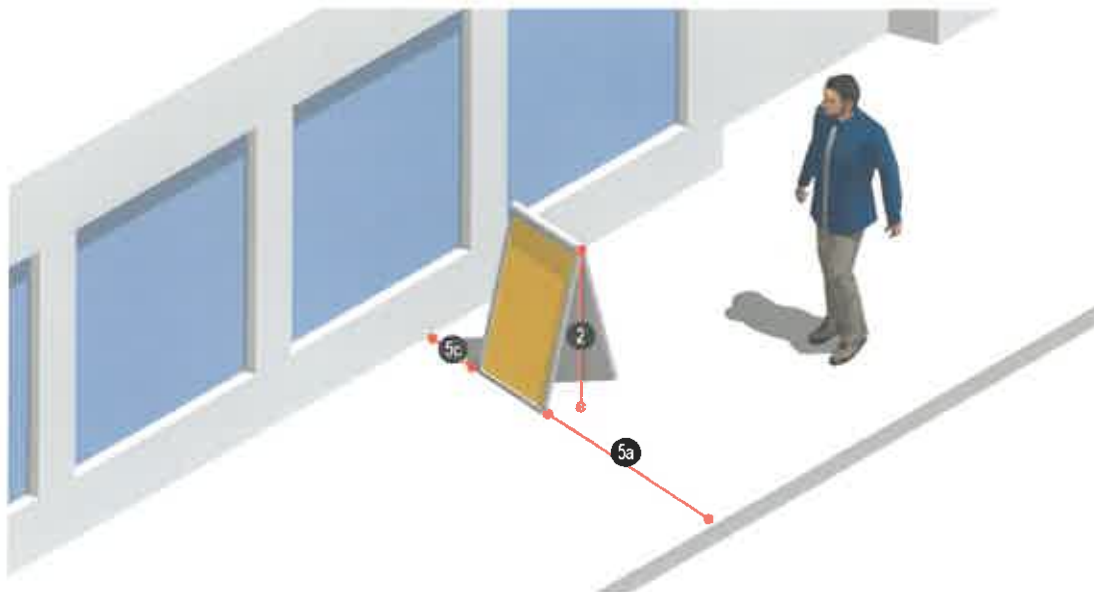
- (1) **Sign Area.** The maximum sign area of a temporary window sign shall be twenty-five (25) percent of the individual window on the sign shall be affixed.

**Figure 6.13. Temporary Window Sign Standards**



**(E) A-Frame/Sandwich Board Signs.**

- (1) **Sign Area.** The maximum sign area of an a-frame/sandwich board sign shall be six (6) square feet.
- (2) **Sign Height.** The maximum sign height of an a-frame/sandwich board sign shall be four (4) feet.
- (3) **Number of Signs.** One (1) a-frame/sandwich board sign shall be permitted per single-tenant building or unit of a multi-tenant building.
- (4) **Sign Separation.** Each a-frame/sandwich board sign shall be separated from another a-frame/sandwich board sign by at least twenty-five (25) feet.
- (5) **Location.**
  - (a) A-frame/sandwich board signs shall be placed in a manner to preserve a continuous sidewalk width of a minimum of five (5) feet.
  - (b) No part of any a-frame/sandwich board sign shall block points of ingress or egress.
  - (c) A-frame/sandwich board signs shall be placed no more than one (1) foot from the wall of the building or unit of a building to which the sign is associated.
  - (d) A-frame/sandwich board signs shall be placed no less than three (3) feet and no more than six (6) feet from the building entrance of the building or unit of a building to which the sign is associated.
- (6) **Other Provisions.**
  - (a) The display of a-frame/sandwich board signs shall only be permitted during the operating hours of the use to which the sign is associated.

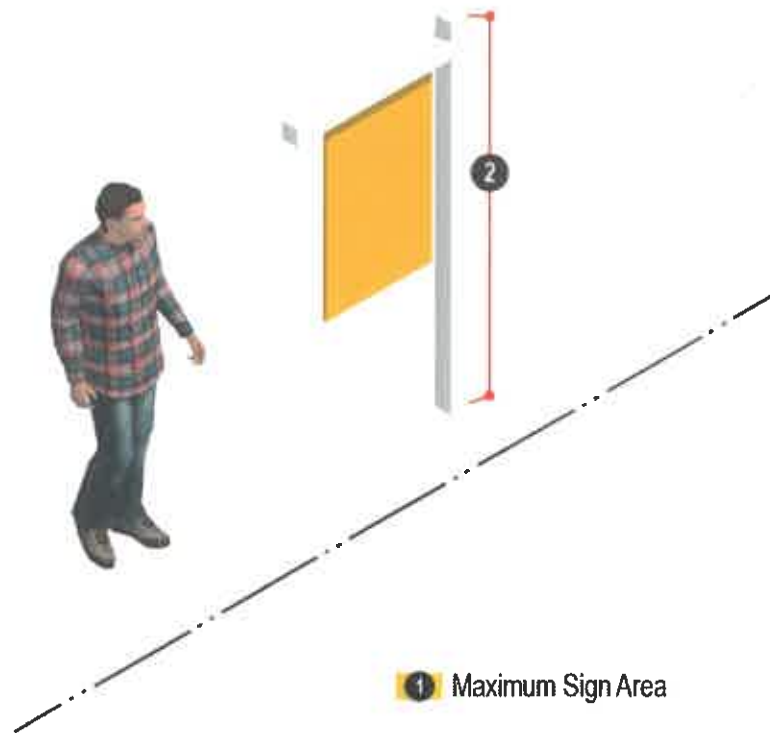
**Figure 6.14. A-Frame/Sandwich Board Sign Standards**

**1** Maximum Sign Area

(F) **Post Signs.**

- (1) **Sign Area.** The maximum sign area of a post sign shall be six (6) square feet.
- (2) **Sign Height.** The maximum sign height of a post sign shall be six (6) feet.
- (3) **Number of Signs.** A maximum of one (1) post sign shall be allowed per lot frontage.

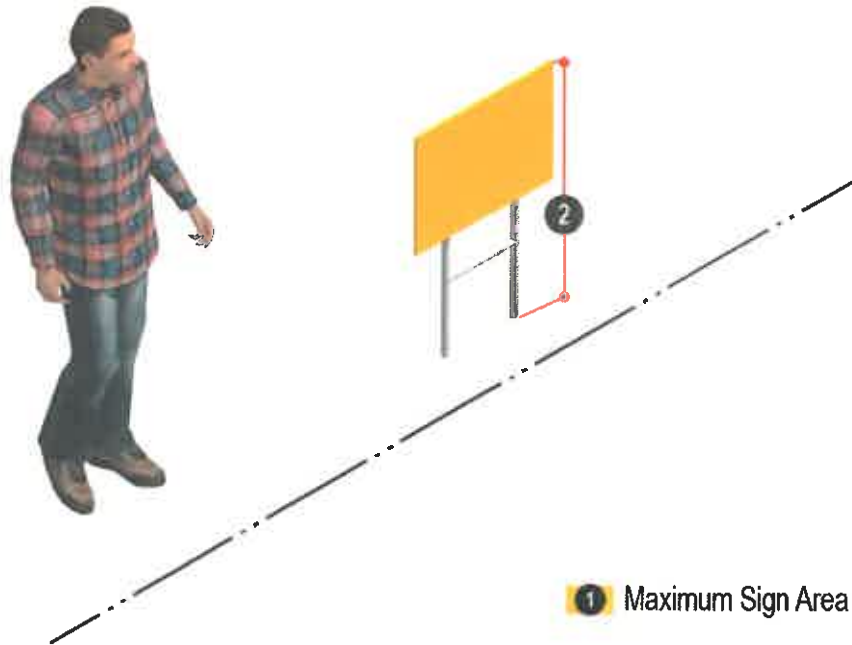
**Figure 6.15. Post Sign Standards**



(G) **Yard Signs.**

- (1) **Sign Area.** The maximum sign area of a yard sign shall be four (4) square feet.
- (2) **Sign Height.** The maximum sign height of a yard sign shall be three (3) feet.
- (3) **Number of Signs.** A maximum of two (2) yard signs may be displayed concurrently with the exception of thirty (30) days before and fifteen (15) days after a local, state, or federal election in which case a maximum of six (6) yard signs may be displayed.
- (4) **Other Provisions.**
  - (a) Yard signs in residential districts displayed for a period of forty eight (48) hours or less shall be exempt from the requirements of this Section.

**Figure 6.16. Yard Sign Standards**



**1** Maximum Sign Area

**9-6-07: General Sign Standards**

(A) **Location of Free Standing Signs.** Free standing signs shall include single-tenant monument signs, multi-tenant monument signs, on-site traffic directional signs, ground mounted banner signs, feather signs, post signs, and yard signs.

- (1) Be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements;
- (2) Not block points of ingress or egress;
- (3) Not be placed in any sidewalk or pedestrian circulation system, and
- (4) Not be located in a clear sight triangle as detailed in Section 9-5-06.

(B) **Illumination.**

- (1) **Location and Design of Light Source.** Whenever an external artificial light source is used for a sign, such source shall be located, shielded, and directed so as not to be directly visible from any public right-of-way or residential property. No receptacle or device housing a permitted light source for a sign shall protrude more than twelve (12) inches from the face of the sign or building to which it is attached except if such light source is ground mounted, locked in place, and cannot be redirected.
- (2) **Level of Illumination.** In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed the outdoor lighting standards established in Section 9-5-09. All artificial illumination shall be so designed, located, shielded, and directed as to prevent the casting of glare or direct light upon adjacent property or streets.

(C) **Electronic Message Boards.** Single-tenant and multi-tenant monument signs only may incorporate electronic message boards in accordance with the following:

- (1) Two-thirds (2/3) of the sign area must be permanent sign copy.
- (2) The area of the sign devoted to an electronic message board shall be part of, not in addition to, the maximum sign area allowed.
- (3) The electronic message format shall conform to the following requirements:
  - (a) The message will contain a static message or image only and not have movement, or the appearance of movement, during the static display period.
  - (b) The transition to change from one message or image to another shall be instant and not dissolve, fade, scroll, travel, or have similar transitions.
  - (c) The message shall not change more frequently than once every ten (10) seconds.
- (4) Electronic message boards must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
- (5) Electronic message boards shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to light conditions.
- (6) Illumination of electronic message signs shall not exceed 0.3 foot-candles over the ambient lighting conditions when measured at a distance equal to the square footage of the sign area.
- (7) Sign placement does not interfere with traffic control devices within three hundred (300) feet of the sign or traffic circulation upon roadways. If deemed necessary by the Village Administrator or their designee a report from a traffic engineer certifying that the proposed sign does not interfere with the design characteristics of the traffic circulation and traffic control devices may be required.

**9-6-08: Prohibited Signs and Content**

(A) The following signs are specifically prohibited:

- (1) Off-premises signs/billboards;
- (2) Pole/pylon signs;
- (3) Flashing signs;
- (4) Roof signs;
- (5) Marquee signs;
- (6) Feather signs;
- (7) Searchlights;
- (8) Signs attached to a utility pole, a tree, a standpipe, gutter, drain or fire escape;
- (9) Signs erected so as to impair access to a roof;
- (10) Signs located, erected or maintained upon, over or project into any public right-of-way or easement unless otherwise allowing by this Chapter;
- (11) Pennants, streamers, and portable signs not specifically permitted or allowed by this Chapter;
- (12) Signs, not specifically permitted or allowed by this Chapter, which move or have moving parts, which movement is caused either by the wind or mechanically;
- (13) Signs in conflict with traffic signals, vehicular or pedestrian travel, access to fire hydrants and fire lanes and exits, and other signs which reasonably impede or impair the public health, safety and welfare;
- (14) Signs on vehicles, boats, or trailers parked so as to be visible from a public right-of-way for a period which exceeds three (3) days. All vehicles displaying signs shall be currently licensed, operable, parked on the property of the business owning or leasing the vehicle, and in the parking area furthest from any street right-of-way, so as to minimize the effects of additional signage on the property, except for vehicles actively in transport, or in the specific act of receiving or delivering merchandise or rendering a service;
- (15) Attention getting devices;
- (16) Signs hung across any street or alley;
- (17) Signs employing exposed neon lights not completely covered by other acceptable sign materials, except for permanent or temporary window signs as regulated in this Chapter; and
- (18) Signs painted on or otherwise affixed to fences;

(B) **Prohibited Content.**

- (1) The following content is prohibited without reference to the viewpoint of the individual speaker:
  - (a) Text or graphics of an indecent or immoral nature and harmful to minors,
  - (b) Text or graphics that advertise unlawful activity,
  - (c) Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats, or

- (d) Text or graphics that present a clear and present danger due to their potential confusion with traffic control signs or signs that provide public safety information (for example, signs that use the words "Stop," "Yield," "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).
- (2) The narrow classifications of content that are prohibited by this subsection are either not protected by the United States or Illinois Constitutions or are offered limited protection that is outweighed by the substantial governmental interests in protecting the public safety and welfare. It is the intent of the Village Board that each paragraph of this Subsection be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or Illinois Constitutions.

#### 9-6-09: Safety, Maintenance, and Abandonment

- (A) Every sign and all parts thereof, including base, copy, framework, supports, anchors and wiring systems shall:
  - (1) Be constructed and maintained in compliance with the applicable codes of the Village.
  - (2) Be kept in proper repair.
  - (3) When not galvanized or constructed of approved corrosion resistive, noncombustible materials, be painted, when necessary, to prevent corrosion, rust, peeling paint, and excessive fading.
- (B) Failure of owners to keep signs maintained in good mechanical and visual repair shall be deemed a violation of this Ordinance.
- (C) It shall be the duty and responsibility of the owner of every sign to maintain the immediate premises occupied by the sign in a clean condition, free of rubbish. Any landscaping surrounding the sign shall be kept trimmed and in good repair. If the landscaping installed at the time of sign approval dies, said landscaping shall be replaced immediately or as soon as weather permits.
- (D) Every existing sign shall be subject to an inspection whenever the Village Administrator or their designee and/or Building Enforcement Officer deems it necessary. In the event an inspection demonstrates that repairs, and/or maintenance is necessary, the sign owner shall be notified and required to complete said repairs and/or maintenance within thirty (30) days of notification. The Village Administrator or their designee and/or Building Enforcement Officer is authorized to grant one (1) thirty (30) day extension, if, upon written request, it is deemed necessary due to extenuating circumstances.
- (E) If the Village Administrator or their designee and/or Building Enforcement Officer shall find that any sign is unsafe or unsecure, or is a threat to the public safety, or was, after the adoption of this Ordinance constructed, erected, or maintained in violation of the provisions of this Ordinance, they shall give written notice to the sign owner. Such notice shall specify the manner in which the sign is unsafe or in violation of this Ordinance.
- (F) Sign copy shall be removed and in the case of a wall sign, the building façade shall be repaired, by the sign owner when the use which the sign is associated is no longer conducted on the premises. The sign copy shall be removed within thirty (30) days of when the use ceases to operate. If the owner fails to remove the sign copy, the Village Administrator or their designee shall give the owner thirty (30) days written notice to remove it. Failure to comply with the notice shall be deemed a violation of this Ordinance.



## Chapter 7. Subdivision Standards and Procedures

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### 9-7-01: Purpose and Intent

The purpose and intent of this chapter is to provide reasonable regulations for the design of subdivisions and re-subdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements and for the establishment of reasonable requirements for the location, width, course and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, stormwater drainage, water supply and distribution, sanitary sewers and sewage collection and treatment and the further development of standards to lessen the hazards of flood and to prevent or limit the construction of structures in areas prone to flooding.

All such rules, regulations and requirements are deemed to be nominal requirements for the preservation and promotion of the health, safety, welfare and convenience of the residents of the Village and adjacent areas.

### 9-7-02: Jurisdiction

This chapter has been adopted pursuant to 65 Illinois Compiled Statutes 5/11-12-5, as amended, and is intended to apply to the subdivision and re-subdivision of property and to planned developments pursuant to chapter 8 of this UDOUDO, located or to be located within the corporate limits of the Village and, upon the proper adoption and recording of the Village Comprehensive Plan, to the property located within one and one-half (1.5) miles of the existing corporate limits of the Village provided said property is not located within the corporate limits of any other municipality.

Should the Village enter into a boundary line agreement with any other municipality having a valid Comprehensive Plan pursuant to 65 Illinois Compiled Statutes 5/11-12-5, as amended, then the terms and provisions of this chapter shall apply within such adjacent unincorporated areas as provided in any applicable boundary line agreement.

Notwithstanding any provision contained in this chapter to the contrary, the exemption from compliance with this chapter and the "Subdivision Act" as provided for in 765 Illinois Compiled Statutes 205/1(b)9 of the "Subdivision Act" 1 shall not be applicable to any division or partitioning of land subject to the jurisdiction of the Village.



### 9-7-03: Design and Layout Standards

- (A) **Streets.** Streets shall conform minimally to the requirements of the standard specifications incorporated by reference in this UDO and other conditions set forth by the Village Board. All proposed subdivisions shall conform to the street classification plan. Whenever a tract to be subdivided embraces any part of a regional major or minor arterial, so designated on the street classification plan, such part of such proposed public way shall be platted and dedicated by the subdivider in the location and of the width indicated on the street classification plan, or in conformance with Illinois Department of Transportation standards, where applicable.

(1) **Location and Arrangement.**

- (a) The proposed subdivision shall conform to the various elements of the Comprehensive Plan and shall be considered in relation to the existing and planned arterials, collector and local streets, and such streets shall be platted and dedicated in the location and the width indicated on such plan.
- (b) The street layout shall provide for continuation of collector streets in adjoining subdivisions, and/or for the proper projection of streets when adjoining property is not subdivided.
- (c) The street layout shall include local streets so laid out that their use by through traffic shall be discouraged.
- (d) Should a proposed subdivision border on or contain any existing or proposed arterial, the Plan Commission may require reverse frontage with screen planting contained in a nonaccess easement along the rear property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation and reduction of traffic hazards.
- (e) Should a proposed subdivision border on or contain a tollway, expressway or other limited access highway right-of-way, including, but not by the way of limitation, I-55, U.S. Route 83 and 75th Street, the Village Board may require the location of a frontage road approximately parallel to and on each side of such right-of-way at a distance suitable for the development of any appropriate use of the intervening land such as for parks in residential districts. Such distances shall be determined with due consideration of the minimum distance required for approach grades to future grade separations.
- (f) Half streets shall be prohibited.
- (g) Private streets may be permitted subject to the review by the Plan Commission and approval by the Village Boards. Such streets shall be constructed in conformance with the standard specifications and shall be further subject to all other terms of this UDO.

- (2) **Right-of-Way and Easement Widths.** Street right-of-way widths shall conform minimally to the following requirements:

Table 9-7-03(A)(2) Right-of-Way and Easement Widths			
Street Classification	Right-of-Way Widths	Easement Widths	Total Widths
<i>Regional Arterials</i>	200 feet	n/a	200 feet
<i>Major Arterial</i>	100 feet	n/a	100 feet
<i>Minor Arterial</i>	100 feet	n/a	100 feet
<i>Residential Collector</i>	80 feet	n/a	80 feet
<i>Nonresidential Collector</i>	60 feet	20 feet	80 feet
<i>Residential Local</i>	60 feet	n/a	60 feet
<i>Nonresidential Local</i>	60 feet	20 feet	80 feet

- (3) **Cul-de-Sacs.** Rights-of-way for cul-de-sacs shall conform minimally to the following requirements. Cul-de-sac length shall be measured as the distance, measured along the centerline of the cul-de-sac, beginning at the edge of pavement of the connecting street to the furthest edge of pavement of the cul-de-sac ball.

Table 9-7-03(A)(3) Cul-De-Sacs

Street Classification	Single-Family Detached	Other Residential	Nonresidential
<i>Right-of-Way Width</i>	60 feet	60 feet	60 feet
<i>Easement Width</i>	n/a	n/a	20 feet
<i>Total Width</i>	60 feet	60 feet	60 feet
<i>Maximum Length</i>	500 feet	250 feet	250 feet
<i>Minimum Radius</i>	60 feet	60 feet	80 feet

- (4) **Street Grades.** For adequate drainage, the minimum street grade shall not be less than five-tenths of one (0.5) percent. The maximum street grade shall be five (5) percent for all arterial and collector streets and seven (7) percent for all local and cul-de-sac streets.
- (5) **Minimum Radii of Curvature on The Centerlines.** Curvature measured along street centerlines shall have the following minimum radii:
- (a) **Arterials.** A minimum radius of one thousand (1,000) feet.
  - (b) **Collector Streets.** A minimum radius of three (300) hundred feet.
  - (c) **Other Streets.** A minimum radius of two hundred fifty (250) feet.
- (6) **Tangents.** Between reverse curves there shall be not less than a minimum tangent for:
- (a) **Arterials.** Three hundred (300) feet.
  - (b) **Collector Streets.** One hundred (100) feet.
  - (c) **Other Streets.** Fifty (50) feet.
- (7) **Intersections.**
- (a) All residential street intersections shall have a minimum curb return radius of twenty five (25) feet . All other residential and nonresidential street intersections shall have a minimum curb return radius of forty (40) feet.
  - (b) At all street intersections with arterials and collector streets, an easement shall be established within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of twenty five (25) feet from their point of intersection.
  - (c) At alley intersections, the curbs and paving shall be rounded by an arc of at least twenty five (25) feet in radius.
  - (d) All streets intersecting an arterial or collector street shall do so at right angles or as nearly as possible. Intersection angles of less than sixty (60) degrees shall not be permitted.
  - (e) Curved streets, intersecting with arterials and streets, shall do so with a tangent section of centerline fifty (50) feet in length measured from the right-of-way line of the arterial or collector street.
- (8) **Street Jogs.** Any street which jogs with arterials, collectors or nonresidential streets with centerline offsets of less than two hundred twenty five (225) feet shall not be permitted; any street which jogs between other residential streets with centerline offsets of less than one hundred twenty five (125) feet shall not be permitted.

- (9) **Grading and Centerline Gradients.** Different connecting street gradients shall be connected with vertical parabolic curves. Minimum length in feet of these curves shall provide a stopping sight distance of not less than three hundred (300) feet.
  - (10) **Acceleration-Deceleration Lanes.** Streets which intersect with arterial or collector streets shall be provided with paved acceleration and deceleration lanes and passing lanes on both sides of the roadway. Such lanes shall be provided in keeping with the standards approved, from time to time, by resolution by the President and Village Boards for this type of improvement.
- (B) **Blocks.** Blocks within subdivisions shall conform to the following standards:
- (1) **Sizes.**
    - (a) Maximum length for blocks in residential subdivisions shall not exceed eight hundred (800) feet in length, except where in the opinion of the Village conditions may justify a greater distance.
    - (b) Maximum length for blocks in nonresidential or mixed use subdivisions shall not exceed one thousand two hundred (1,200) feet in length, except where in the opinion of the Plan Commission conditions may justify a greater distance.
    - (c) Widths of blocks shall be determined by the condition of the layout and shall be suited to the intended layout.
  - (2) **Public Walkways.**
    - (a) Location of public walkways or crosswalks may be required by the Plan Commission to obtain satisfactory pedestrian access to private and public facilities such as, but not limited to, schools and parks, and where blocks exceed nine hundred (900) feet in length.
    - (b) Easements for public walkways shall be at least twelve (12) feet in width. Pavement shall be designed and constructed in conformance with standard specifications adopted, from time to time, by resolution of the Village Boards. Typical cross sections of this easement shall be provided.
  - (3) **Easements.**
    - (a) Utility easements along right-of-way lines shall be provided as required in Table 9-7-05(A)(2).
    - (b) Drainage and utility easements shall be provided as follows:
      - (I) **Interior Rear Yards.** Ten (10) feet.
      - (II) **Peripheral Rear Yards.** Twenty (20) feet.
      - (III) **Interior Side Yards with Utilities.** Ten (10) feet.
      - (IV) **Peripheral Side Yards.** Ten (10) feet.
      - (V) **Peripheral Side Yards with Utilities.** Twenty (20) feet.
      - (VI) **Interior Side Yards.** Five (5) feet.
    - (c) In cases where the subdivider can demonstrate that additional easement areas are adjacent to the subject property, which are located within the Village corporate limits, and which grant proper easement rights to the Village, the subdivider may, at the sole discretion of the Village, be allowed to reduce easement areas. In no case shall easement areas on any property be reduced below five (5) feet.

- (d) Recommendations on the proposed layout of telephone and electric company easements should be sought from all of the utility companies serving the area. It shall be the responsibility of the subdivider to submit copies of the approved preliminary plat to all appropriate public utility agencies.
- (4) **Lots.** Lots within subdivisions shall conform to the following standards:
  - (a) **Sizes and Shapes.**
    - (I) The lot size, width, depth and shape in any subdivision proposed for residential uses shall be appropriate for the location and the type of development contemplated.
    - (II) Lot areas and widths shall conform to at least the minimum requirements of the zoning ordinance for the district in which the subdivision is proposed.
    - (III) Building setback lines shall conform to at least the minimum requirements of the zoning ordinance.
    - (IV) Excessive lot depth in relation to width shall be avoided. A depth to width ratio of three to one (3:1) shall normally be considered a maximum.
    - (V) Through lots having frontage on two (2) parallel streets are discouraged and shall only be permitted in circumstances where the Village Board determines that the health, safety and general welfare of the affected public will not be adversely impacted.
  - (b) **Arrangement.**
    - (I) Every lot shall front on a street.
    - (II) Side lot lines shall be at right angles or radial to the street lines.
    - (III) Streets and lots shall be arranged, to the extent possible, so as to assure that dwellings do not face rear or side yards of lots across streets wherever possible. Where such lot relationships are permitted to exist, through lots shall be screened from the street by berms or intensive and obscuring landscaping.
- (5) **Natural Environmental Features.** The natural environmental features and character of lands shall be preserved wherever possible. Due regard must be shown for all natural features such as large trees, natural groves, watercourses and similar community assets that will add attractiveness and value to the property, if preserved. The preservation of drainage and natural stream channels shall be considered by the subdivider and the dedication and provision of adequate barriers where appropriate, shall be required.

**9-7-04: Improvements**

- (A) **Public Improvements.** This chapter sets forth the minimum acceptable standard of improvements for all subdivisions, re-subdivisions and planned developments. The required level of improvement shall apply to all improvements whether public or private and shall, to the extent legally permissible, apply to previously approved subdivisions, re-subdivisions and planned developments, where no final engineer approval has been granted. All those improvements for which standards are not specifically set forth shall have said standards set by resolution or published rules of the Village Board. All improvements shall meet the standards set forth in the Village's Public Improvements Specification Manual or other resolution or published rules of the Village Board.
- (B) **Streets.** All streets and appurtenances shall be constructed in accordance with details and specifications approved by the Village Board as follows:
- (1) **General Requirements.**
    - (a) A registered professional engineer acting for the subdivider shall present sufficient data and information relative to the proposed street improvements to ensure satisfactory grading and drainage.
    - (b) Street profile plans for all streets in subdivisions shall be prepared by a registered professional engineer in accordance with the requirements of this UDO and the Village Administrator or their designee. The engineer shall be responsible for establishing the proper lines and grades for all earthwork and drainage.
    - (c) All grading shall be done in a workmanlike manner to grades established by the subdivider's professional engineer and approved by the Village Administrator or their designee.
  - (2) **Street Pavement Width Standards.** All streets to be constructed pursuant to these regulations shall be minimally constructed to the widths set forth in the following schedule. All widths shall be deemed to be measured from back of curb to back of curb. All taper sections at intersections, acceleration, deceleration, bypass and other turning lanes shall be in addition to the requirements set forth in this subsection.
  - (3) **Curbs and Gutter.** All streets are to be designed and constructed with curbs and gutters in accordance with standard specification adopted, from time to time, by resolution of the Village Board.
  - (4) **Street Pavements.** All streets pavements shall be designed and constructed in accordance with standard specifications adopted from time to time, by resolution of the Village Board.
  - (5) **Unpaved Areas.** All unpaved areas within dedicated rights-of- way shall be graded and sodded in accordance with standard specifications adopted, from time to time, by resolution of the President and Village Board.
- (C) **Utilities.**
- (1) **Requirements For Underground Wiring.** All lines for telephone, electric, television and other similar services distributed by wire or cable are to be placed underground entirely throughout a subdivided area. Such conduits or cables shall be placed within dedicated rights-of-way or, where applicable, easements. All such facilities placed in dedicated rights-of-way or easements shall be planned so as not to conflict with other underground utilities. All such facilities shall be constructed in accordance with standards of construction approved by the Illinois Commerce Commission, and in conformance with the franchise of said utilities. All drainage and underground utility installations which traverse privately owned property shall be protected by easements granted by the subdivider.



- (2) **Storm Drainage System and Other Drainage Improvements.** Storm drainage and other drainage improvements as required by this UDO shall be designed and constructed in accordance with standard specifications adopted, from time to time, by resolution of the Village Board.
    - (a) All paved and unpaved areas within dedicated rights-of-way shall incorporate design and management elements which will reduce the pollutorial content of road stormwater runoff in a manner consistent with the regulations contained in section 208, Water Quality Plan, Public Law 92-500, Federal Water Pollution Control Act as amended.
  - (3) **Public Water Supply and Distribution Systems and Sanitary Sewerage Systems.** All lots shall be improved with a public water supply and distribution, including fire protection capacity, and sewerage systems which shall be designed and constructed in accordance with standard specifications adopted, from time to time, by resolution of the Village Board. The requirements of this section shall not apply to municipal uses, parks, and single-family detached residences in the R-1 Residential District.
  - (4) **Private Water Supply and Private Sanitary Sewage Systems.** Private water supply and private sanitary sewage systems (all systems not under the jurisdiction of the Illinois Environmental Protection Agency) when permitted, shall comply with the provisions of applicable Federal, State and County UDOs and regulations and the provisions of this UDO.
- (D) **Other Improvements.**
- (1) **Sidewalks.** Sidewalks, in accordance with Section 9-5-07 shall be provided on the sides of all street rights-of-way adjacent to and contained within the subdivision being developed.
  - (2) **Public Walkways.** Public walkways shall be provided in accordance with the provisions of this UDO. Planting pockets shall be provided in public walkways for tree and shrub plantings. The planting and landscaping plan shall meet with the approval of the Plan Commission. Fences or other improvements may also be required if the Plan Commission determines they are necessary to protect adjacent property owners.
    - (a) All improvements required in this section shall be designed and constructed in conformance with standard specifications adopted, from time to time, by resolution, of the Village Board.
  - (3) **Plantings.** All unpaved areas within the street right-of-way shall be seeded or sodded. Before the release of the twelve (12) month maintenance bond can be recommended by the Village Engineer, all unpaved areas between the edge of the road pavement and the right-of-way line must support an adequate mat of grass. Provision shall be made to assure growth of all landscaping. Street trees shall be planted on both sides of each proposed street except where there are existing trees present and preserved. Street trees newly planted shall be no further apart than fifty (50) feet or one tree per inside lot and two (2) trees on corner lots, whichever is greater. The types of trees shall be limited to those varieties as approved by the Plan Commission. Newly planted street trees shall not be less than three (3) inches in caliper, measured one (1) foot from the ground. The species of trees so planted shall be alternated so that trees of the same species shall not be planted consecutively. The planting schedule and sequence shall be subject to the approval of the Plan Commission. The planting of species identified as invasive by the State of Illinois Department of Natural Resources shall be prohibited.
    - (a) Protective screen planting may be required to secure a reasonably effective physical barrier between residential property and adjoining uses to minimize adverse conditions of sight and sound. The screen plantings shall be prepared, submitted and shall meet the approval of the Village Board.
  - (4) **Street Lighting.** The subdivider shall provide street lighting in all subdivisions which shall be designed and constructed in accordance with standard specifications adopted, from time to time, by resolution by the Village Board.

- (5) **Street Signs.** Each subdivider shall erect street name signs at each intersection indicating the names of streets as shown on the final plat, including the numbering sequences as established in the Village address ordinance. The signs shall be clearly legible to persons approaching the intersection from any direction and shall be designed and constructed in accordance with the standard specifications adopted, from time to time, by resolution by the Village Board.
- (6) **Commercial, Industrial, Officer Research and Multi-Family and Parking and Lighting.** The subdivider shall provide parking and parking lots and site lighting in all developments which shall be designed and constructed in accordance with standard specifications adopted, from time to time, by resolution of the Village Boards.
- (E) **Acceptance of Public Improvements.** Upon completion of any public improvements in any area or phase of development, and further, upon the submission to the Village of a certification from the engineering firm employed by the subdivider affirming that said public improvements or portions or segments thereof have been completed in conformance with this UDO and all engineering plans and specifications submitted pursuant thereto, the Village shall within twenty (20) days after written notice from the subdivider either: a) accept said improvement, or, b) designate in writing to the subdivider all alterations which shall be required to obtain final acceptance of said public improvements, specifically citing the sections of the appropriate UDO or the standard specifications adopted pursuant thereto relied upon by the Village in declining acceptance. After acceptance of any public improvement by the Village, any letter of credit, cash deposit, completion bond or other guaranty required by this UDO securing the construction of said public improvement shall be remitted or released to the subdivider in accordance with the terms of the subdivision improvement agreement. Upon completion and acceptance by the Village, owners shall convey and transfer said public improvements or any part thereof so accepted to the Village by appropriate bills of sale or other documents.

#### 9-7-05: Establishment of Subdivision Procedures

- (A) **Major Subdivision.** A major subdivision is any subdivision that does not meet the criteria for a minor subdivision as detailed in Section 9-7-05(B).
- (B) **Minor Subdivision.** A minor subdivision is a subdivision in which any of the following conditions exist:
  - (1) Subdivisions creating fewer than five (5) or fewer lots and the entire property to be subdivided is ten (10) acres or less,
  - (2) Subdivision solely for the creation of public right of way or other public tracts,
  - (3) Consolidation of two (2) or more lots into fewer lots on an approved final plat,
  - (4) Lot line or boundary adjustments to an approved final plat, or
  - (5) Correction of errors or omissions on an approved final plat, such as legal description errors, typographical and mapping errors, lot identification errors, and surveyor corrections.

### 9-7-06: Major Subdivision Procedures

- (A) **Major Subdivision Procedures Outline.** The process for review and approval of a major subdivision shall include the steps and responsible parties outlined in Table 9-7-06 and detailed in Section 9-7-06(B-F).

Table 9-7-06 Major Subdivision Procedures Outline				
Step		Village Administrator	Plan Commission	Village Board
<i>Sketch Plan</i>				
1	Pre-Application Conference	A		
2	Sketch Plan Submittal and Village Administrator Review	A		
<i>Preliminary Plat</i>				
1	Pre-Application Conference	A		
2	Preliminary Plat Submittal	A		
3	Village Administrator Report	A		
4	Revised Preliminary Plat Submittal	A		
5	Plan Commission Hearing and Recommendation		R*	
6	Village Board Hearing and Action			D*
<i>Final Plat</i>				
1	Final Plat Submittal	A		
2	Village Administrator Report	A		
3	Village Board Action			D
4	Post Approval Actions	A		
5	Final Plat Recordation	A		
<i>Key:</i>				
A = Administrative Body				
R = Recommending Body				
D = Decision Making Body				
* = Public Hearing Required				



(B) **Sketch Plan Stage.** An applicant for a major subdivision shall submit a sketch plan. The purpose of the sketch plan is two-fold. First, it provides the Village the opportunity to describe the community's vision to the applicant. Second, it gives the applicant an opportunity to discuss their development plans, explain how the plans will further the community's vision, and obtain input and direction from the Plan Commission and the Village Board early in the process. The ultimate goal of this process is to help the applicant develop a plan that fosters the community's vision, while minimizing the cost to the applicant.

(1) **Pre-Application Conference.** A pre-application conference with the Village Administrator or their designee is required before the applicant may submit a sketch plan. Any comment made by the Village Administrator or their designee at the pre-application conference shall neither be intended or construed as a formal or informal recommendation for the approval of the major subdivision or component thereof, nor shall be intended or construed as a binding decision of the Village. Topics to be discussed at the pre-application conference may include:

- (a) Applicant's goals for the property,
- (b) Village vision and expectations regarding the character and quality of development,
- (c) Infrastructure requirements,
- (d) Community Design and Development Standards,
- (e) Village regulations and standards,
- (f) The application and review process,
- (g) Submittal requirements,
- (h) Applicable fees and costs, and/or
- (i) Scheduling issues.

(2) **Sketch Plan Submittal and Village Administrator Review.**

- (a) The sketch plan, including all information required in the UDO Application Requirements Manual, shall be submitted to the Village Administrator or their designee.
- (b) The Village Administrator or their designee shall review the application to determine that all required information has been submitted and notify the applicant of completeness or deficiencies.
- (c) The Village Administrator or their designee, pursuant to the standards for review in Section 9-7-08, shall prepare a report to the applicant identifying issues of concern to be addressed.

- (C) **Preliminary Plat.** The purpose of the preliminary plat application is to provide the Village with an overall plan for the proposed development.
- (1) **Pre-Application Conference.** A pre-application conference with the Village Administrator or their designee is required before the applicant may submit a Preliminary Plat application. Any comment made by the Village Administrator or their designee at the pre-application conference shall neither be intended or construed as a formal or informal recommendation for the approval of the major subdivision or component thereof, nor shall be intended or construed as a binding decision of the Village. Topics to be discussed at the pre-application conference may include:
    - (a) Village regulations and standards,
    - (b) Infrastructure requirements,
    - (c) The application and review process,
    - (d) Submittal requirements,
    - (e) Applicable fees and costs, and/or
    - (f) Scheduling issues.
  - (2) **Preliminary Plat Submittal.**
    - (a) The Preliminary Plat, including all information required in the UDO Application Requirements Manual, shall be submitted to the Village Administrator or their designee.
    - (b) The Village Administrator or their designee shall review the application to determine that all required information has been submitted and notify the applicant of completeness or deficiencies. The Village Administrator or their designee may refer the preliminary grading and drainage plan to the Public Works Director for additional review.
    - (c) Failure to cure the deficiencies or submit a revised preliminary plat within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the Village.
  - (3) **Village Administrator or their designee Preliminary Plat Report.**
    - (a) After the determination of completeness, the application shall be reviewed by the Village Administrator or their designee pursuant to the standards for review in Section 9-7-08.
    - (b) The Village Administrator or their designee shall prepare and issue a report to the applicant identifying issues of concern to be addressed as well as a recommendation for approval, approval with conditions, or denial.
  - (4) **Revised Preliminary Plat Submittal.**
    - (a) The applicant shall revise the preliminary plat as necessary based on the issues of concern identified by the Village Administrator or their designee in the preliminary plat report.
    - (b) The revised preliminary plat shall be accompanied by a letter explaining how all of the issues of concern have been addressed and detailing any other changes that have been made to the Preliminary Plat.
    - (c) The applicant shall submit the revised preliminary plat to the Village Administrator or their designee who shall review the revised application for the purpose of ensuring that all required information has been provided and that all issues of concern have been addressed. Once it is determined that all required information has been submitted and all issues of concern addressed, the application shall be referred to the Plan Commission. If the Village Administrator or their designee determines that the required information and/or issues of concern have not been addressed, the Village Administrator or their designee shall notify the applicant of such deficiencies.

- (d) Failure to cure the deficiencies or resubmit a revised plat within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the Village.

**(5) Plan Commission Preliminary Plat Public Hearing and Recommendation.**

- (a) The Preliminary Plat application shall be scheduled for public hearing before the Plan Commission and noticed pursuant to Section 9-9-03(B).
- (b) The Plan Commission, within thirty (30) days of conducting a public hearing, considering the recommendation of the Village Administrator or their designee, and reviewing the application, shall make a recommendation for approval, approval with conditions, or denial of the application to the Village Board, based upon the standards for review in Section 9-7-08.

**(6) Village Board Preliminary Plat Public Hearing and Action.**

- (a) Following the recommendation of the Plan Commission, the Preliminary Plat application shall be scheduled for a public hearing before the Village Board and noticed pursuant to Section 9-9-03(B). Notice for the Plan Commission and Village Board public hearing may run concurrently.
- (b) The Village Board, after conducting a public hearing, considering the recommendation of the Plan Commission, and Village Administrator or their designee, and reviewing the application, shall decide, by resolution, to approve, approve with conditions, or deny the application based upon the standards for review in Section 9-7-08.

**(7) Effect of Approval or Denial.**

- (a) If the Village Board denies the preliminary plat application, the applicant shall be required to restart the process at the Pre-Application Conference stage.
- (b) Approval of any preliminary plat shall be effective for a period of one (1) year unless a phasing plan and schedule for final platting is approved with the Preliminary Plat.
- (c) Approval of the Preliminary Plat remains in effect continuously if final plats are being filed and approved in accordance with the approved phasing and schedule.
- (d) In the event that the final plat has not been submitted within the time set forth herein, or subsequent phases are not submitted in accordance with the approved schedule, the Preliminary Plat shall be deemed null and void and the applicant shall be required to restart the Preliminary Plat review.

**(D) Final Plat.** The purpose of the Final Plat application is to complete the subdivision of land consistent with the approved Preliminary Plat.

**(1) Final Plat Submittal.**

- (a) The Final Plat application shall conform to the Preliminary Plat as approved by the Village Board and shall address all conditions of approval required by the Village Board. Final plat applications may be submitted concurrently with a Preliminary Plat application.
- (b) The Final Plat, including all information required in UDO Application Requirements Manual, shall be submitted to the Village Administrator or their designee.
- (c) The Village Administrator or their designee shall review the application to determine that all required information has been submitted and notify the applicant of completeness or deficiencies.
- (d) Failure to cure the deficiencies within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the Village.

**(2) Village Administrator or their designee Final Plat Report.**

- (a) After the determination of completeness, the application shall be reviewed by the Village Administrator or their designee to ensure the application conforms to the approved Preliminary Plat, addresses all conditions of approval required by the Village Boards and meets the standards for review in Section 9-7-08.
- (b) The Village Administrator or their designee shall prepare and issue a report to the applicant identifying issues of concern to be addressed as well as a recommendation for approval, approval with conditions, or denial.

**(3) Revised Final Plat Submittal.**

- (a) The applicant shall revise the Final Plat as necessary based on the issues of concern identified by the Village Administrator or their designee in the Final Plat Report.
- (b) The revised Final Plat shall be accompanied by a letter explaining how all of the issues of concern have been addressed and detailing any other changes that have been made to the Final Plat.
- (c) The applicant shall submit the revised Final Plat to the Village Administrator or their designee who shall review the revised application for the purpose of ensuring that all required information has been provided and that all issues of concern have been addressed. Once it is determined that all required information has been submitted and all issues of concern addressed, the application shall be referred to the Plan Commission. If the Village Administrator or their designee determines that the required information and/or issues of concern have not been addressed, the Village Administrator or their designee shall notify the applicant of such deficiencies.
- (d) Failure to cure the deficiencies or resubmit a revised plat within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the Village.

**(4) Village Board Final Plat Action.** Considering the recommendation of the Village Administrator or their designee, and reviewing the application, the Village Board shall decide, by resolution, to approve, approve with conditions, or deny the application based upon the standards for review in Section 9-7-08.**(E) Post Approval Actions.**

- (1) The applicant must comply with the requirements of the Village Board and this UDO within one hundred eighty (180) calendar days of Village Board approval, or the final plat approval shall be void and must be resubmitted to the Village for Village Board approval.
- (2) The applicant shall submit the following items to the Village Administrator or their designee:
  - (a) **Electronic File.** An electronic (digital) version of the Final Plat in a format acceptable to the Public Works Director, with survey data referenced to the State Plane Coordinates.
  - (b) **Development Agreement.** An executed development agreement, as provided by the Village and in a form acceptable to the Village Attorney.
  - (c) **Chapter Commitment.** A chapter insurance commitment or policy issued by a chapter insurance company, certified to date of final Village Board approval of the final plat, showing the name of the owner of the land and all other persons who have an interest in, or an encumbrance on the property described on the Final Plat. The applicant shall cause to be joined on said plat those parties necessary to give unencumbered fee simple chapter to all public rights-of-way contained therein.
  - (d) **As-Built Drawings.** Provide three (3) copies of as-built drawings for all improvements within sixty (60) days of the final walk-through inspection.

- (F) **Final Plat Recordation.** Prior to recording of the final plat, the applicant shall supply the Village Administrator or their designee with one (1) print of each page of the final plat, measuring twenty-four (24) inches high by thirty-six (36) inches wide, on bond paper, for purposes of final redline review and revisions. Once the final revisions have been made, the applicant shall supply three (3) original mylar versions of the final plat, each containing the signatures of the property owner(s), any signatures necessary to give the Village unencumbered fee chapter to public rights of way, the notary acknowledgment of their signatures, and an original signature and seal of the surveyor who prepared the plat. Following receipt of the mylars, the Village Administrator or their designee shall cause the signatures of the Village Administrator and the Village Clerk to be affixed to the mylars. One (1) original mylar of the final plat shall be recorded by the Village Clerk in the office of the DuPage County Clerk. The recording fee for the approved plat and supplementary documents as required shall be paid by the applicant.

### 9-7-07: Minor Subdivision Process

- (A) **Minor Subdivision Process Outline.** The process for review and approval of a minor subdivision shall include the steps and responsible parties outlined in Table 9-7-07 and detailed in Section 9-7-07(B).

Table 9-7-07 Minor Subdivision Procedures Outline			
Step	Village Administrator	Plan Commission	Village Board
<b>Minor Subdivision Plat</b>			
1 Pre-Application Conference	A		
2 Minor Subdivision Plat Submittal	A		
3 Village Administrator Report	R		
4 Revised Minor Subdivision Plat Submittal	A		
5 Plan Commission Hearing and Recommendation		R*	
6 Village Board Action			D
<b>Key:</b>			
A = Administrative Body			
R = Recommending Body			
D = Decision Making Body			
* = Public Hearing Required			

(B) **Minor Subdivision Plat.**

- (1) **Pre-Application Conference.** A pre-application conference with the Village Administrator or their designee is required before the applicant may submit a Minor Subdivision Plat application. Any comment made by the Village Administrator or their designee at the pre-application conference shall neither be intended or construed as a formal or informal recommendation for the approval of the major subdivision or component thereof, nor shall be intended or construed as a binding decision of the Village. Topics to be discussed at the pre-application conference may include:
- (a) Village regulations and standards,
  - (b) Infrastructure requirements,
  - (c) The application and review process,
  - (d) Submittal requirements,
  - (e) Applicable fees and costs, and/or
  - (f) Scheduling issues.



**(2) Minor Subdivision Plat Submittal.**

- (a) The Minor Subdivision Plat, including all information required in the UDO Application Requirements Manual, shall be submitted to the Village Administrator or their designee.
- (b) The Village Administrator or their designee shall review the application to determine that all required information has been submitted and notify the applicant of completeness or deficiencies.
- (c) Failure to cure the deficiencies or submit a revised Minor Subdivision Plat within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the Village.

**(3) Village Administrator or their designee Minor Subdivision Plat Report.**

- (a) After the determination of completeness, the application shall be reviewed by the Village Administrator or their designee pursuant to the standards for review in Section 9-7-08.
- (b) The Village Administrator or their designee shall prepare and issue a report to the applicant identifying issues of concern to be addressed as well as a recommendation for approval, approval with conditions, or denial.

**(4) Revised Minor Subdivision Plat Submittal.**

- (a) The applicant shall revise the Minor Subdivision Plat as necessary based on the issues of concern identified by the Village Administrator or their designee in the Minor Subdivision Plat report.
- (b) The revised Minor Subdivision Plat shall be accompanied by a letter explaining how all of the issues of concern have been addressed and detailing any other changes that have been made to the Minor Subdivision Plat.
- (c) The applicant shall submit the revised Minor Subdivision Plat to the Village Administrator or their designee who shall review the revised application for the purpose of ensuring that all required information has been provided and that all issues of concern have been addressed. Once it is determined that all required information has been submitted and all issues of concern addressed, the application shall be referred to the Plan Commission. If the Village Administrator or their designee determines that the required information and/or issues of concern have not been addressed, the Village Administrator or their designee shall notify the applicant of such deficiencies.
- (d) Failure to cure the deficiencies or resubmit a revised plat within six (6) months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the Village.

**(5) Plan Commission Minor Subdivision Plat Public Hearing and Recommendation.**

- (a) The Minor Subdivision Plat application shall be scheduled for public hearing before the Plan Commission and noticed pursuant to Section 9-9-03(B).
- (b) The Plan Commission, within thirty (30) days of conducting a public hearing, considering the recommendation of the Village Administrator or their designee, and reviewing the application, shall make a recommendation for approval, approval with conditions, or denial of the application to the Village Board, based upon the standards for review in Section 9-7-08.

**(6) Village Board Minor Subdivision Plat Action.** Following the recommendation of the Plan Commission, considering the recommendation of the Plan Commission, and Village Administrator or their designee, and reviewing the application, shall decide, by resolution, to approve, approve with conditions, or deny the application based upon the standards for review in Section 9-7-08.

**(C) Post Approval Actions.**

- (1) The applicant must comply with the requirements of the Village Board and this UDO within one hundred eighty (180) calendar days of Village Board approval, or the Minor Subdivision Plat approval shall be void and must be resubmitted to the Village for Village Board approval.
- (2) The applicant shall submit the following items to the Village Administrator or their designee:
  - (a) **Electronic File.** An electronic (digital) version of the Final Plat in a format acceptable to the Public Works Director, with survey data referenced to the State Plane Coordinates.
  - (b) **Development Agreement.** An executed development agreement, as provided by the Village and in a form acceptable to the Village Attorney.
  - (c) **Chapter Commitment.** A chapter insurance commitment or policy issued by a chapter insurance company, certified to date of final Village Board approval of the Minor Subdivision Plat, showing the name of the owner of the land and all other persons who have an interest in, or an encumbrance on the property described on the Minor Subdivision Plat. The applicant shall cause to be joined on said plat those parties necessary to give unencumbered fee simple chapter to all public rights-of-way contained therein.
  - (d) **As-Built Drawings.** Provide three (3) copies of as-built drawings for all improvements within sixty (60) days of the final walk-through inspection.
- (D) **Minor Subdivision Plat Recordation.** Prior to recording of the Minor Subdivision Plat, the applicant shall supply the Village Administrator or their designee with one (1) print of each page of the Minor Subdivision Plat, measuring twenty-four (24) inches high by thirty-six (36) inches wide, on bond paper, for purposes of final redline review and revisions. Once the final revisions have been made, the applicant shall supply three (3) original mylar versions of the Minor Subdivision Plat, each containing the signatures of the property owner(s), any signatures necessary to give the Village unencumbered fee chapter to public rights of way, the notary acknowledgment of their signatures, and an original signature and seal of the surveyor who prepared the plat. Following receipt of the mylars, the Village Administrator or their designee shall cause the signatures of the Village Administrator and the Village Clerk to be affixed to the mylars. One (1) original mylar of the Minor Subdivision Plat shall be recorded by the Village Clerk in the office of the DuPage County Clerk. The recording fee for the approved plat and supplementary documents as required shall be paid by the applicant.

**9-7-08: Subdivision Standards for Review**

The Village shall use the following standards of review to evaluate applications for Major and Minor Subdivisions.

- (A) **UDO Compliance.** Unless otherwise approved as a Variance per Section 9-9-04 or as a Planned Development per Chapter 8, the subdivision shall conform to all regulations of this UDO.
- (B) **Comprehensive Plan Alignment.** The subdivision shall be consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the Village.

## Chapter 8. Planned Development Standards and Procedures

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### 9-8-01: Intent and Purpose

The purpose of the regulations, standards, and criteria contained in this Chapter is to provide an alternate procedure under which land can be developed or redeveloped with innovation, imagination, and creative architectural design when sufficiently justified under the provisions of this Chapter. The objective of the planned development process is to accommodate a higher level of design and amenity than is possible to achieve under otherwise applicable UDO regulations. The end result can be a product which fulfills the objectives of Village plans and policies, including but not limited to the Comprehensive Plan, while departing from the strict application of the regulations of this UDO. The planned development is intended to permit and encourage such flexibility and to accomplish the following purposes:

- (A) To promote long term planning pursuant to the Village of Willowbrook Comprehensive Plan and other relevant plans and Village policies.
- (B) To stimulate creative approaches to the commercial, residential, and mixed-use development of land.
- (C) To provide more efficient use of land.
- (D) To preserve natural features and provide open space areas and recreation areas in excess of that required under this UDO.
- (E) To develop new approaches to the living environment through variety in type, design and layout of buildings, transportation systems, and public facilities.
- (F) To unify buildings and sites through design.



### 9-8-02: General Provisions

- (A) The following may be approved as a planned development in accordance with this UDO:
  - (1) Any development containing solely residential uses on a lot or lots two (2) acres or more in area.
  - (2) Any development containing nonresidential uses on a lot or lots ten thousand (10,000) square feet or more in area.
  - (3) Any development containing nonresidential uses that would result in ten thousand (10,000) square feet or more of gross floor area.
- (B) Each planned development should be presented and judged on its own merits. It shall not be sufficient to base justification for approval of a planned development solely upon an already existing planned development.
- (C) The burden of providing evidence and persuasion that any planned development is necessary and desirable shall rest solely with the applicant.

### 9-8-03: Planned Development Relation to Base District Standards

- (A) A planned development, if approved, shall be applied as special use, and all base district designations shall be maintained.
- (B) A planned development, if approved, may allow for modifications to the base district standards. All such modifications shall be referred to as site development allowances.
- (C) Notwithstanding any limitations on variations which can be approved as contained elsewhere in this UDO, site development allowances may be approved provided the applicant specifically identifies each site development allowance in the planned development application and demonstrates how each site development allowance:
  - (1) Would be compatible with surrounding development;
  - (2) Is necessary for proper development of the site; and
  - (3) Is aligned with a minimum of one (1) of the modification standards detailed in Section 9-8-04.
- (D) All approved site development allowances shall be delineated in the ordinance approving the planned development and shall be considered the standards of the planned development overlay district as it applies to the subject property.

**9-8-04: Modification Standards**

An applicant seeking a site development allowance shall be required to justify each request through the provision of tangible benefits to the Village of Willowbrook by meeting a minimum of one (1) of the modification standards detailed below per requested site development allowance.

- (A) **Landscape Conservation and Visual Enhancement.** The planned development preserves and enhances existing landscape, trees, and natural features such as rivers, streams, ponds, groves, and landforms.
- (B) **Sustainable Design.** The planned development is designed with consideration given to various methods of site design and building location, architectural design of individual buildings, and landscaping design capable of reducing energy consumption and improving onsite stormwater management.
- (C) **Public Gathering Space.** The planned development includes public gathering space, the amount of which is proportional to the size of buildings or number of dwelling units. The public gathering space is activated through the use of moveable tables and chairs, a fountain or other water feature, a sculpture or other public art feature, benches, seat walls, raised landscape planters, pedestrian scale, and celebratory lighting such as string or Tivoli lights, and/or other features. The public gathering space is integrated into the overall design of the planned development and has a direct functional or visual relationship to the main building(s) and is not of an isolated or leftover character.
- (D) **Placemaking.** The planned development has a distinctive identity and brand that is utilized in the signs, streetscape, architecture, public gathering spaces, open spaces, etc.
- (E) **Universal Design.** The planned development includes buildings designed with accessible features such as level access from the street and/or zero entry thresholds.
- (F) **High Quality Building Materials.** The planned development utilizes time and weather tested building materials that are of a higher quality than what is otherwise required by this UDO.

**9-8-05: Standards for Review**

The following standards for review shall be utilized in the review of a planned development application as a whole, including any requested site development allowances and the modification standards proposed to justify those requests. No application for a planned development shall be approved unless the Village Board finds that the application meets all of the following standards:

- (A) **Plan and Policy Alignment.** The planned development is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the Village.
- (B) **Integrated Design with Identifiable Centers and Edges.** The planned development shall be laid out and developed as a unit in accordance with an integrated overall design, in which the various land uses function as a cohesive whole and support one another. The design shall provide identifiable centers, which form focus areas of activity in the development, and edges, which define the outer borders of the development, through the harmonious grouping of buildings, uses, facilities, public gathering spaces, and open space.
- (C) **Public Welfare.** The planned development is designed, located, and proposed to be operated and maintained so that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety, and welfare.
- (D) **Compatibility with Adjacent Land Uses.** The planned development includes uses which are generally compatible and consistent with the uses of adjacent parcels. If the uses are not generally compatible, all adverse impacts have been mitigated through screening, landscaping, public open space, and other buffering features that protect uses within the development and surrounding properties.
- (E) **Impact on Public Facilities and Resources.** The planned development is designed so that adequate utilities, road access, stormwater management, and other necessary facilities will be provided to serve it. The planned development shall include such impact fees as may be reasonably determined by the Village Board. These required impact fees shall be calculated in reasonable proportion to the impact of the planned development on public facilities and infrastructure.
- (F) **Archaeological, Historical or Cultural Impact.** The planned development does not substantially adversely impact an archaeological, historical, or cultural resource, included on the local, state, or federal register, located on or off the parcel(s) proposed for development.
- (G) **Parking and Traffic.** The planned development shall have or make provision to provide necessary parking, ingress, and egress to the proposed use in a manner that minimizes traffic congestion in the public streets and provides adequate access for emergency vehicles.

**9-8-06: Procedures****(A) Pre-Application and Sketch Plan Stage.**

- (1) Any owner or representative of land within or adjacent to the Village may submit to the Village Administrator or their designee a sketch plan setting forth the information required in the UDO Application Requirements Manual in order to obtain the views of the appropriate Village officials for the purpose of providing such owner and/or agent guidance in the development of their property under the terms of this chapter.

**(B) Preliminary Plan and Plat Stage.**

- (1) Following the sketch plan and preapplication stage, the owner or their representative, hereafter referred to as the applicant, shall submit to the Village Administrator or their designee a completed application, along with the requisite number of copies of the PUD plan, and associated preliminary (tentative) plat, containing such information and in such form as required UDO Application Requirements Manual. Upon determining that the application is complete, the Village Administrator or their designee shall forward a copy of said application to the Village Board.
- (2) The Plan Commission shall, after public notice, hold a public hearing on the application for a special use permit for the planned unit development, and after consideration of the public comment and based on the Standards for Review, recommend to the Village Board:
  - (a) Approval,
  - (b) Approval with modification, or
  - (c) Denial of the petition based on specific findings of fact.
- (3) The Plan Commission may call additional witnesses and/or receive independent testimony as they may deem necessary; and may continue said hearing from time to time in order to explore all outstanding questions and to achieve thorough findings of fact.
- (4) Notwithstanding any provisions contained herein to the contrary, should the Plan Commission not forward a recommendation to the Village Board within eighteen (18) months from the date of the public hearing, as a result of any action or inaction by the applicant, it will be necessary for the applicant to refile their application or an amended form of said application and follow the same procedure as required for a new application, including the payment of all required fees.
- (5) The Village Board shall receive the recommendation of the Plan Commission, and other recommendations of staff and officers as have been requested; and shall either:
  - (a) Approve,
  - (b) Approve with modification, or
  - (c) Deny the application.
- (6) If the Village Board elects to approve the application in any form, the Village Board may establish a special use within the ordinance.
- (7) If authorized in the ordinance granting the special use permit, a planned development may be final platted, planned and developed in phases.
- (8) Notwithstanding any provisions contained herein to the contrary, the Village Board shall not take final action on an application for preliminary planned development plat approval if the property that is the subject of the application is determined by the Village Administrator or their designee to be in violation of any provision of this UDO.

- (9) No building permit, zoning certificate, or occupancy certificate can be issued until the recording of the final planned development plat and the final plat of subdivision.

**(C) Final Plan of Development and Plat Stage.**

**(1) Filing.**

- (a) Within one (1) year after the adoption of the ordinance establishing a special use permit for the planned development, the applicant or their agent shall file with the Village Administrator or their designee the requisite number of copies of the final plan of development, and the associated final plat of subdivision.
- (b) Upon determining that the application is complete, the Village Administrator or their designee shall forward a copy of said application to the Village Board.
- (c) Notwithstanding any provision contained herein to the contrary, when the Village Board has approved the phasing of any planned unit development, the final plan and final plat for each phase shall be filed within the time frames established by the Village Board.

- (2) **Review.** The Village Board shall refer said plan and plats to the Plan Commission for review; and to any other officers or staff as they deem necessary in order to provide review and comment to the Plan Commission.

**(3) Sufficient Plan And Plat.**

- (a) If the final plan and plat are, in the opinion of the Plan Commission, deemed to be sufficient, in compliance with all applicable Village ordinances, and in substantial conformity with the approved preliminary plan and plat, they shall be approved by the Plan Commission and recommended to the Village Board.
- (b) Copies of the final plan and plat, along with a letter of transmittal and recommendation, shall be transmitted by the Plan Commission to the Village Board.

**(4) Action By The Village Board.**

- (a) Upon receipt of the Plan Commission's recommendation, the Village Board shall either:
  - (I) Accept the Plan Commission's recommendation and approve the final plat,
  - (II) Receive the Plan Commission's recommendation approve the plat with modifications, or
  - (III) Receive the Plan Commission's recommendation and deny the final plat.
- (b) In the event the Village Board denies the final plat, it shall refer the final plat back to the Plan Commission with specific findings as to how the final plat is not in conformance with the associated preliminary plat and all other ordinances of the Village.
- (c) Notwithstanding any provision contained herein to the contrary, the Village Board shall not take final action on an application for final planned development plat approval if the property that is the subject of the application is determined by the Village Administrator or their designee to be in violation of any provision of this UDO.

- (5) **Changes In The Final Plat And Plan Before Approval.** If the final plat and plan are substantially different from the approved preliminary plat and plan, the Plan Commission shall not approve the final plat, and instead shall require a new preliminary plat and plan and authorizing ordinance for the special use permit.

- (6) **Changes In The Recorded Final Plan Of Development And Final Plat.** Changes to the recorded final plan and plat of a planned development shall be categorized as either a major change or a minor change as follows:
- (a) **Major Changes.** Any of the following shall be considered major changes and shall require a new application for preliminary and final plat of a planned development, unless otherwise restricted by the ordinance granting the special use for the planned development:
    - (I) A greater than five (5) percent increase in density or gross floor area.
    - (II) A greater than five (5) percent decrease in the number of parking spaces, landscaped area, or open space.
    - (III) Any change in the height of building(s).
    - (IV) Changes in the location of points of ingress or egress.
    - (V) A greater than twenty (20) foot change in the location of principal buildings, roadways or parking areas.
    - (VI) Changes in the types of permitted land use.
    - (VII) Changes in the approved development schedule.
    - (VIII) Increases in the approved deviations.
  - (b) **Minor Changes.** Shall include all changes not defined as a major change. A minor change shall be subject to the approval of the Village Administrator or their designee by ordinance without the requirement of any further public hearing; provided, however, if the Village Administrator or their designee deems advisable, in their sole discretion, any minor amendment may require submission to the Plan Commission for review and recommendations, without a public hearing, prior to submission to the Village Board for approval. Minor changes shall require applicable zoning application and plan review fees be paid on a prorated share based on the area of the effected planned unit development.

#### 9-8-07: Maintenance and Use of Planned Developments

Every planned development shall at all times be maintained, used, and kept in full conformance with the provisions of this UDO and those plans, specifications, and special conditions expressly incorporated in any ordinance or resolution specifically governing the construction and development of the planned development.



## Chapter 9. Zoning Procedures

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### 9-9-01: General Application Requirements

#### (A) Authorization.

- (1) An application for any zoning procedure, except for amendments, may be filed only by the owner or lessee of the property, or by an agent or contract purchaser specifically authorized by the owner to file such application.
- (2) An application for an amendment may be filed by an owner, lessee, agent or contract purchaser of property located in the Village or by the Village Board, Plan Commission, or the Village Administrator or their designee.

#### (B) Filing.

- (1) An application for any zoning procedure shall be filed with the Village Administrator or their designee.
- (2) The application shall be on forms provided by the Village and shall be filed in such number as the instructions provide.
- (3) All plans shall be at a scale sufficient to permit a clear and precise understanding of the proposal.
- (4) The application shall include all information, plans, and data, specified in the UDO Application Requirements Manual.

#### (C) Completeness.

- (1) The Village Administrator or their designee shall determine whether the application is complete.
- (2) If the application is not complete, the Village Administrator or their designee shall notify the applicant of any deficiencies and shall take no steps to process the application until the deficiencies are remedied.
- (3) Once the Village Administrator or their designee has determined that the application is complete, the application shall be reviewed and acted upon by the Village Administrator or their designee or scheduled for consideration at the appropriate meeting.

#### (D) Fees.

- (1) Every application shall be accompanied by the required filing fee as established and modified, from time to time, by the Village Board.

- (2) The failure to pay such fee when due shall be grounds for refusing to process the application and for denying or revoking any permit or approval for the subject property.
- (3) No fees shall be waived, and no fees shall be refunded except those authorized by the Village Board.
- (4) The Village Board shall adopt the Village Fee Schedule by resolution.
- (E) **Withdrawal of Application.** An applicant shall have the right to withdraw an application at any time prior to the decision on the application by a Village official, commission, or board. Such withdrawal shall be in writing.
- (F) **Successive Applications.**
  - (1) A subsequent application shall not be reviewed or heard within one (1) year of the date of denial unless there is substantial new evidence available or if a significant mistake of law or of fact affected the prior denial.
  - (2) Such subsequent application shall include a detailed statement of the grounds justifying its consideration.
  - (3) The Village Administrator or their designee shall make a determination as to whether the subsequent application is substantially the same as the original application.
  - (4) If the Village Administrator or their designee finds that there are no grounds for consideration of the subsequent application, they shall summarily and without hearing deny the request.

#### 9-9-02: Administrative Review and Approval Procedures

- (A) **Village Administrator Authority.** The Village Administrator or their designee shall have the authority to receive applications and make determinations for the following administrative procedures:
  - (1) Site Plan Review
  - (2) Zoning Compliance Permit
  - (3) Administrative Exception
  - (4) Sign Permit
  - (5) Fence Permit
  - (6) Temporary Use Permit
  - (7) Special Event Permit
- (B) **Site Plan Review.**
  - (1) **Purpose.** The purpose of Site Plan Review is to certify compliance with all applicable provisions of this UDO.
  - (2) **Applicability.**
    - (a) Every application for a building permit, including new construction and additions equal to or greater than twenty (20) percent of the existing floor area of the building, shall be subject to site plan review and approval.
    - (b) Site plan review shall not apply to:
      - (I) Building permits for construction that are limited to interior remodeling, exterior modifications or additions less than twenty (20) percent of the existing floor area of the building,
      - (II) Building permits for detached single-family dwellings or accessory structures to detached single-family dwellings.



- (c) No building permit shall be issued unless and until site plan approval has been granted.

**(3) Village Administrator Review and Action.**

- (a) The Village Administrator or their designee shall review the site plan review application to determine whether it conforms to all applicable provisions of this UDO.
- (b) Based upon their review the Village Administrator or their designee shall:
  - (I) Approve the site plan,
  - (II) Approve the site plan with conditions,
  - (III) Refer the site plan to the Plan Commission for review and approval, or
  - (IV) Deny the site plan.

- (4) **Concurrent Applications.** A Special Use Permit or Variance application may be processed concurrently with the site plan.

- (5) **Expiration and Lapse of Approval.** The applicant shall have twelve (12) months from the date of site plan approval to secure a building permit to carry out the proposed improvements. If a building permit has not been obtained within twelve (12) months of the date of approval, the approval shall expire. An extension of the time requirements may be requested in writing and granted by the Village Administrator or their designee for good cause shown by the applicant, provided a written request is filed with the Village at least four (4) weeks prior to the respective deadline.

**(C) Zoning Compliance Permit.**

- (1) **Purpose.** The purpose of Zoning Compliance Permit is to certify compliance with all applicable provisions of this UDO. It shall be unlawful for any person to erect, move, add to, or structurally alter any building or structure, or to use or change the use of any building or land or to permit the aforementioned actions, until a Zoning Compliance Permit has been issued by the Village Administrator or their designee.

**(2) Village Administrator Review and Action.**

- (a) The Village Administrator or their designee shall review the zoning compliance permit application to determine whether it conforms to all applicable provisions of this UDO.
- (b) Based upon their review the Village Administrator or their designee shall:
  - (I) Issue the Zoning Compliance Permit,
  - (II) Issue the Zoning Compliance Permit with conditions,
  - (III) Refer the zoning compliance permit application to the Plan Commission for review and approval, or
  - (IV) Deny the Zoning Compliance Permit.

- (3) **Concurrent Applications.** A Special Use Permit or Variance application may be processed concurrently with the Zoning Compliance Permit.

- (4) **Expiration and Lapse of Approval.** The applicant shall have twelve (12) months from the date of Zoning Compliance Permit issuance to secure a building permit to carry out the proposed improvements. If a building permit has not been obtained within twelve (12) months of the date of issuance, the permit shall expire. An extension of the time requirements may be requested in writing and granted by the Village Administrator or their designee for good cause shown by the applicant, provided a written request is filed with the Village at least four (4) weeks prior to the respective deadline.

**(D) Administrative Exception.****(1) Purpose.**

- (a) Administrative Exception is an administrative process through which certain minor variances may be approved by the Village Administrator or their designee.
- (b) Administrative Exceptions are intended to allow a limited amount of flexibility in the standards of this UDO.
- (c) The Village Administrator or their designee shall have the authority to grant or deny applications for Administrative Exceptions for such circumstances as this UDO allows, subject to the requirements of this Section.
- (d) No site plan shall be approved or building permit issued for a proposal requiring an exception to a zoning standard listed in subsection (2) below unless an Administrative Exception is approved.

**(2) Administrative Exceptions Considered.**

- (a) An Administrative Exception may be granted for the following circumstances:
  - (I) A maximum ten (10) percent reduction of the interior side and/or rear yard setback standard for a new principal or accessory building/structure, or an addition to an existing principal or accessory building/structure in any district,
  - (II) A waiver of the requirement for additional parking when the intensity of a use of any building, structure, or premises increases or when the use of an existing building, structure, or premises changes per Section 9-5-01(A).
  - (III) A waiver of the requirement for cross access per Section 9-5-01(B)(7).
  - (IV) The approval of additional parking spaces beyond the maximum parking restriction per Section 9-5-01(E)(2).
  - (V) As otherwise detailed in this UDO.
- (b) An Administrative Exception shall not be granted for the approval of any use not otherwise allowed as a permitted, limited, or special use within the subject district.
- (c) No Administrative Exception shall be considered where the setback is five (5) feet or less.
- (d) In the case of a requested addition to a structure, no exception shall be considered where the existing structure does not meet the minimum setback.
- (e) No exception shall be considered for a reduction of a setback for property in any nonresidential districts if the yard in which the setback reduction is requested is adjacent to any residential use.

**(3) Administrative Exception Review Criteria.** The Administrative Exception shall be approved if the Village Administrator or their designee finds that the proposed exception meets the following criteria:

- (a) Is consistent with the Comprehensive Plan and other adopted Village plans,
- (b) Is consistent with the purpose of the underlying district,
- (c) Is consistent with adopted building and fire codes,
- (d) Will not result in incompatible development,
- (e) Will not result in adverse impacts unless adequately mitigated, and
- (f) Is of a technical nature and is required to:

- (I) Compensate for an unusual condition,
    - (II) Eliminate a minor inadvertent failure to comply with this UDO, or
    - (III) To protect a sensitive resource or natural feature.
  - (4) **Pre-Application Conference.** The applicant for an Administrative Exception is encouraged to meet with the Village Administrator or their designee prior to submitting an application to discuss the submittal requirements, review criteria, and review process.
  - (5) **Village Administrator Review and Action.** The application shall be reviewed by the Village Administrator or their designee to ensure the application conforms to the criteria in Subsection 3 above. Based upon their review, the Village Administrator or their designee shall:
    - (a) Approve the Administrative Exception application,
    - (b) Approve the Administrative Exception application with conditions,
    - (c) Advance the Administrative Exception application to a Variance, or
    - (d) Deny the Administrative Exception application.
  - (6) **Expiration.** If a building permit is not issued or a site plan is not approved within six (6) months of the approval of the Administrative Exception, the Administrative Exception approval shall be void.
- (E) **Sign Permit.**
- (1) **Purpose.** A Sign Permit shall be required prior to the display, construction, erection, or alteration of a sign and its structural components on any property. All signs must comply with Chapter 6, and the applicable sections of the building code as adopted by the Village. All electrical installations associated with the erection and installation of a sign must be done in accordance with the adopted Building and Electrical Codes.
  - (2) **Exemptions.** Signs exempt from a permit are detailed in Section 9-6-04.
  - (3) **Sign Permit Review Criteria.** To approve the issuance of a Sign Permit, the Village Administrator or their designee shall make an affirmative finding that all applicable provisions of this UDO, the applicable building code, and all other Village ordinances are met.
  - (4) **Village Administrator Action.** The application shall be reviewed by the Village Administrator or their designee to ensure the application conforms to the criteria in Subsection 3 above. Based upon their review, the Village Administrator or their designee shall:
    - (a) Issue the Sign Permit,
    - (b) Issue the Sign Permit with conditions, or
    - (c) Deny the Sign Permit.
  - (5) **Expiration and Lapse of Approval.** A Sign Permit shall become void, if work authorized under the permit has not been completed within six (6) months of the date of issuance.
- (F) **Fence Permit.**
- (1) **Purpose.** A Fence Permit shall be required prior to the construction or installation of any fence to certify compliance with all applicable regulations of this UDO and the applicable sections of the building code as adopted by the Village.

- (2) **Fence Permit Review Criteria.** To approve the issuance of a Fence Permit, the Village Administrator or their designee shall make an affirmative finding that all applicable provisions of this UDO, the applicable building code, and all other Village ordinances are met.
- (3) **Village Administrator Action.** The application shall be reviewed by the Village Administrator or their designee to ensure the application conforms to the criteria in Subsection 2 above. Based upon their review, the Village Administrator or their designee shall:
  - (a) Issue the Fence Permit,
  - (b) Issue the Fence Permit with conditions, or
  - (c) Deny the Fence Permit.
- (4) **Expiration and Lapse of Approval.** A Fence Permit shall become void, if work authorized under the permit has not been completed within six (6) months of the date of issuance.

**(G) Temporary Use Permit.**

- (1) **Purpose.** A Temporary Use Permit shall be required prior to the establishment of a temporary use per Section 9-3-04 of this UDO to certify compliance with all applicable regulations of this UDO and the applicable sections of the building code as adopted by the Village.
- (2) **Temporary Use Permit Review Criteria.** To approve the issuance of a Temporary Use Permit, the Village Administrator or their designee shall make an affirmative finding that all applicable provisions of this UDO, the applicable building code, and all other Village ordinances are met.
- (3) **Village Administrator Action.** The application shall be reviewed by the Village Administrator or their designee to ensure the application conforms to the criteria in Subsection 3 above. Based upon their review, the Village Administrator or their designee shall:
  - (a) Issue the Temporary Use Permit,
  - (b) Issue the Temporary Use Permit with conditions, or
  - (c) Deny the Temporary Use Permit.

**(H) Special Event Permit.**

- (1) **Purpose.** A Special Event Permit shall be required prior to the commencement of a special event as defined in this UDO. Special events shall take place on private property only unless specifically allowed on public property or right of ways by an Special Event Permit.
- (2) **Special Event Permit Review Criteria.** To approve the issuance of Special Event Permit, the Village Administrator or their designee shall make an affirmative finding that the following criteria are met as applicable:
  - (a) **Land Use Compatibility.** The special event must be compatible with the purpose and intent of this UDO and the district in which it will be located. The special event shall not impair the normal, safe, and effective operation of a permanent use on the same site, unless otherwise approved by the use operator. The special event shall not endanger or be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements in the immediate vicinity of the special event, given the nature of the activity, its location on the site, and its relationship to parking and access points.
  - (b) **Compliance with Other Regulations.** A building permit or temporary certificate of occupancy may be required before any structure used in conjunction with the special event is constructed or modified. All structures and the site shall meet all applicable building code, UDO, and fire code standards and shall be promptly removed upon the cessation of the special event. Upon cessation of the special event, the site shall be returned to its previous

condition (including the removal of all trash, debris, signage, attention attracting devices, or other evidence of the special event or use).

- (c) **Hours of Operation and Duration.** The duration and hours of operation of the special event shall be consistent with the intent of the event and compatible with the surrounding land uses. The duration and hours of operation shall be established by the Village Administrator or their designee at the time of approval of the Special Event Permit.
- (d) **Traffic Circulation.** The special event, as determined by the Village Administrator or their designee, shall not cause undue traffic congestion or accident potential given anticipated attendance and the design of adjacent streets, intersections, and traffic controls.
- (e) **Off-Street Parking.** Adequate on-site or off-site off-street parking shall be provided for the temporary use, as determined by the Village Administrator or their designee, and it shall not create a parking shortage for any other use in operation during hours of operation of the special event.
- (f) **Public Conveniences and Litter Control.** Adequate on-site restroom facilities and on-site solid waste containers may be required. The applicant shall provide a written guarantee that all litter generated by the special event shall be removed at no expense to the Village.
- (g) **Appearance and Nuisances.** The special event shall be compatible in intensity, appearance, and operation with surrounding land uses in the area, and shall not impair the usefulness, enjoyment, or value of adjacent property due to the generation of excessive noise, dust, smoke, glare, spillover lighting, or other forms of environmental or visual pollution.
- (h) **Signs and Attention-Getting Devices.** The Village Administrator or their designee shall review all signage in conjunction with the issuance of the Special Event Permit, although a Sign Permit is not required. The Village Administrator or their designee may approve the temporary use of attention-getting devices. The number and types of signs and attention-getting devices allowed shall be evaluated on the following criteria:
  - (I) Type and size of the proposed event or use,
  - (II) Safety considerations (sight distance setbacks, sidewalks in area, etc.),
  - (III) Lighting considerations (disturbance of nearby residents or adverse effects to traffic on adjacent streets),
  - (IV) Aesthetic concerns (appearance, illumination, number, and size of signs and attention-getting devices proposed).
- (i) **Other Conditions.** The Village Administrator or their designee may establish any additional conditions deemed necessary to ensure land use compatibility and to minimize potential adverse impacts on nearby uses, including, but not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirements for screening/buffering, and guarantees for site restoration and cleanup following the special event. Conditions may include, but shall not be limited to:
  - (I) Modifications or restrictions to the hours of operation, duration of the event, size of the activity or other operational characteristics.
  - (II) If the permit applicant requests the Village to provide extraordinary services or equipment or if the Village Administrator or their designee otherwise determines that extraordinary services (e.g., traffic control or security personnel) or equipment should be provided to protect the public health or safety, the applicant shall be required to pay to the Village a fee sufficient to reimburse the Village for the costs of these services if not provided by the applicant. This requirement shall not apply if the special event has been anticipated in the budget process and sufficient funds have been included in the budget to cover the costs incurred.



- (3) **Village Administrator Action.** The application shall be reviewed by the Village Administrator or their designee to ensure the application conforms to the criteria in Subsection 2 above. Based upon their review, the Village Administrator or their designee shall:
- (a) Issue the Special Event Permit,
  - (b) Issue the Special Event Permit with conditions, or
  - (c) Deny the Special Event Permit.

### 9-9-03: General Board and Commission Review and Approval Procedures

- (A) **Summary of Board and Commission Review and Approval Procedures.** Table 9-9-03(A) summarizes the Board and Commission review and approval procedures and identifies the appropriate boards or commissions that serve as recommending and/or decision-making bodies.

Table 9-9-03(A) Summary of Board and Commission Review and Approval Procedures		
Procedure	Plan Commission	Village Board
Variation	R*	D
Special Use Permit	R*	D
Text / Map Amendment	R*	D
Comprehensive Sign Plan	R*	D
<b>Key:</b>		
R = Recommending Body		
D = Decision Making Body		
* = Public Hearing Required		

- (B) **Public Notice.**

- (1) **Cost of Notice.** All costs associated with any form of public notice, as required by this UDO, shall be the sole responsibility of the applicant.
- (2) **Notice Content.** All forms of public notice required by this UDO shall include the following content:
  - (a) The date, time, and place of the scheduled public hearing,
  - (b) A description of the property involved in the application by street address if one exists,
  - (c) A description of the nature, scope, and purpose of the application,
  - (d) The location and source of additional information on the application, and
  - (e) Other information as deemed necessary by the Village Administrator or their designee.

- (3) **Forms of Public Notice.**

- (a) **Mailed Notice.** When mailed notice is required, as detailed in Table 9-9-03(B)(4), the Village Administrator or their designee shall provide notice by first class mail to all owners of record of the subject property and all owners of record within two hundred fifty (250) feet of the outermost property line of the subject property. The notice shall be deposited in the U.S. mail by the Village Administrator or their designee at least fifteen (15) days and no more than thirty (30) days before the scheduled public hearing. Ownership information shall be obtained from the records of the DuPage County Assessor.

- (b) **Posted Notice.** When posted notice is required, as detailed in Table 9-9-03(B)(4), the Village Administrator or their designee shall post a sign on the subject property along the fronting street. If the subject property fronts two (2) or more streets, signs shall be posted along each frontage. The notice shall be posted by the Village Administrator or their designee at least fifteen (15) days and no more than thirty (30) days before the scheduled public hearing.
- (c) **Published Notice.** When published notice is required, as detailed in Table 9-9-03(B)(4), the Village Administrator or their designee shall ensure that notice is published in a newspaper of local circulation and on the Village's website, at least fifteen (15) days and no more than thirty (30) days before the date of the scheduled public hearing.
- (4) **Public Notice Requirements by Procedure.** Table 9-9-03(B)(4) summarizes the requirements for public notice per Board and Commission review and approval procedure.

Table 9-9-03(B)(4) Public Notice Requirement by Board and Commission Review and Approval Procedure			
Procedure	Mailed Notice	Posted Notice	Published Notice
Variation	•	•	•
Special Use Permit	•	•	•
Text Amendment			•
Map Amendment	•	•	•
Comprehensive Sign Plan	•	•	•
<b>Key:</b>			
• = Required Form of Public Notice			

- (5) **Public Notice Issues.** Minor technical deviations from specified notice requirements shall not be deemed to impair notice where there is actual notice. When required written notices have been properly addressed and deposited in the mail, failure of a party to receive such notice shall not invalidate any subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing and the general location of the subject property shall be strictly construed. If questions arise at the hearing regarding the adequacy of notice, the body hearing the matter shall make a finding regarding whether there was compliance with the notice requirements of this UDO.

**9-9-04: Variation**

- (A) **Purpose.** The variation process is designed to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of this UDO that create practical difficulties or particular hardships. Practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations imposed by this UDO, in the instances detailed in subsection 2 below, may, be decided upon by the Village Board.
- (B) **Variation Review Criteria.** The Plan Commission shall not recommend, and the Village Board shall not grant variations from the regulations of this UDO unless an affirmative findings of fact shall be made as to all of the review criteria established below, which findings of fact shall be based upon evidence provided by the applicant.
- (1) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district in which it is located.
  - (2) The proposed variation will not merely serve as a convenience to the applicant but will alleviate some demonstrable and unusual hardship which will result if the strict letter of the regulations were carried out and which is not generally applicable to property within the same district.
  - (3) The alleged hardship has not been created by any person presently having a proprietary interest in the premises.
  - (4) The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
  - (5) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.
  - (6) The proposed variation will not alter the essential character of the locality.
  - (7) The proposed variation is in harmony with the spirit and intent of this UDO.
- (C) **Plan Commission Hearing and Recommendation.** The Plan Commission shall hold a public hearing and at the close of the public hearing and after consideration of the recommendation of the Village Administrator or their designee and public comment received, either recommend to the Village Board:
- (1) Approval of the Variation,
  - (2) Approval of the Variation with conditions, or
  - (3) Denial of the Variation.
- (D) **Village Board Action.** The Village Board shall review the application for a Variation and after consideration of the recommendation of the Plan Commission, recommendation of the Village Administrator or their designee, and public comment received either:
- (1) Approve the Variation,
  - (2) Approve the Variation with conditions, or
  - (3) Deny the Variation.



**9-9-05: Special Use Permit**

- (A) **Purpose.** There exists various uses, which because of their special or unique characteristics may be located in some zoning districts with no disruptive effects, but which may, in other districts, need special consideration and restraints in order to measure and prevent potential adverse impacts upon other uses located in such districts.
- (B) **Applicability.** All uses identified as special uses in Table 9-3-04(B) shall be allowed only after the adoption of an ordinance by the Village Board authorizing such special use and containing such conditions as the Village Board may deem appropriate.
- (C) **Special Use Permit Review Criteria.** The following review criteria shall be met in order for the Village Board to approve a Special Use Permit application:
- (1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
  - (2) 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) The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
  - (4) Adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.
  - (5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
  - (6) The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.
- (D) **Regulation Compliance.** Notwithstanding any provision contained in this UDO to the contrary, the Village Board shall not take final action on an application for a Special Use Permit if the property that is the subject of the application is determined by the Village Administrator or their designee to be in violation of any provision of this UDO, the building code, or any other ordinance adopted by the Village.
- (E) **Plan Commission Hearing and Recommendation.** The Plan Commission shall hold a public hearing and at the close of the public hearing and after consideration of the recommendation of the Village Administrator or their designee and public comment received, either recommend to the Village Board:
- (1) Approval of the Special Use Permit,
  - (2) Approval of the Special Use Permit with conditions, or
  - (3) Denial of the Special Use Permit.
- (F) **Village Board Action.** The Village Board shall review the application for a Special Use Permit and after consideration of the recommendation of the Plan Commission, recommendation of the Village Administrator or their designee, and public comment received either:
- (1) Approve the Special Use Permit,
  - (2) Approve the Special Use Permit with conditions, or
  - (3) Deny the Special Use Permit.

**9-9-06: Text / Map Amendments**

- (A) **Purpose.** The regulations imposed and the districts created by this UDO may be amended from time to time by ordinance, in accordance with the state statutes.
- (B) **Applicability.** The amendment process is intended to adjust this UDO in response to 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.
- (C) **Text Amendment Review Criteria.** The following review criteria shall be considered in the review and action on Text Amendment applications.
- (1) The proposed text amendment is consistent with the adopted plans and policies of the Village.
  - (2) The proposed text amendment addresses a particular issue or concern for the Village.
  - (3) The proposed text amendment does not impose an unreasonable hardship on existing uses.
  - (4) Major land uses, conditions, or circumstances have changed since the UDO was adopted or amended.
  - (5) The requested amendment is compatible with the existing uses and development patterns of the Village.
  - (6) The proposed amendments is not detrimental to the health, safety and welfare of the neighborhood or of the Village as a whole.
- (D) **Map Amendment Review Criteria.** The following review criteria shall be considered in the review and action on Map Amendment applications.
- (1) The proposed map amendment is consistent with the adopted plans and policies of the Village.
  - (2) Major land uses, conditions or circumstances have changed since the UDO was adopted or amended.
  - (3) Sites do not exist for the proposed use in existing districts permitting such use.
  - (4) The requested map amendment is compatible with the existing uses, development patterns and zoning of nearby properties.
  - (5) The present development of the area complies with existing ordinances.
  - (6) The existing zoning imposes an unreasonable hardship and a reasonable economic benefit cannot be realized from uses permitted by the existing zoning.
  - (7) The proposed map amendment does not conflict with existing or planned public improvements or will not adversely impact schools, parks or other public facilities.
  - (8) The environment or traffic patterns in the vicinity will not be adversely affected.
  - (9) The proposed map amendment is not detrimental to the health, safety and welfare of the neighborhood or of the Village as a whole.
- (E) **Plan Commission Hearing and Recommendation.** The Plan Commission shall hold a public hearing and at the close of the public hearing and after consideration of the recommendation of the Village Administrator or their designee and public comment received, either recommend to the Village Board:
- (1) Approval of the Text / Map Amendment, or
  - (2) Denial of the Text / Map Amendment.

(F) **Village Board Action.** The Village Board shall review the application for a Special Use Permit and after consideration of the recommendation of the Plan Commission, recommendation of the Village Administrator or their designee, and public comment received either:

- (1) Approve the Text / Map Amendment, or
- (2) Deny the Text / Map Amendment.

#### 9-9-07: Comprehensive Sign Plan

(A) **Purpose.** The purpose of the comprehensive sign plan is to provide an alternative procedure under which signs can be designed, constructed, and erected with innovation, imagination, and creative architecture. The objective of the comprehensive sign plan is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable sign regulations.

(B) **Applicability.** Any building or development may elect to submit a comprehensive sign plan. After the approval of a comprehensive sign plan, no permanent sign shall be erected, placed, or maintained except in conformance with the Comprehensive Sign Plan.

(C) **Comprehensive Sign Plan Review Criteria.**

- (1) **Placement.** All signs shall be placed where they are visible and legible. Factors to be considered include the location of a sign relative to traffic movement and access points, site features, other structures, and orientation relative to viewing distances and viewing angles. Wall signs may be approved on building walls other than the wall of a unit of a multi-tenant building in which some units have little or no visibility from the street.
- (2) **Quantity.** The number of signs that may be approved within any development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and wayfinding for safety of the occupants of vehicles and pedestrians. Factors to be considered shall be those that impact safety considerations such as the size of the development and the number of development sub-areas.
- (3) **Size.** All signs shall be no larger than necessary for visibility and legibility but in no instance shall the aggregate sign area per lot exceed three (3) square feet of sign area per lineal foot of frontage. Factors to be considered in determining appropriate size include topography, volume, and speed of traffic, viewing distances and angles, proximity to adjacent uses, and placement of display.

(D) **Plan Commission Hearing and Recommendation.** The Plan Commission shall hold a public hearing and at the close of the public hearing and after consideration of the public comment received, either recommend to the Village Board:

- (1) Approval of the Comprehensive Sign Plan,
- (2) Approval of the Comprehensive Sign Plan with conditions, or
- (3) Denial of the Comprehensive Sign Plan.

(E) **Village Board Action.** The Village Board shall review the comprehensive sign plan application and, based on the Comprehensive Sign Plan Review Criteria and recommendation of the Plan Commission either:

- (1) Approve the Comprehensive Sign Plan,
- (2) Approve the Comprehensive Sign Plan with conditions, or
- (3) Deny the Comprehensive Sign Plan.

## Chapter 10. Nonconformities

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### 9-10-01: Purpose

The purpose of this chapter is to provide for the regulation of uses, buildings, and structures, which were legally established but do not conform to the regulations of this UDO and to specify those circumstances and conditions under which those nonconforming buildings, structures and uses shall be gradually eliminated upon reaching the end of their respective normal useful life, in accordance with the authority granted by Illinois Statutes.

### 9-10-02: Authority to Continue Nonconforming Buildings, Structures, and Uses

Any building, structure, or use which existed lawfully at the time of the adoption of this UDO and at the time of the adoption of the ordinance revising the zoning map of the Village classifying all property in the Village in accordance with these classifications, and which remains or becomes nonconforming by reason of the adoption of this UDO, and/or the revision of the Village zoning map, or because of any subsequent amendment to this UDO or the Village zoning map, may be continued only in accordance with the regulations of this chapter.

### 9-10-03: Repairs and Alterations

Ordinary repairs and alterations may be made to a nonconforming building or structure, provided that no structural alterations shall be made in or to such building or structure, all of which is designed or intended for a use not permitted in the district in which it is located, except those required by law, or except to make the building or structure and use of the building or structure conform to the regulations of the district in which it is located. Ordinary repairs and alterations shall not exceed fifty (50) percent of the assessed value of the building or structure.

### 9-10-04: Additions and Enlargements

- (A) A nonconforming building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, shall not be added to or enlarged in any manner unless such nonconforming building or structure and use of such nonconforming building or structure is made to conform to all the regulations of the district in which it is located.

- (B) A nonconforming building or structure which is nonconforming only as to bulk, may be added to or enlarged, provided such additions or enlargements conform to all regulations of the district in which it is located.

#### 9-10-05: Moving

No building or structure shall be moved in whole or in part to any other location, unless every portion of such building or structure, and the use of such building or structure, are made to conform to all regulations of the district in which the building or structure shall be relocated to.

#### 9-10-06: Restoration of Damaged Nonconforming Buildings or Structures

- (A) A building or structure, in whole or in part, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, and which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence will exceed fifty (50) percent of the total cost of reconstructing the entire building or structure, shall not be restored unless said building or structure and the use of such building or structure shall conform to all regulations of the district in which it is located. Nonconforming buildings or structures containing a conforming single-family detached residential are exempt subject to Section (1) below.
- (1) Any nonconforming building or structure containing a single-family detached residential use that was legally established, and which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence exceeds fifty (50) percent of the total cost of reconstructing the entire building or structure may be rebuilt to its previous condition if the reconstruction process is initiated with the Village within one (1) year of the damage or destruction.
- (B) In the event that such damage or destruction is less than fifty (50) percent of the cost of reconstruction of the entire building or structure, no repairs or construction for restoration shall be made unless such work is started within one (1) year from the date of the partial destruction and is diligently prosecuted to completion.

#### 9-10-07: Discontinuance of Use of Nonconforming Building or Structure

A building or structure, in whole or in part, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, and in which the use has ceased by discontinuance or abandonment, on the effective date of this UDO or is abandoned and remains unoccupied, or is not used for a continuous period of one (1) year, shall not be occupied or used, except by a use which conforms to the use regulations of the district in which it is located.

#### 9-10-08: Change of Use in Nonconforming Building or Structure

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

#### 9-10-09: Elimination of Nonconforming Buildings, Structures, and Uses

- (A) **Buildings, Structures, Uses.** The following nonconforming buildings, structures (including signs), and uses shall be subject to the amortization provisions set forth below:
- (1) In residential districts, any nonconforming principal and/or accessory building or structure, all or substantially all of which is designed and used or intended for a permitted or special use that is allowed only in a business, office/research or light manufacturing district shall be subject to the amortization provisions of this chapter.
- (2) In all other districts, any nonresidential principal and/or accessory building or structure, all or substantially all of which is designed and used or intended for a permitted or special use that is not allowed in that district shall be subject to the amortization provisions of this chapter.



- (3) In all districts, any sign which fails to conform to any requirement of the district in which it is located or fails to meet any of the requirements of Chapter 6 of this UDO, shall be nonconforming and shall be removed in accordance with the amortization provisions of subsection (B) of this section.

(B) **Amortization Provisions.** All legally established, nonconforming buildings, structures (including signs), and uses as set forth in subsections (A)1, (A)2 and (A)3 of this section that were nonconforming prior to and remain or become nonconforming upon the adoption of this UDO and any amendments to this UDO, shall be removed and such property shall be used in conformance with the uses and standards permitted in the districts in which they are located within six (6) months after the applicable amortization period as follows:

- (1) **Assessed Valuation - More Than Five Thousand Dollars.** In accordance with the types of construction classification set forth in the Building Code of the Village of Willowbrook, Illinois:
  - (a) Fireproof construction and noncombustible construction, forty (40) years from the date of original building permit or twenty five (25) years from effective date of this UDO or amendments to this UDO, whichever last occurs.
  - (b) Exterior masonry wall construction, thirty (30) years from the date of original building permit or twenty (20) years from effective date of this UDO or amendments to this UDO, whichever last occurs.
  - (c) Frame construction, twenty five (25) years from date of original building permit or fifteen (15) years from effective date of this UDO or amendments to this UDO, whichever last occurs.
- (2) **Assessed Valuation - Not Less Than Two Thousand Dollars But Not More Than Five Thousand Dollars.** Ten (10) years from the date of original building permit or five (5) years from effective date of this UDO or any amendments to this UDO, whichever last occurs. Assessed valuations referred to in subsections (B)1 and (B)2 of this section are the unequalized assessed valuations of improvements of a lot, established for Real Estate Tax purposes, as amended, by DuPage County, Illinois.
- (3) **Signs.** The Plan Commission shall determine the fair market value of all signs determined to be nonconforming and from time to time existing within the corporate limits of the Village.
  - (a) Should the fair market value of any sign which is nonconforming as of the date of the adoption of this UDO or any amendment to this UDO, be one thousand (1,000) dollars or more, such sign shall be presumed to have a normal useful life for amortization purposes of five (5) years.
  - (b) Should the fair market value of any sign which is nonconforming as of the date of the adoption of this UDO or any amendment to this UDO, be nine hundred ninety nine (999) dollars ninety nine (99) cents or less, such sign shall be presumed to have a normal useful life for amortization purposes of three (3) years.

#### 9-10-10: Nonconforming Use of Conforming Buildings or Structures

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

- (A) The nonconforming use of a part of such building or structure shall not be expanded or extended into any other portion of such building or structure, nor changed to any other nonconforming use.
- (B) If a nonconforming use of such a building or structure is discontinued or abandoned for a period of six (6) months, it shall not be renewed, and any subsequent use of such building or structure shall conform to the use regulations of the district in which the premises are located.
- (C) Any lawful nonconforming use in a conforming building or structure existing in a residential district on the effective date of this UDO or any amendments to this UDO but is allowed as a permitted or special use only in a business or office/research or light manufacturing district shall be entirely discontinued within twenty (20) years from the effective date of this UDO or any amendments to this UDO.

**9-10-11: Nonconforming Use of Land**

The nonconforming use of land not involving a building or structure, or in connection with any building or structure on such land, and is incidental or accessory to the principal use of land, may be continued subject to the following provisions:

- (A) Such nonconforming use shall not be expanded or extended beyond the area it occupies at the effective date of this UDO.
- (B) If such nonconforming use of land is discontinued or abandoned for a period of six (6) consecutive months, it shall not be renewed, and the use of land shall conform to the regulations of the district in which the land is located.
- (C) No nonconforming use of land shall be changed to another nonconforming use.
- (D) The nonconforming use of land shall be discontinued in accordance with the following, except that in R-1, R-2 and R-3 Districts, the allowable term shall be reduced to fifty (50) percent:
  - (1) Where no buildings or structures are employed in connection with such use or land, discontinued within one (1) year from the effective date of this UDO or any amendments to this UDO.
  - (2) Where the only buildings or structures or other physical improvements employed are accessory or incidental to such use of land and have an assessed valuation of not more than two thousand (2,000) dollars, discontinued within two (2) years from the effective date of this UDO or any amendments to this UDO.
  - (3) Where the improvements, underground or substantially at ground level, which comprise all or substantially all of the improvements employed in such use of land and which have an assessed valuation of more than two thousand (2,000) dollars, discontinued within five (5) years from the effective date of this UDO or any amendments to this UDO.
  - (4) Where the nonconforming use of land is accessory to the nonconforming use of a building or structure, it shall be discontinued on the same date on which the nonconforming use of the building or structure is discontinued.
- (E) Assessed valuations referred to in subsections (B)1 and (B)2 of this section are the unequalized assessed valuations of improvements of a lot, established for Real Estate Tax purposes, as amended, by DuPage County, Illinois.



## Chapter 11. Definitions

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### 9-11-01: "A" Definitions

- (A) **ACCESSORY BUILDING:** Any building with a permanent foundation and which requires the issuance of a building permit, other than the principal building or use, that is secondary and incidental to, subordinate in area, extent or purpose to the principal building or use served or required for the principal building or use of the premises and is located on the same zoning lot as the principal building or principal use. Accessory buildings shall include but are not limited to detached garages, coach houses, storage sheds, and pool houses.
- (B) **ACCESSORY DWELLING:** A smaller, independent residential dwelling unit located on the same lot as a stand-alone single-family detached home.

- (C) **ACCESSORY DWELLING, DETACHED/ATTACHED:** A small, independent residential dwelling unit located on the same lot as a principal dwelling unit. An attached accessory dwelling unit shall be attached to the principal building, a point on the walls, foundation, roof, or to a deck, while a detached accessory dwelling unit shall be a standalone accessory structure not be attached to the principal building at any point.
- (D) **ACCESSORY DWELLING, INTERNAL:** A small, independent residential dwelling unit located on the same lot as a principal dwelling unit and constructed as a partitioned area within the principal building.
- (E) **ACCESSORY RETAIL:** A retail use subordinate to, and serving, the principal use or structure on the same lot and customarily incidental thereto.
- (F) **ACCESSORY STRUCTURE:** Any structure without a permanent foundation and which may require the issuance of a building permit, that is secondary and incidental to, subordinate in area, extent or purpose to the principal building or use served or required for the principal building or use of the premises and is located on the same zoning lot as the principal building or principal use. Accessory structures shall include but are not limited to decks (with or without a roof), unconditioned three-seasons room or screened porches/patios, pergolas, gazebos, swimming pools and hot tubs (and associated equipment), permanent BBQ equipment, patios, awnings, balconies, children's playground equipment, greenhouses.
- (G) **ACUTE CARE CENTER:** A building containing medical services for acute patient needs or containing an association or group of physicians, dentists, clinical psychologists, or similar professional health care practitioners, including assistants. The clinic may include a pharmacy, dental and mental laboratories, and/or x-ray facilities, but shall not include inpatient or overnight care.
- (H) **ADULT CARD, GIFT, OR NOVELTY STORE:** An establishment having as a significant or substantial portion of its stock in trade items such as cards, games, articles of clothing and novelties which are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
- (I) **ADULT ENTERTAINMENT CABARET:** A public or private establishment which, live or on motion pictures, features:
  - (1) Topless and/or bottomless dancers, strippers, and/or male or female impersonators; or
  - (2) Entertainers who not infrequently display specified anatomical areas; or
  - (3) Entertainers who by reason of their appearance or conduct perform in a manner which is designed primarily to appeal to the prurient interest of the patron or entertainers who engage in, or engage in explicit simulation of, specified sexual activities.
- (J) **ADULT DAY CARE:** Day care centers that provide for the care of adults for a period of less than 24 hours, but not overnight, where services are designed to meet the needs of adults through individual plans of care. Each facility shall, at a minimum, meet the standards and guidelines for adult day care services as provided by the National Adult Day Services Association, a unit of the National Council on the Aging, Inc.
- (K) **ADULT ORIENTED BUSINESS:** Any commercial use of property of which a significant or substantial portion involves an activity distinguished or characterized by its emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas, including, but not limited to, the operation of an adult bookstore and/or video store, adult mini-motion picture theater, adult motion picture theater, adult motion picture arcade, adult motel, adult card, gift or novelty store, or adult entertainment cabaret.
- (L) **ADULT-USE CANNABIS:** Non-medical cannabis as defined in the Adult-Use Cannabis Act.
- (M) **ADULT-USE CANNABIS ACT:** The Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) and as may, from time-to-time, be amended.

- (N) **ADULT-USE CANNABIS DISPENSARY:** A facility operated by an adult-use cannabis business organization that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed adult-use cannabis organizations for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Adult-Use Cannabis Act.
- (O) **ALCOHOL/LIQUOR SALES:** The retail sale of beer, wine, or other alcoholic beverages for off-premise consumption.
- (P) **ALLEY:** A dedicated minor public right-of-way affording a secondary means of access to abutting property and not intended for general traffic circulation.
- (Q) **ALTERATION:** A change in size, shape, character or use of a building or structure, or a change or rearrangement in the structural, mechanical, electrical, plumbing or egress systems of a building or structure.
- (R) **ANIMAL HOSPITAL, VETERINARIAN:** An establishment for the care, observation, and treatment of small animals, including domestic pets undergoing veterinary treatment.
- (S) **ANTENNA:** Any structure or device used for the purpose of collecting or radiating electromagnetic waves, including but not limited to directional antennas, such as panels, microwave dishes, and satellite dishes, and omnidirectional antennas, such as whip antennas, which are located on the exterior of, or outside of, any building, or structure. A single, radiating antenna platform, which includes one or more antennas, shall be regulated as a single antenna.
- (T) **ARTISAN MANUFACTURING:** Small-scale businesses that produce artisan goods or specialty foods, primarily for direct sales to consumers, such as artisan leather, glass, wood, paper, ceramic, textile and yarn products, specialty foods and baked goods. This land use includes the design, processing, fabrication, assembly, treatment and packaging of products; as well as the incidental storage, sales and distribution of such products.
- (U) **AVERAGE LOT GRADE:** Average lot grade shall be measured prior to the commencement of any construction activity, including grading. Average lot grade shall be the average of the grade at each lot corner..
- (V) **AWNING/CANOPY:** A roof-like cover, temporary in nature, which projects from the wall of a building.

#### 9-11-02: "B" Definitions

- (A) **BALCONY:** A platform, which projects from the exterior wall of a building above the ground floor, exposed to the open air and has direct access to the interior of the building, which is not supported by posts or columns extending to the ground.
- (B) **BAR/TAVERN:** A commercial establishment open to the general public which sells and serves alcoholic beverages for consumption on the premises but not produced on the premises and where prepared or packaged foods maybe available for consumption on the premises.
- (C) **BASEMENT:** A portion of a building located partly underground but having not less than one-half ( $1/2$ ) its clear floor to ceiling height below the average grade of the adjoining ground.
- (D) **BED AND BREAKFAST:** An owner-occupied single-family detached dwelling where short-term lodging and morning meals are provided for compensation.
- (E) **BLOCK:** That property abutting one side of a street and lying between the two (2) nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.
- (F) **BOAT SHOWROOM:** An establishment that sells or rents boats and marine equipment and accessories but does not repair or maintain boats.
- (G) **BODY ART:** The practice of physical body adornment, including, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing also known as microblading, branding, and scarification. This definition does not include

practices that are considered medical procedures by the Illinois State Medical Board, such as implants under the skin, which shall not be performed in a body art establishment. Nor does this definition include piercing of the non-cartilaginous portion or lobe of the ear with pre-sterilized single-use stud-and-clasp ear-piercing systems.

- (H) **BODY ART ESTABLISHMENT:** An establishment, whether public or private, temporary or permanent in nature or location, profit or not profit, that conducts any form of body art as defined herein.
- (I) **BREWERY/WINERY/DISTILLERY PRODUCTION FACILITY:** An establishment primarily engaged in brewing fermented malt beverages including beer, ale, malt liquors, and nonalcoholic beer (brewery), manufacturing and bottling wine on the premises (winery), or manufacturing, by distillation, intoxicating spirits on the premises (distillery).
- (J) **BREW PUB:** A restaurant engaged in brewing fermented malt beverages including beer, ale, malt liquors, and nonalcoholic beer as an accessory use intended for consumption on the premises. Such accessory use may occupy up to thirty (30) percent of the gross floor area of the restaurant.
- (K) **BUILDABLE AREA:** The area of a lot or parcel which is not located within any required yard.
- (L) **BUILDING:** Anything constructed for shelter or enclosure of persons, animals or chattels of any kind and which is permanently affixed to the land.
- (M) **BUILDING, ACCESSORY:** A subordinate building or portion of a principal building, the use of which is incidental to that of the principal building and customary in connection with that use.
- (N) **BUILDING, COMPLETELY ENCLOSED:** A building separated on all sides from the adjacent open space or from other buildings or other structures, by a permanent roof and behind exterior walls or party walls, pierced only by windows and normal entrance or exit doors.
- (O) **BUILDING HEIGHT:** Building height shall be the vertical distance from the average lot grade to the highest point of the building.
- (P) **BUILDING MATERIAL, MACHINERY, AND EQUIPMENT SALES OR STORAGE:** A facility primarily oriented to the receiving, holding, shipping, and/or sale of building material, machinery, and equipment for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained entirely within an enclosed building. Examples of this land use include conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities.
- (Q) **BUILDING PERMIT:** A permit issued by the Village for construction, erection or alteration of a structure or building.
- (R) **BUILDING, PRINCIPAL:** A nonaccessory building in which the principal use of the lot on which it is located is conducted.
- (S) **BUILDING, RESIDENTIAL:** A building which is arranged, designed, used or intended to be used for residential occupancy.
- (T) **BUILDING, TEMPORARY:** Any building not designed to be permanently located in the place where it is, or where it is intended to be placed or affixed.
- (U) **BUSINESS:** Any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor and materials, or where services are offered.
- (V) **BUSINESS SITE FRONTAGE:** When utilized to calculate allowable sign surface area in the following situations:
  - (1) **Freestanding businesses:** The lot width, measured in feet, or in the case of a corner lot, the length of the exterior side lot line, measured in feet, but not both.
  - (2) **Shopping centers, outparcels and single- story multi-tenant commercial buildings:** The building width or in the case of a multi-tenant building, the unit width, measured in feet, of a building's front or primary facades or portion thereof, in or from which a particular business is conducted, and which is adjacent to a public or private street, customer parking area or site access, not including service drives or areas meant for deliveries or loading/unloading facilities. If a

business's primary facade vertically extends behind another building and at least seven feet (7') of the primary facade is visible from a public or private street, customer parking area or site access, not including service drives or areas meant for deliveries or loading/unloading facilities, then that length of facade may also be counted towards business site frontage.

### 9-11-03: "C" Definitions

- (A) CAR WASH: The use of a site for automated or manual washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.
- (B) CELLAR: The portion of a building located partly or wholly underground and having half or more than half of its clear floor to ceiling height below the average grade of the adjoining ground. In dwellings, it shall not be used as sleeping quarters or for the preparation of food, except in single-family detached residences which meet the emergency egress, ceiling height, light and ventilation requirements of the Building Code.
- (C) CERTIFY OR CERTIFICATION: The specific inspections and tests where required have been performed, and that such tests comply with the applicable requirements of this title.
- (D) CHECK CASHING/PAY DAY LOAN STORE: An establishment that provides to the customer an amount of money that is equal to the face value of the check, warrant, draft, money order or other commercial paper securing the same purpose, or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction, whereby the check casher refrains from depositing a personal check written by a customer until a specific date. Such establishments may also engage in money transfers, payday advances and issuance of money orders. This use shall not include a state or federally chartered bank, savings association, credit union, industrial loan association, or rental-purchase company and shall not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a nominal flat fee as a service to its customers incidental to the main use of the establishment.
- (E) CHILD CARE CENTER: An institution or place in which are received three (3) or more children, not of common parentage, apart from their parent or guardian, for part or all of a day, but not later than nine o'clock (9:00) P.M. The term "daycare center" includes, but is not limited to, nursery schools, childcare centers, day nurseries, kindergartens and play groups, but does not include bona fide kindergartens or nursery schools operated by public or private elementary or secondary school systems.
- (F) 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.
- (G) CIVIC USES OF PUBLIC PROPERTY: A use providing public functions and services including federal, State, and municipal offices, community centers, or other civic institutions located on a property owned by a public entity.
- (H) CLINIC, MEDICAL OR DENTAL: A building or portion thereof, the principal use of which is for offices of physicians or dentists, or both, for the examination and treatment of persons on an outpatient basis.
- (I) CLOSED CUP FLASHPOINT: The lowest temperature at which a combustible liquid under prescribed conditions will give off a flammable vapor which will propagate a flame. The tag closed cup tester shall be authoritative for liquids having a flashpoint below one hundred seventy five degrees Fahrenheit (175°F). The Pensky Martens tester shall be authoritative for liquids having flashpoints between one hundred seventy five degrees Fahrenheit (175°F) and three hundred degrees Fahrenheit (300°F).
- (J) CREMATORIUM: An establishment with one or more cremation chambers used only for the reduction of the human body to ashes by heat and where funeral services will not be permitted to be conducted.
- (K) CODE OR VILLAGE CODE: The Village Code of the Village of Willowbrook, including all codes, standards, specifications, rules or regulations incorporated therein by reference, together with all appropriate enactment language.



- (L) **COMMUNITY GARDEN:** A site occupied with a use where any kind of plant, including flowers, is grown, and several individuals or households cultivate the site. The site may be divided into individual allotments, or gardeners may work together to cultivate the entire property. The land may be publicly or privately owned. The plants are grown for personal use by the gardeners or for donation.
- (M) **COMPREHENSIVE PLAN:** The Comprehensive Plan of the Village of Willowbrook, DuPage County, Illinois.
- (N) **CONTRACTORS TRAILERS AND REAL ESTATE MODEL UNITS:** Guard's trailers, construction equipment sheds, contractors' or real estate sales trailers, and similar uses incidental to a construction project and sales of homes within a newly constructed development.
- (O) **CONTRACTOR SHOP:** An enclosed space used for the provision of services, storage, operation and housing of equipment and fabrication of building-related products.
- (P) **COURT:** An open unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two (2) or more sides by such building or buildings.
- (Q) **COWORKING SPACE:** A neutral, non-exclusive, limited shared space defined in a membership-based service arrangement or agreement or subscription wherein a firm has no Tenancy interest, leasehold estate or other real property interest with respect to the accommodation (that is the commercial equivalent of an agreement for accommodation in a hotel or club) on an as-needed basis. The agreement gives the firm a right to share the use of the space and may include an exclusive mailing address and office services. An executive suite/exclusive desk/dedicated desk/secured suite/private office under a coworking space agreement falls under this definition.

#### 9-11-04: "D" Definitions

- (A) **DECIBEL:** A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are typically calibrated in decibels.
- (B) **DENSITY, GROSS:** The numerical value obtained by dividing the total number of dwelling units in a development by the total area of the tract of land upon which the dwelling units are located. Dedicated streets, open spaces and common areas located within the development shall be utilized in the calculation of gross density.
- (C) **DEVELOPMENT:** Any manmade change to improved or unimproved real estate, including, but not limited to, construction of or substantial improvements to buildings or other structures, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations.
- (D) **DISPLACEMENT (EARTH):** The amplitude or intensity of an earthborne vibration measured in inches. The displacement or amplitude is one-half (1/2) the total earth movement.
- (E) **DRIVE-IN, DRIVE-THROUGH:** Any place or business operated for the sale and purchase at retail of food and other goods, or the rendering of services for which the facility is designed and equipped so as to allow its patrons to be served or accommodated while remaining in their motor vehicle.
- (F) **DRIVEWAY:** Any impervious surface providing direct ingress to and egress from a parking space.
- (G) **DRY CLEANER, PROCESSING ON SITE:** A building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal and/or pressing of articles and/or goods of fabric is carried on, and in which only non-combustible and non-flammable solvents are, or can be, used which emit no odours or fumes, in which no noise or vibration causes a nuisance or inconvenience within or without the premises, and may include a dry cleaning distribution station.
- (H) **DWELLING:** A building or portion thereof designed or used for residential purposes, including single and multiple family uses, but not including house trailers, mobile homes or lodging rooms in hotels, motels or lodging houses.
- (I) **DWELLING, DUPLEX:** A row or structure of up to two (2) attached, single-family, dwellings joined to one another at one (1) or more sides by a party wall or walls. Each dwelling has a dedicated exterior entrance.

- (J) DWELLING, MULTIPLE FAMILY: A residential building designed and built as a group of individual dwelling units, each for a single-family, but which units may touch each other by virtue of common or party walls and/or floors or ceilings, and which contain two (2) or more dwelling units.
- (K) DWELLING, MULTIPLE FAMILY, COMPLEX: A planned residential development with more than two multifamily dwellings on a lot.
- (L) DWELLING, MULTIPLE FAMILY, BUILDING: A single residential building with multiple dwelling units stacked vertically and horizontally. The building has a common external entrance and units are accessed through internal entrances.
- (M) DWELLING, SINGLE FAMILY DETACHED: A dwelling containing one (1) dwelling unit with open space on all sides and not attached to any other dwelling unit or building.
- (N) DWELLING, TOWNHOME: A row or structure of three (3) or more attached, single-family, dwellings joined to one another at one (1) or more sides by a party wall or walls. Each dwelling has a dedicated exterior entrance.
- (O) DWELLING UNIT: A group of rooms constituting all or part of a dwelling, which are arranged, designed, used or intended for use exclusively as living quarters for one family, and which includes cooking facilities.

#### 9-11-05: "E" Definitions

- (A) EASEMENT: A specific area of land over which a liberty, privilege or advantage is granted by the owner to the public, a corporation or some particular person or part of the public for specific uses and purposes and which shall be designated a "public" or "private" easement, perpetual or for a given term and exclusive or nonexclusive depending on the nature of the particular grant.
- (B) ENVIRONMENTAL PROTECTION AGENCY: The Environmental Protection Agency of the State of Illinois, United States of America or the Health Department of the County of DuPage, whichever agency(ies) shall have jurisdiction in a given case.
- (C) EXISTING GRADE: The vertical location of the existing ground surface prior to excavation or filling.

#### 9-11-06: "F" Definitions

- (A) FAMILY: One or more persons as related to the other by blood, marriage, guardianship or adoption, or a group of not more than three (3) persons not so related, together with his or her domestic servants, maintaining a common household in a dwelling unit, or a group of not more than six (6) handicapped individuals, as defined in title VIII of the United States Civil Rights Act of 1968, as amended, together with their domestic servants and attendants, maintaining a common nonprofit household in a dwelling unit.
- (B) FENCE: An artificially constructed barrier made of manufactured material, including wire, mesh, chainlink, wood and/or wrought iron, but not including any type of masonry materials (except for posts), resting on or partially buried in the ground and rising above ground level, erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for decorative purposes or to screen from viewers in or on adjoining properties and streets the property or lot upon which the fence is erected.
- (C) FINANCIAL INSTITUTION: Establishments whose principal use or purpose is the provision of financial services, including, but not limited to, bank facilities for tellers, automated teller machines, credit unions, savings and loan institutions, and currency exchange establishments. This use shall not include establishments whose primary purpose is to accept applications, originate, underwrite, process or service residential or commercial loans secured by mortgage on real property.
- (D) FIREARM: Any device that will or is designed to or may readily be converted to expel a projectile by the action of an explosive, including the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device.



- (E) FIREARMS RETAILER: A business that derives its principal income from the purchase, sale or trade of firearms, with or without sale of ammunition or firearms accessories; and either physically delivers firearms to purchasers on the premises or conducts firearms sales from the premises for delivery to offsite purchasers; and is required to possess a firearms dealer license under federal law.
- (F) FIRE ESCAPE: A fireproof stairway, ladder, or chute on the outside wall of a building intended to be used to help people escape from the building in case of fire or other calamity.
- (G) FLOOD (FLOOD OR FLOODING): A general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation of runoff of surface waters from any source.
- (H) FLOODPLAIN: The area typically adjacent to and including a body of water where ground surface elevations are at or below a specified flood elevation.
- (I) FLOOR AREA: For the purpose of determining floor area ratio, the "floor area" of a building shall be the sum of the gross horizontal areas of the several floors of a building or buildings measured from the exterior face of exterior walls or from the centerline of party walls separating two (2) buildings, without deduction for hallways, stairs, closets, thickness of walls or columns.
- (J) FLOOR AREA, GROSS: The total enclosed floor area of the building(s) and structure(s) on a property including basements, lobbies, common area, storage areas, stairwells, restrooms, elevator shafts, hallways, equipment rooms, interior area devoted to parking, and other similar fully enclosed spaces of the building. Gross floor area does not include non-enclosed areas like plazas, loading docks, covered parking areas, balconies, and similar features.
- (K) FLOOR AREA, NET: The primary interior floor area of the building(s) and structure(s) on a property within which the use operates, which excludes basements, lobbies, common area, storage areas, stairwells, restrooms, elevator shafts, hallways, equipment rooms, interior area devoted to parking, and other similar fully enclosed spaces of the building. Net floor area does not include non-enclosed areas like plazas, loading docks, covered parking areas, balconies, and similar features.
- (L) FLOOR AREA RATIO: The numerical value obtained by dividing the total floor area within a building or buildings by the area of such lot or parcel of land on which the building or buildings are located. The floor area ratio as designated for each district, when multiplied by the lot or parcel area in square feet, shall determine the maximum permissible floor area for the building or buildings on such lot or parcel.
- (M) FOOT-CANDLE: A unit of illumination. Technically, the illumination at all points one foot (1') distant from a uniform point source of one candlepower (1 foot-candle equals 10.76 lux).
- (N) FOOD CART OR TRUCK: A motorized or nonmotorized vehicle or trailer, equipped to cook, prepare, serve, and/or sell food.
- (O) FUEL SALES: Any building or portion thereof or premises used for dispensing or offering for sale at retail any automobile fuels or oils; having pumps and storage tanks; also, where battery, tire and other similar services are rendered, but only if rendered wholly within lot lines. Excluded are open sales lots, parking, storing and sale of automobiles or any other commodity not incidental to fuel sales.

#### 9-11-07: "G" Definitions

- (A) GARAGE, PRIVATE: An accessory building or an accessory portion of the principal building, including a carport, which is intended for and used to store the private vehicles of the family resident upon the premises, and in which no business, service or industry connected directly or indirectly with automotive vehicles is carried on.
- (B) GARDEN: The cultivation of trees, plants, flowers, fruits, seeds, and the like, not including livestock.
- (C) GARDEN SUPPLY STORE: The display and sales of products or services related to garden supplies.

- (D) **GENERAL RETAIL:** An establishment with the primary purpose of which is the sale of goods, products, or materials directly to the consumer. This use shall include, but not be limited to, stores that sell appliances, books, clothing; computers, electronics, eyeglasses, floral arrangements, furniture, groceries or specialty foods, hardware, jewelry, leather goods, medical supplies, office supplies, pets, toys, and video or music sales or rentals. The term "general retail" shall not include restaurants or personal service establishments
- (E) **GRADING:** An excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.
- (F) **GREENHOUSE, WHOLESALE:** Wholesale business whose principal activity is the growing and selling of plants within an enclosed building.
- (G) **GROUND FLOOR AREA:** The lot area covered by a building, whether principal or accessory, measured from the exterior faces of the exterior walls of the building, exclusive of open terraces, porches and decks.
- (H) **GROUP HOMES:** A dwelling unit shared by unrelated persons, who require and receive assistance, care, or supervision by staff, and who reside together in a long-term, family-type environment as a single housekeeping unit. The term "group home" shall not include alcoholism or drug treatment centers or a facility for criminal offenders serving on work release, probationary programs, or other alternatives to incarceration.
- (I) **GROUND/WALL MOUNTED MECHANICAL EQUIPMENT:** Equipment or devices installed for a use appurtenant to the primary use. Such equipment shall include heating and air conditioning equipment, solar collectors, parabolic antennas, disc antenna, radio, or TV receiving or transmitting antennas, and any power-generating devices.

#### 9-11-08: "H" Definitions

- (A) **HABITABLE ELEVATION:** Any floor used for living purposes, including a floor below grade.
- (B) **HOME BASED CHILD CARE (8+ CHILDREN):** Family homes which receive more than eight (8) children for less than twenty-four (24) hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of twelve (12). The term does not include facilities which receive only children from a single household.
- (C) **HOME OCCUPATION:** Any gainful occupation engaged in by the occupant of a dwelling at or from the dwelling.
- (D) **HOSPITAL:** A building or portion thereof, the principal use of which is for the medical, surgical or psychiatric treatment of patients and provides nursing, food and overnight lodging during illness.
- (E) **HOTEL:** A building which provides a common entrance, lobby, halls and stairways and in which lodging is offered to transient guests with or without meals and which contains a minimum of fifty (50) rooms.

#### 9-11-09: "I" Definitions

- (A) **IMPERVIOUS SURFACE:** A surface that is not covered with soil or natural vegetation. Such surfaces include areas covered by buildings, porches, decks, patios, terraces and swimming pools, and also include surfaces constructed of asphalt, concrete, gravel composite, brick, stone, tile or any other paving material used for parking, driveways and walkways.
- (B) **INDOOR COMMERCIAL PLACE OF ASSEMBLY:** A building wherein individuals or groups of people gather for an attraction or service used for commercial purposes, such as but not limited to, recreation establishment, theaters, ice rinks, dance halls, and moving picture theaters.
- (C) **INDOOR NON-COMMERCIAL PLACE OF ASSEMBLY:** A building wherein individuals or groups of people gather for an attraction or service not used for commercial purposes such as but not limited to, community centers, fraternal or civic organizations, lodges, libraries, museums, municipal buildings, auditoriums, or religious institutions.

**9-11-10: "K" Definitions**

- (A) **KENNEL:** Any lot or premises or portion thereof on which more than four dogs, cats, and other household domestic animals, over four months of age, are kept or at which more than two such animals are boarded for compensation or kept for sale.

**9-11-11: "L" Definitions**

- (A) **LAUNDRY, COMMERCIAL:** A facility, which provides laundry and dry cleaning, services for commercial and industrial businesses but does not provide self-service or laundry services for individual needs.
- (B) **LAUNDRY, SELF SERVICE:** A facility where patrons wash, dry or dry clean clothing or other fabrics in machines operated by the patron. The term "self-service laundry" may include establishments, which provide services to wash, dry or dry clean on an individual basis, but specifically excludes commercial laundry services.
- (C) **LIGHT MANUFACTURING, ASSEMBLY, FABRICATION:** Industrial facilities at which all operations (with the exception of loading operations): Are conducted entirely within an enclosed building; not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line; and do not pose a significant safety hazard (such as danger of explosion).
- (D) **LIVESTOCK:** Livestock includes cattle, sheep, horses, goats, chickens, bees, and other domestic animals ordinance raised or used on a farm.
- (E) **LOT:** A parcel of land (whether legally so described or subdivided as 1 or more lots or parts of lots) located within a single block, occupied by, or intended for occupancy by one principal building or principal use, and having its principal frontage upon a street.
- (F) **LOT AREA:** The area of a horizontal plane bounded by the vertical planes through front, side and rear lot lines.
- (G) **LOT, CORNER:** A lot or parcel of land abutting upon two (2) or more streets at their intersection, or upon two (2) parts of the same street when the intersection of the right-of-way lines extended form an interior angle of less than one hundred thirty five (135) degrees.
- (H) **LOT COVERAGE:** The area of a lot or parcel which is covered by buildings and/or other structures, but excluding any and all streets, drives, parking, walkways and stoops.
- (I) **LOT DEPTH:** The depth of a lot or parcel as measured along a straight line connecting the midpoint of the front lot line to the midpoint of the rear lot line.
- (J) **LOT FRONTAGE:** The front of a lot shall be that boundary of a lot along a street and for the corner lot, the front shall be the shorter lot boundary along a street.
- (K) **LOT LINE:** The property boundary line of a lot, except that where any portion of a lot extends into the abutting private street or drive, the lot line shall be deemed to be the center line of such street or drive.
- (L) **LOT LINE, EXTERIOR SIDE:** A lot line which abuts a street and which is not a front lot line or a rear lot line.
- (M) **LOT LINE, FRONT:** A lot line which abuts a street. For landlocked or partially landlocked lots, a lot line which faces the access to the lot.
- (N) **LOT LINE, INTERIOR SIDE:** A lot line which abuts another lot and which is not a front lot line or rear lot line.
- (O) **LOT LINE, REAR:** A lot line or lot lines most distant from and most nearly parallel to the front lot line. If the rear lot line is less than ten feet (10') in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten feet (10') in length within the lot, parallel to and at the maximum distance from, the front lot line.

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

#### 9-11-12: "M" Definitions

- (A) MAJOR MOTOR VEHICLE SERVICE: Premises conducting any activity defined as minor motor vehicle service and/or autobody repair.
- (B) MESSAGE THERAPY: Any establishment or business wherein massage is practiced.
- (C) MATERIALS SALVAGE YARD/RECYCLING OPERATIONS: A parcel of land where secondhand, discarded or scrap materials are bought, sold, exchanged, stored, processed, or handled. Materials include scrap iron, structural steel, rags, rubber tires, discarded goods, equipment, appliances, or machinery. The term "material salvage yard, recycling operations" also includes a site for collection, sorting, storing and processing of paper products, glass, plastics, aluminum or tin cans prior to shipment for remanufacture into new materials.
- (D) MINING AND AGGREGATE EXTRACTION: Uses that include mining, extraction, removal, blasting, stockpiling of sand, gravel, topsoil, limestone, or other aggregates, including the use of equipment for any of the stated uses.
- (E) MINI-WAREHOUSE/PERSONAL STORAGE: Enclosed storage facilities containing independent, fully enclosed bays that are leased to individuals exclusively for long-term storage of household goods or personal property.
- (F) MINOR MOTOR VEHICLE SERVICE: Premises for the supply and dispensing at retail of motor fuels, lubricants, batteries, tires, and motor vehicle accessories, which do not have the potential to generate impacts such as noise, visual impacts, glare, or vibrations that are detectable from off the premises. The following services may be rendered and sales made:
- (1) Sales and servicing of spark plugs, batteries, and other motor vehicle related items;
  - (2) Tire servicing and repair;
  - (3) Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like;
  - (4) Greasing, lubrication and radiator flushing;
  - (5) Minor servicing and repair of carburetors, fuel pumps, oil pumps, water pumps and lines and minor motor adjustments not involving removal of the head or crank case or racing the motor;
  - (6) Emergency wiring repairs; and
  - (7) Adjusting and repairing brakes;
  - (8) Painting, welding, or other body work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations shall not be permitted.
- (G) MOBILE HOME: A structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.
- (H) MOTEL: A building in which lodging is afforded with or without meals to transient guests and which contains a minimum of fifty (50) rooms.
- (I) MOTOR VEHICLE SALES/RENTAL: Retail establishments that sell new or used automobiles, truck, vans, recreational vehicles, trailers, boats, or motorcycles or other similar motorized transportation vehicles. An automobile dealership may

maintain an inventory of the vehicles for sale or lease on-site. Support uses may also exist upon also exist upon the same site, such as maintenance, repair, and service areas and indoor parts storage areas.

- (J) **MULTITENANT SHOPPING CENTER:** A group of multiple commercial establishments planned, constructed, and managed as a single site.

### 9-11-13: "N" Definitions

- (A) **NONCOMBUSTIBLE:** A material which will not ignite nor actively support combustion during an exposure for five (5) minutes to a temperature of one thousand two hundred degrees Fahrenheit (1,200°F). In the event that the definition of "noncombustible" contained herein conflicts with the Building Code of the Village, the more restrictive Code, rule, regulation or provision shall control.
- (B) **NONCONFORMING SIGN:** A sign, lawful at the time of the enactment of this title, which does not comply with all of the regulations of this title, or any amendment hereto governing the use of signs.
- (C) **NONCONFORMING STRUCTURE:** A structure lawfully established which:
- (1) Does not comply with all the regulations of this title governing the bulk of structures located within any given district; or,
  - (2) Is designed or intended for a nonconforming use.
- (D) **NONCONFORMING USE:** A structure and the use thereof or the use of land that does not comply with the regulations of this title governing use in the district in which it is located, but which conformed with all of the codes, ordinances and other legal requirements applicable at the time such structure was erected, enlarged or altered, and the use thereof or the use of land was established.
- (E) **NOXIOUS MATTER:** Material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the psychological, social or economic well-being of human beings.

### 9-11-14: "O" Definitions

- (A) **OCTAVE BAND:** A prescribed interval of sound frequencies which classifies sound according to its pitch.
- (B) **ODOR THRESHOLD:** The lowest concentration of odorous matter in air that will produce an olfactory response in a human being. Odor thresholds shall be determined in accordance with ASTM Method D1391-57, "Standard Method for Measurement of Odor and Atmospheres (Dilution Method)".
- (C) **ODOROUS MATTER:** Any material that produces an olfactory response in human beings.
- (D) **OPEN SPACE:** Land unoccupied by structures, buildings, streets, right-of-way, driveway aisles and parking spaces and designed and intended for the use or enjoyment of residents of a planned unit development. Open space may contain structures for recreational use.
- (E) **OUTDOOR COMMERCIAL PLACE OF ASSEMBLY:** Premises wherein individuals or groups of people gather outdoors for an attraction or service used for commercial purposes, such as but not limited to, outdoor recreation establishment, miniature golf courses, and ice rinks.
- (F) **OUTDOOR DISPLAY/SALE OF MERCHANDISE, PERMANENT:** The permanent display and/or sale of merchandise or equipment outside of an enclosed building by the occupant of the primary building of the lot.
- (G) **OUTDOOR DISPLAY/SALE OF MERCHANDISE, TEMPORARY:** The temporary display and/or sale of merchandise or equipment outside of an enclosed building by the occupant of the primary building of the lot.



- (H) OUTDOOR NON-COMMERCIAL PLACE OF ASSEMBLY: Premises wherein individuals or groups of people gather for an attraction or service not used for commercial purposes such as but not limited to, community centers, fraternal or civic organizations.
- (I) OUTDOOR SEATING FOR EATING AND DRINKING USES: A dining area of designated size with seats or tables located outdoors of a contiguous restaurant or coffeehouse. This seating may be in addition to the indoor seating area.
- (J) OUTDOOR STORAGE, PERMANENT: Uses primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. Such a land use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage land use. Examples of this land use include License Class B or greater truck and trailer parking not otherwise allowed in this UDO, contractors' storage yards, equipment yards, lumber yards, coal yards, landscaping materials yard, construction materials yards, and shipping materials yards. Such land uses do not include the storage of inoperative vehicles or equipment, or other materials typically associated with a junkyard or salvage yard.

#### 9-11-15: "P" Definitions

- (A) PARCEL (OR TRACT): A continuous area or acreage of land which can be described as provided for in the "Plat Act".
- (B) PARKING OF TRAILER, BOATS, AND OTHER VEHICLES: A site intended for the parking of trailers, boats, and other vehicles.
- (C) PARKING SPACE: A surfaced and permanently maintained area on privately or publicly owned property, either within or outside of a building, of sufficient size to store one standard automobile.
- (D) PARKS AND NATURAL AREAS: A place, other than grounds of a private dwelling that is provided by the public or members of a community for recreation.
- (E) PARTICULATE MATTER: Material which is suspended in or discharged into the atmosphere in finely divided form as a liquid or a solid at atmospheric pressure and temperature.
- (F) PAWN SHOP: An establishment primarily engaged in the business of lending money on the deposit or pledge of any article or jewelry or purchasing any article or jewelry with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price, and which is licensed as a pawnbroker by the State.
- (G) PERFORMANCE STANDARD: A criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.
- (H) PERSON: Any person, firm or corporation, public or private, the State of Illinois and its agencies or political subdivision and the United States of America, its agencies and instrumentalities, any agent, servant, officer or employee of any of the foregoing.
- (I) PERSONAL SERVICE: An establishment which offers specialized goods and services purchased frequently by the consumer. Included are barbershops, beauty shops, massage facilities, chiropractic clinics, garment repair, laundry cleaning, pressing, dyeing, tailoring, shoe repair, and other similar establishments.
- (J) PLAN COMMISSION: The Plan Commission of the Village of Willowbrook, DuPage County, Illinois.
- (K) PLANNED DEVELOPMENT: A tract of land which, at its time of development, is developed under single ownership or unified control, which includes two (2) or more principal buildings or uses, and is processed under the planned development procedure of this title.
- (L) PLANNED DEVELOPMENT PLAT: A drawing or map made to a measurable scale upon which is presented a description and definition of the way in which the design requirements of the planned development are to be met and intended for recording with the DuPage County Recorder of Deeds.

- (M) PLAT: A map or chart of a subdivision of land.
- (N) PLAT, FINAL: A map of all or part of a subdivision providing substantial conformance with the requirements of the "Plat Act" and this Code and for recording by the DuPage County Recorder of Deeds.
- (O) PLAT, PRELIMINARY: A map showing all requisite details of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration, prepared in conformance with the "Plat Act" and this Code.
- (P) PORTABLE OUTDOOR STORAGE DEVICE: A vessel, container, POD, or unit owned, rented or leased for the temporary storage of commercial, industrial, or residential household goods, that does not contain a foundation or wheels for movement. Examples of this use include POD-type boxes that can be transported on a flatbed or other truck; but do not include prefabricated sheds that are not designed for transport after erection, cargo containers or commercial trailers used by construction or other uses in the regular performance of their business.
- (Q) PRE-1960 OCTAVE BANDS: The frequency intervals prescribed by the American Standards Association in ASA standard 224 10-1953, "octave band filter set".
- (R) PREFERRED FREQUENCIES: A set of octave bands described by the band center frequency and standardized by the American Standards Association in ASA standard S1 6-1960, "preferred frequencies for acoustical measurements".
- (S) PREMISES: A lot or parcel of land together with the buildings and structures located thereon.
- (T) PROFESSIONAL OFFICE: Business uses, with little direct contact with customers present at the office, which is engaged in the processing, manipulation or application of business information or professional expertise. An office use is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor is an office engaged in the repair of products or retail services. This use shall include, but not be limited to, professional offices for nonprofit organizations, accounting; insurance, investment services; computer services, architecture; engineering, legal services, real estate services, and doctors' and dentists' offices, but not medical clinics.
- (U) PUBLIC IMPROVEMENTS: Grading, street surfacing, curbs and gutter, sidewalks, walkways, crosswalks, water mains, fire hydrants and other water system improvements, sanitary sewers, storm sewers, stormwater management structures and lands, culverts, bridges, streetlights, trees and other additions or deletions from the natural state of land which increases its value, utility or habitability.
- (V) PUBLIC SERVICE: A building, structure or parcel of land owned by a governmental entity or public utility for the benefit of the public at large. An aboveground service facility shall be deemed a public service.
- (W) PUBLIC UTILITY: Any person, firm, corporation, Municipal department, board or commission, duly authorized to furnish, and furnishing under government regulations, to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.
- (X) PUBLIC WALKWAY: A right-of-way dedicated for the purpose of a pedestrian access and located so as to connect two (2) or more streets or a street and a public land parcel.

#### 9-11-16: "R" Definitions

- (A) RESEARCH AND DEVELOPMENT: Facilities for basic and applied laboratory research or experimental study, testing or analysis in the natural sciences, including educational activities incidental or accessory to such research. The term "research and development" shall include, but not be limited to, biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, fabrics, films, heat transfers, and radiation research, but not facilities for the manufacture or sale of products, except those incidental to research activities.
- (B) RESTAURANT: A retail establishment that is kept, used, maintained, advertised, and held out to the public as a place where meals are cooked and prepared in an adequate and sanitary kitchen located on the licensed premises using stoves, ovens, fryers, and related equipment located on the licensed premises and which are protected by a fire protection system



that conforms with the Village Code. The sale of packaged food such as potato chips, pretzels, popcorn, peanuts, or other similar snacks or frozen packaged food shall not be considered food prepared and served on premises, as required herein.

- (C) RETAIL SALES: The sale of any product or merchandise to customers for their own personal consumption or use, not for resale.
- (D) ROOFLINE: Either the peak line of the roof or the top of the parapet, whichever forms the top line of the building silhouette; and where a building has several roof levels, this roof or parapet shall be the one belonging to that portion of the building on whose wall the sign is located.
- (E) RUNOFF: The waters derived from melting snow or rain falling within a tributary drainage basin that exceed the infiltration capacity of the soils of that basin.

### 9-11-17: "S" Definitions

- (A) SEARCHLIGHT: A sign utilizing a powerful light or lights equipped with a reflector to produce a bright beam or beams of light.
- (B) SENIOR HOUSING, DEPENDENT: Housing/accommodations, other than a single-family dwelling, and services designed and staffed to provide housing and services along the continuum of an elderly person's needs, such as assistance for bathing, dressing, medication, meal preparation, or other functions. In addition to housing, this type of facility may also provide convenience services, such as meals, housekeeping, transportation, and community facilities, such as central dining rooms and activity rooms.
- (C) SENIOR HOUSING, INDEPENDENT: A for profit facility which provides sleeping accommodations in the form of assisted living units, to persons fifty-five (55) years of age and older. Assistance with daily life activities and supportive and intermittent health related services shall be provided by a full-time on site staff. An assisted living facility is not subject to licensure by the State of Illinois. An assisted living facility has both institutional and residential characteristics. An assisted living facility is not a multiple-family dwelling.
- (D) SETBACK: The minimum horizontal distance between a lot line and structures or other uses on a lot as measured perpendicularly from the lot line.
- (E) SHORT TERM RENTAL: A home occupation of a single-family dwelling unit that is used as a primary residence by owners or renters, or a portion of such a dwelling unit that is rented for less than thirty (30) days at a time to transients and temporary guests.
- (F) SMALL CELL WIRELESS FACILITIES: Any facility that transmits and/or receives signals by electromagnetic or optical means, including antennas, microwave dishes, horns, or similar types of equipment, towers or similar structures supporting such equipment, and equipment buildings.
- (G) SIGN: Any object, device, display or structure or part thereof which is used to advertise, identify, display, direct or attract the attention to an object, person, institution, organization, business, project, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion illumination or projected images. The term sign includes, but is not limited to, every projecting sign, wall sign, roof sign, billboard, posterboard, freestanding sign, ground sign, window sign, vehicle sign, awning, canopy, marquee, changeable copy sign, illuminated sign, flashing sign, animated sign, temporary sign, portable sign or any other attention getting device or other display whether affixed to a building or separate from any building.
  - (1) Attention Getting Device: Any pennant, flag, valance, banner, propeller, spinner, streamer, searchlight, balloon and similar device or ornamentation designed for purposes of promotion or advertising or attracting attention.
  - (2) Awning, Marquee, Canopy Sign: Shall include any fixed sign, as well as retractable or removable marquee, canopy and awning, respectively, projected over, suspended above or erected upon any public thoroughfare.

- (3) **Billboards:** A single or double faced freestanding sign permanently erected on the premises, including changeable copy signs, used for the display of commercial information not associated with the conduct of a business or enterprise located on the same premises of such sign.
- (4) **Electronic Message Boards:** A sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means. A time and/or temperature sign shall not be considered an electronic graphics sign.
- (5) **Feather Signs:** A portable sign that is printed on knitted polyester and used for outdoor marketing and advertising purposes.
- (6) **Flashing Signs:** Any directly or indirectly illuminated sign, either stationary or animated which exhibits changing natural or artificial light or color effects by any means whatsoever.
- (7) **Freestanding Sign Or Ground Sign:** A sign completely or principally self-supported by a post(s) or other support(s) independent of any building or other structure and anchored in or upon the ground.
- (8) **Internally Illuminated Sign:** A sign, all or any part of the letter or design of which is made of incandescent, neon or other types of lamps; a sign with painted, flush or raised letter lighted by an electric lamp or lamps attached thereto; a sign having a border of incandescent or fluorescent lamps thereto attached and reflecting light thereon; or a translucent sign, whether lighted by electricity or other illuminant.
- (9) **Marquee Signs:** A sign designed to have changeable copy, either manually or electronically. Marquee signs may be a principal identification sign, a freestanding sign, or a wall sign. Also known as a "readerboard sign."
- (10) **Monument Signs:** A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.
- (11) **Off-Premises Sign:** A sign which directs attention to or advertises a use, business, commodity, service or activity not conducted, sold or offered upon the premises where the sign is located. This term also includes those signs commonly known as advertising signs, billboards and poster panels.
- (12) **On-Site Traffic Directional Signs:** Any on-premises sign that includes information assisting in the flow of pedestrian or vehicular traffic such as enter, exit, and one-way.
- (13) **Pennants/Streamers/Portable Signs:** sign, with or without a logo, made of flexible materials suspended from one or two corners, used in combination with other such signs to create the impression of a line.
- (14) **Pole/Pylon Signs:** A freestanding sign that is affixed, attached, or erected on a pole that is not itself an integral part of or attached to a building or structure.
- (15) **Portable Sign:** This term also includes those signs commonly known as sandwich signs. Any sign that is not permanently affixed to a building structure or the ground; a sign designed to be moved from place to place. These signs primarily include, but are not limited to, signs attached to wood or metal frames designed to be self-supporting and movable; paper, cardboard or canvas signs wrapped around supporting poles. Also included are those signs commonly trailer mounted, which are designed to be moved from place to place.
- (16) **Post Signs:** A sign that consists of one or two posts on either side and is used for municipal or commercial purposes.
- (17) **Projecting Sign:** A sign which projects more than twelve inches (12") from the face of any building or wall which supports said sign. Any sign suspended under a marquee and in a place approximately perpendicular to the wall of the building supporting the marquee shall not be deemed to be a "projecting sign".
- (18) **Roof Sign:** A sign erected, constructed or maintained in whole or in part upon or over the roof of a building or structure. Roof signs shall not include those signs maintained upon the lower slope of a mansard roof which do not extend above the uppermost point of the lower slope. Such signs shall be classified as wall signs. **Sandwich Board Sign:** A temporary

or movable sign not secured or attached to the ground or surface upon which it is located and constructed in such a manner as to form an "A" or a tentlike shape with each angular face held at an appropriate distance by a supporting member and which may or may not be hinged at the top.

- (19) Temporary Sign: Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboards, wallboard or other materials, with or without frames, for use for a limited period of time.
- (20) Wall Sign: A sign mounted or attached to and supported by the wall of any part of a building or structure, except the roof, in a plane parallel to that of the supporting wall, consisting of individual or grouped letters and/or symbols. A wall sign may not project more than twelve inches (12") from the plane of the surface to which it is attached.
- (21) Window Sign: Any sign painted on, affixed to or placed against any window or which is placed in a display case for view from the outdoors through a window when such sign is visible from any public right-of-way.
- (22) Yard Signs: A small advertising sign that is placed on a street-facing lawn.
- (H) SITE: A lot or parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation.
- (I) SITE DEVELOPMENT: Altering terrain, vegetation and/or constructing any site improvements.
- (J) SKETCH PLAN: A conceptual drawing indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for review and to meet the requirements and procedures set forth in this Code.
- (K) SMOKE: Small gasborne particles other than water that form a visible plume in the air.
- (L) SOLAR ENERGY COLLECTION SYSTEM, CANOPY: A solar energy collection system consisting of elevated solar panels installed above parking lots, carports and other paved areas.
- (M) SOLAR ENERGY COLLECTION SYSTEM, GROUND: A solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems.
- (N) SOLAR ENERGY COLLECTION SYSTEM, ROOF: A solar energy collection system that is structurally mounted to the roof of a building or other permitted structure, including limited accessory equipment associated with system which may be ground mounted. It is installed parallel to the roof with a few inches gap.
- (O) SOUND LEVEL METER: An instrument standardized by the American Standards Association for measurement of intensity of sound that is calibrated in decibels.
- (P) SPECIAL FLOOD HAZARD AREA: An area having special flood, mudslide, or mud flow, or flood related erosion hazards, and which area is shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, M, or E.
- (Q) SPECIFIED ANATOMICAL AREAS:
  - (1) Less than completely or opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areola; and/or
  - (2) Human male genitals in a discernibly turgid state, even if completely or opaquely covered.
- (R) SPECIFIED SEXUAL ACTIVITIES:
  - (1) Human genitals in a state of sexual stimulation or arousal;
  - (2) Acts or representations of acts of human masturbation, sexual intercourse or sodomy, bestiality, oral copulation, flagellation or erotic or sexual oriented torture, beating or infliction of pain;

- (3) Fondling, kissing or erotic touching of human genitals, pubic region, buttocks or female breasts; and/or
- (4) Excretory functions as part of or in connection with any activity set forth in subsections (a) through (c) of this definition.
- (S) STANDARD SPECIFICATIONS: The Village of Willowbrook Standard Specifications for the Design and Construction of Public Improvements as the same shall be adopted, from time to time, by resolution of the Board of Trustees.
- (T) STORY: That portion of a building included between the floor surface and the surface of the next floor or roof above and having a height of not less than seven feet (7'), except that space used exclusively for the housing of mechanical services for the building and having access limited to maintenance purposes only, shall not be construed as a story. A basement shall be construed as a story if the level of the finished floor is four feet (4') or less from the average outside finished grade adjacent to that floor. A story may have differing or "split" levels, in which case, the floor levels which have the least difference in floor level (5 feet or less) shall be construed as being of the same story. A mezzanine shall be construed as a story if its area exceeds one-third (1/3) of the floor area of the room in which the mezzanine is located.
- (U) STORY, HALF: A space under a sloping roof which has the line of intersection of roof decking and wall not more than three (3) feet above the top floor level, and in which space not more than sixty (60) percent of the floor area is completed for the principal or accessory uses.
- (V) STREET: A permanent public or private right-of-way which affords a primary means of access to abutting property.
- (W) STREET CLASSIFICATIONS:
  - (1) Regional Arterial: A major street or highway providing inter-county or intra-county access, and serving as major high volume thoroughfares. Such streets or highways may generally have full interchanges with expressway systems and have limited or restricted access. Such highways consist of a minimum of four (4) divided lanes, with additional turning movement lanes, and where prior development has occurred, a two (2) lane service road on each side (if necessary). Regional arterials shall include Kingery Highway / Route 83.
  - (2) Major Arterial: A roadway which serves a very high volume of traffic moving between principal traffic generating areas within the community and outside. Average daily traffic volumes may be in excess of ten thousand (10,000) vehicles per day. Major arterials shall include 75<sup>th</sup> Street.
  - (3) Minor Arterial: This type of roadway serves a high volume of traffic moving between principal traffic generating areas within the community and outside. Minor arterial streets generate traffic volumes in a range from five thousand (5,000) to ten thousand (10,000) vehicles per day. Minor arterials shall include 63<sup>rd</sup> Street, Madison Street, and Plainfield Road.
  - (4) Collector Street: Streets which collect and distribute a medium volume of traffic from local to arterial streets and between adjacent residential or business areas. Collector streets generate traffic volumes in a range from one thousand (1,000) to five thousand (5,000) vehicles per day.
  - (5) Local Street: Local streets are streets of limited continuity and are primarily for direct access to residential, commercial, industrial and other abutting property. Local streets generate traffic volumes of less than one thousand (1,000) vehicles per day.
  - (6) Cul-De-Sac: A minor street of short length, having one end open to traffic and being permanently terminated at the other end by a vehicular turnaround.
  - (7) Private Street: An undedicated street which is privately owned and maintained, or an easement of access benefitting a dominant tenement.
- (X) STRUCTURAL ALTERATIONS: Any change, other than incidental repairs, in the supporting members of a building or structure, such as bearing walls, fire walls, foundation walls, footings, foundations, columns, beams or girders, piers, or any substantial change in the roof or exterior walls.



- (Y) STRUCTURE: Anything erected, the use of which requires more or less permanent location on the ground; or attached to something having a permanent location on the ground. An advertising or business sign or other advertising device, if detached or projecting, shall be construed to be a separate structure.
- (Z) SUBDIVIDER: A natural person, firm, association, partnership, corporation, or combination thereof or their agents, who shall seek to subdivide or partition a parcel or tract of land as hereinafter regulated, or who shall seek to develop a heretofore subdivided parcel or tract which has not been improved in accordance with the standards and specifications incorporated herein. In addition, as used herein, a subdivider shall be deemed to include any person or entity who shall seek approval of a planned development to the extent provided in Chapter 8 of this UDO, or who shall seek to construct a heretofore approved planned unit development.
- (AA) SUBDIVISION: The partitioning or dividing of a parcel or tract of land by the subdivider thereof or by his heirs, executors, administrators, legal representatives, successors or assigns, where the act of division creates a subdivision not exempt under the provisions of 765 Illinois Compiled Statutes, except that the exemption provided by 765 Illinois Compiled Statutes 205/1(b)9 shall not be applicable with respect to property subject to the jurisdiction of the Village. In addition, as used herein, a subdivision shall be deemed to include a planned unit development to the extent provided in section 10-1-3 of this Code, or who shall seek to construct a heretofore approved planned unit development.
- (BB) SUBDIVISION ACT: 765 Illinois Compiled Statutes of the "Plat Act", as amended.
- (CC) SWIMMING POOL DECK: A hard surfaced area within three (3) feet of the perimeter of a pool as defined herein.

#### 9-11-18: "T" Definitions

- (A) TOXIC MATTER: A substance (liquid, solid or gaseous) which by reason of an inherent deleterious property tends to destroy life or impair health.
- (B) TRAILER: Any vehicle or similar portable structure originally designed or converted so as to provide living quarters, storage, business activities or sales.

#### 9-11-19: "U" Definitions

- (A) USE: The purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained.
- (B) USE, ACCESSORY: An accessory use is a structure and/or use which:
  - (1) Is subordinate to and serves a principal structure or use.
  - (2) Is subordinate in area, extent, intensity and/or purpose to the principal structure or use served.
  - (3) Contributes to the comfort, convenience or necessity of the occupants of, or the business or industry located in or on the principal structure and/or use served; and
  - (4) Is located on the same zoning lot as the principal structure and/or use served.
- (C) USE, PRINCIPAL: The main use of land or buildings as distinguished from a subordinate or accessory use.

#### 9-11-20: "V" Definitions

- (A) VACANT: Land on which there are no structures or only structures which are secondary to the use or maintenance of the land itself.
- (B) VEGETABLE GARDEN: A public or private facility for the demonstration and observation of the cultivation of vegetables.

- (C) VIDEO GAMING CAFE: An establishment whose primary or major focus is video gaming as authorized by the Video Gaming Act (230 ILCS 40/1 et seq.) and the service of alcohol and food is incidental to the operation of video gaming.
- (D) VILLAGE: The Village of Willowbrook, DuPage County, Illinois.
- (E) VILLAGE ADMINISTRATOR: The Village Administrator of the Village of Willowbrook, DuPage County, Illinois.
- (F) VILLAGE BOARD: The President and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois.
- (G) VILLAGE ENGINEER: The Village Engineer of the Village of Willowbrook, DuPage County, Illinois.

#### 9-11-21: "W" Definitions

- (A) WALL: An artificially constructed barrier made of masonry materials, including but not limited to brick and poured concrete, resting on or partially buried in the ground and rising above ground level, erected for the purpose of providing protection, facilitating abrupt grade transitions, preventing uncontrolled access, or for decorative purposes, or to screen from viewers in or on adjoining properties and streets the property on which the wall is erected. All exterior screening "walls" must bear directly on a footing or foundation wall.
- (B) WAREHOUSE, DISTRIBUTION/STORAGE: Structures, or part thereof, or area used principally for the storage or distribution of goods and merchandise to retailers, nonresidential users, or to other wholesalers. The term "warehouse/distribution" shall not include truck terminals/repair or light manufacturing, as defined herein.
- (C) WATERCOURSE: Any stream, creek, brook, branch, natural or artificial depression, slough, gulch, wetland, reservoir, lake, pond or natural or man-made drainage way in or into which stormwater runoff and flood waters flow either regularly or intermittently.

#### 9-11-22: "Y" Definitions

- (A) YARD: Areas required on any lot or parcel which are unoccupied and unobstructed from their lowest level upward, except for permitted obstructions as otherwise provided for in this Code, and which extend along a lot line and at right angles thereto to a depth or width as specified by the bulk regulations for the district in which the lot or parcel is located.
- (B) YARD, EXTERIOR SIDE (STREET): A required yard adjoining a street which extends the full depth of a lot, along an exterior side lot line, excluding the area within a front yard.
- (C) YARD, FRONT: A required yard which extends the full width of a lot along a front lot line.
- (D) YARD, INTERIOR SIDE: A required yard adjoining another lot which extends the full depth of a lot along an interior side lot line, excluding the area within a front yard.
- (E) YARD, REAR: A required yard which extends the full width of a lot along a rear lot line, excluding the area within interior and exterior side yards.
- (F) YARD, TRANSITION: A required yard which is specifically required by the provisions of this title to be provided on certain zoning lots in business, office or manufacturing districts by reason of the fact that such lots are abutting or adjacent to residential districts.

#### 9-11-23: "Z" Definitions

- (A) ZONING DISTRICT MAP: The official zoning map of the Village adopted from time to time pursuant to such applicable statutes as made and provided.

