

COMMUNITY DEVELOPMENT COMMISSION

Village of Bensenville

VILLAGE HALL

January 30, 2018 6:30 PM

I. Call Meeting to Order

II. Roll Call and Quorum

III. Pledge of Allegiance

IV. Public Comment

V. Approval of Minutes

December 5, 2017 Community Development Commission Meeting Minutes

VI. Action Items:

1. Review Zoning Ordinance Module Two

VII. Report from Community and Economic Development

VIII. Adjournment

Any individual with a disability requiring a reasonable accommodation in order to participate in a Community Development Commission Meeting should contact the Village Clerk, Village of Bensenville, 12 S. Center Street, Bensenville, Illinois, 60106 (630-350-3404)

TYPE:Minutes**SUBMITTED BY:**Corey Williamsen**DEPARTMENT:**Village Clerk's Office**DATE:**January 30, 2018**DESCRIPTION:**December 5, 2017 Community Development Commission Meeting Minutes

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

REQUEST:**SUMMARY:****RECOMMENDATION:****ATTACHMENTS:**

Description

DRAFT_171205_CDC

Upload Date

1/10/2018

Type

Cover Memo

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

December 5, 2017

CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Ciula, Czarnecki, Moruzzi, Marcotte, King
Absent: Rodriguez
A quorum was present.

STAFF PRESENT: K. Pozsgay, S. Viger, C. Williamsen,

JOURNAL OF PROCEEDINGS: The minutes of the Community Development Commission Meeting of November 7, 2017 were presented.

Motion: Commissioner Marcotte made a motion to approve the minutes as presented. Commissioner King seconded the motion.
All were in favor. Motion carried.

PUBLIC COMMENT: There was no Public Comment

Public Hearing: CDC Case Number 2017-29
Petitioner: ARCO/Murray
Location: 220 N. York Road
Request: Rezoning from C – 4 Regional PUD Commercial District to I – 2 Light Industrial District, Municipal Code Sections 10 – 7D and 10 – 9B; and Variance, Truck Loading Dock Width, Municipal Code Section 10 – 11 – 12D – 1a; and Preliminary & Final Plat of Consolidation; and Site Plan Review.

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2017-29. Commissioner Moruzzi seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Ciula, Czarnecki, Moruzzi, Marcotte, King
Absent: Rodriguez
A quorum was present.

Chairman Rowe opened the Public Hearing at 6:32 p.m.

Chairman Rowe swore in Director of Community Development, Scott Viger and Village Planner, Kurtis Pozsgay.

Village Planner, Kurtis Pozsgay, was present and previously sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on November 16, 2017. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on November 16, 2017. Mr. Pozsgay stated on November 16, 2017 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours. Mr. Pozsgay stated the applicant ARCO/Murray, an architecture firm representing Distribution Realty Group (DRG), is seeking to rezone these properties, consolidate into one parcel, and construct an 188,945 SF industrial building, which will require a variance to loading dock width. DRG recently put the properties under contract including several properties owned by the Village along Brookwood and Pleasant Streets, just west of York Road. Mr. Pozsgay stated along with Village right of way, they intend to clear the site and erect a new industrial building.

Mr. Andrew Glover of ARCO/Murray and Mr. Jeff Jacob of Jacob & Hefner were present and sworn in by Chairman Rowe. Mr. Glover provided a brief overview of the plan and stated this was a simple project that has been completed in Bensenville before.

Commissioner Ciula asked for clarification for entering and exiting the proposed site. Mr. Glover stated the property would be accessed via a right in / right out only. Mr. Jacob stated the median in the middle of York Road prevents them from otherwise.

Public Comment:

Edwin Chavez – 14 Brookwood Street, Bensenville, Illinois

Mr. Chavez was present and sworn in by Chairman Rowe. Mr. Chavez asked when the project would be completed. Mr. Glover stated the plan is to break ground in Spring 2018 and that the project should take between 9-10 months to complete.

Mr. Pozsgay reviewed the approval criteria for rezoning consisting of:

1. Support for Classification

a. Compatible with Use or Zoning

The uses permitted under the proposed district are compatible with existing uses or existing Zoning of property in the environs.

b. Supported by the Trend of Development

The trend of development in the general area since the original zoning was established supports the proposed classification.

c. Consistent with Village Plans

The proposed classification is in harmony with objectives of the General Development Plan and other applicable Village plans as reviewed in light of any changed conditions since their adoption.

Response: The sites immediately to the north of the proposed development are zoned I-2, the same as the proposed classification of this site. The rezoning of this site would result in contiguous I-2 zoning through this site.

2. Furthers the Public Interest

The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant.

Response: The proposed zoning promotes public interest. The current state of the site is a conglomerate of run-down residential and commercial properties. The proposed development will have an aesthetically pleasing façade facing York Road to the east.

3. Public Services Available

Adequate public services – such as water supply, sewage disposal, fire protection, and street capacity are anticipated to be available to support the proposed classification by anticipated date of issuance of a Certificate of Occupancy.

Response: Per conversations with Village Engineering and Public Works, there are adequate utilities (sewer/water) available on the west side of York Road.

Mr. Pozsgay reviewed the approval criteria for the requested variances consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.

Response: Two (2) similar industrial buildings have recently been developed in Bensenville that were granted variances on the loading dock stall width. One building is the Geib Industries building at 901 E Jefferson Street, and the other is the Liberty building currently being developed at 350 N York Road. Both of these buildings are conventional warehouse/distribution centers, similar to our proposed building, with 12' wide truck dock stall widths.

2. **Hardship or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

Response: A 14' wide truck loading stall is not practical for a couple of different reasons. First, the maximum width of a precast panel is 12'. If a panel is over 12' wide, the truck transporting that panel must apply for and receive special road permits to transport the panel to the site. If the loading stall width were to be 14', our precast panels along the dock side of the building would have to be 14' wide, and thus cause issues with permitting the panel transportation. Second, the Chicagoland industry standard truck stall width is 12'. This allows for the maximization of the number of dock positions that will fit along the length of the building, and provides the most flexibility for the tenant's dock position needs.

3. **Circumstances Relate to Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

Response: This variance relates directly to the dimensions of the truck stall width on the building.

4. **Not Resulting from Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

Response: The applicant has not yet taken any action as it relates to the matter at hand. Construction of the facility has not begun.

5. **Preserve Rights Conferred by District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

Response: As stated above, the (2) other industrial developments above have 12' wide truck stalls. As such, the granting of this variance will not result in this property having a special privilege.

6. **Necessary for Use of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

Response: This variance is necessary because an industrial building containing truck dock stalls that are 14' wide is not marketable. All industrial facilities in the Chicagoland area have truck stall widths of 12'.

7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

Response: This variance has no impact on environmental quality, property values, public safety, or public welfare.

8. **Consistent with Title and Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

Response: Granting this variance will not disrupt the intent of the Village Ordinance in any way, as no other section of the code relates to the truck stall width.

9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

Response: Since a 12' wide truck stall is industry standard, it is the minimum required variance in order to provide this property with relief from undue hardship and/or practical difficulties.

Mr. Pozsgay stated Staff recommends the approval of the findings of fact as they appear above and therefor recommend approval of the requests with the following conditions:

1. The site plan, floor plan and elevations be in substantial compliance of the plans dated 10.30.17 by GMA Architects; and
2. Final detention calculations shall be prepared as required by the DuPage County Stormwater and Floodplain Ordinance (DCSFO effective April 2013) and submitted to the Village for approval; and
3. Applicant to install a 10-foot wide ADA complaint HMA bike path along the York Rd frontage of this site as part of this development; and
4. Applicant to work with staff on the design of the York Road façade; and
5. The final signage plan shall be subject to staff review upon final permitting; and
6. The final landscape plan shall be subject to staff review upon final permitting.

There were no questions from the Commissioners.

Motion: Commissioner Moruzzi made a motion to close CDC Case No. 2017-29. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, Czarnecki, Moruzzi, Marcotte, King

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed the Public Hearing at 6:46 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact for CDC Case no. 2017-29 as presented by Staff and to approve the Rezoning from C – 4 Regional PUD Commercial District to I – 2 Light Industrial District, Municipal Code Sections 10 – 7D and 10 – 9B with Staff’s recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, Czarnecki, Moruzzi, Marcotte, King

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact for CDC Case no. 2017-29 as presented by Staff and to approve the Variance, Truck Loading Dock Width, Municipal Code Section 10 – 11 – 12D – 1a with Staff's recommendations. Commissioner Moruzzi seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, Czarnecki, Moruzzi, Marcotte, King

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact for CDC Case no. 2017-29 as presented by Staff and to approve the Preliminary & Final Plat of Consolidation with Staff's recommendations. Commissioner King seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, Czarnecki, Moruzzi, Marcotte, King

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact for CDC Case no. 2017-29 as presented by Staff and to approve the Site Plan Review with Staff's recommendations. Commissioner Moruzzi seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, Czarnecki, Moruzzi, Marcotte, King

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2017-30
Petitioner: Conexion Latina BV Corp
Location: 229 West Grand Avenue, Suite E
Request: Conditional Use Permit, Currency Exchange, Municipal Code Section 10 – 7B – 3

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2017-30. Commissioner Moruzzi seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Ciula, Czarnecki Moruzzi, Marcotte, King
Absent: Rodriguez
A quorum was present.

Chairman Rowe opened the Public Hearing at 6:49 p.m.

Village Planner, Kurtis Pozsgay, was present and previously sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on November 16, 2017. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on November 16, 2017. Mr. Pozsgay stated on November 16, 2017 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours. Mr. Pozsgay stated the Petitioner is seeking a Conditional Use Permit to include Currency Exchange services (money transfers/international remittance) at his exiting business in Plaza de Campana. Mr. Pozsgay stated the current business is a Boost Mobile store. Mr. Pozsgay stated the ordinance states that there cannot be any other currency exchange within 1,000 feet. Mr. Pozsgay stated the closest currency exchange is Illinois Currency Exchange at 101 W Grand Avenue just west of York Road, which is greater than 1,000 feet away. Mr. Pozsgay stated there were two previous Conditional Use Permits approved for currency exchanges at this plaza, neither of which still exist. Mr. Pozsgay stated the most recent, Enbioexpress Illinois was recently approved for their new location at 469 W Irving Park Road.

Mr. Eliseo Chavez, owner of Conexion Latina BV Corp was present and previously sworn in by Chairman Rowe. Mr. Chavez stated he was looking to fill service that left the plaza for a new location.

Commissioner Marcotte asked what kind of services were offered in the currant space. Mr. Chavez stated they operate as a Boost Mobile store.

Public Comment:

Chairman Rowe asked if there was any member of the Public that would like to speak on behalf of the case. There were none.

Mr. Pozsgay reviewed the approval criteria for the proposed request consisting of:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.

Applicant's Response: There will be no adverse impact on traffic. There are already several retail spaces and there was a prior business doing this but have moved out of plaza.

2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district.

Applicant's Response: There will not be any environmental nuisance that is different or more than any other tenant in shopping center nor surrounding area.

3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Applicant's Response: The proposed use will fit harmoniously with the existing character of the shopping center and contribute to all business in area.

4. **Use of Public Services and Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed use will not put a strain or disproportionate strain on public services beyond what is normally provided.

5. Public Necessity: The proposed use at the particular location requested is necessary to provide a service or a facility, which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Applicant's Response: The people in the Village of Bensenville need this type of services, they were already provided by a prior business that relocated.

6. Other Factors: The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Applicant's Response: We are already invested in two business in Bensenville, both location would make any city proud as far as look, ambient and service. We will remodel this space into a worth business for the people of Bensenville.

Mr. Pozsgay stated Staff recommends the approval of the findings of fact as they appear above and therefor recommend approval of the request with the following condition:

1. The Conditional Use Permit be granted solely to the Conexion Latina BV Corp and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.

There were no questions from the Commissioners.

Motion: Commissioner Moruzzi made a motion to close CDC Case No. 2017-30. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, Czarnecki, Moruzzi, Marcotte, King

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed the Public Hearing at 6:56 p.m.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact for CDC Case no. 2017-30 as presented by Staff and to approve the Conditional Use Permit request for a currency exchange with Staff's recommendations. Commissioner King seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, Czarnecki, Moruzzi, Marcotte, King

Nays: None

All were in favor. Motion carried.

Report from Community

Development: Mr. Pozsgay reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner King seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 7:03 p.m.

TYPE:Presentation**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**01.30.18**DESCRIPTION:**Review Zoning Ordinance Module Two**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

<input checked="" type="checkbox"/>	Financially Sound Village
<input checked="" type="checkbox"/>	Quality Customer Oriented Services
<input checked="" type="checkbox"/>	Safe and Beautiful Village

<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Vibrant Major Corridors

REQUEST:

N/A

SUMMARY:

Review Module Two of the Village of Bensenville Zoning Code rewrite as part of a Local Technical Assistance grant from Chicago Metropolitan Agency for Planning (CMAP).

RECOMMENDATION:

N/A

ATTACHMENTS:

Description

Upload Date

Type

Module 2**1/22/2018****Backup Material**

**Steering Committee
Review Draft**

Title 10: Zoning Regulations

Village of Bensenville

Part 2 of 3: January 22, 2018

**Steering Committee
Review Draft**

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To Do List for Bensenville Village Staff

- Repeal Appearance Code
- Move duties of Community Development Commission (§ 10-3-1.A) to Title 2 (Boards and Commission) of the Municipal Code.
- Move §10-3A-5.A.2.a regarding “neighborhood and village-wide organizations that have filed with the director of community development” to the application form, rather than including it in the Ordinance.
- Move standards regarding Building Permit and Certificate of Occupancy (§ 10-3-2 (Permits and Certificates)) to Chapter 2: Building Code.
- Compare regulations for Chicken Coops in the proposed Ordinance (§ 10-7-4.C.2) versus the Hen Ordinance in the existing Municipal Code (§ 4-6-17) re differences in text and licensing information.

CHAPTER 6: ZONING DISTRICT REGULATIONS

- § 10-6-1 Purpose
- § 10-6-2 Applicability
- § 10-6-3 Development Standards of General Applicability
- § 10-6-4 Zoning Map
- § 10-6-5 Annexed Land
- § 10-6-6 Use of Land and Buildings
- § 10-6-7 Zoning District Purpose Statements
- § 10-6-8 Summary Table of Zoning Requirements
- § 10-6-9 Design Requirements for Residential Zoning Districts
- § 10-6-10 R-1 Single-Unit Dwelling District
- § 10-6-11 R-2 Single-Unit Dwelling District
- § 10-6-12 R-3 Single-Unit Dwelling District
- § 10-6-13 R-4 Single-Unit Dwelling District
- § 10-6-14 R-5 Multiple-Unit Dwelling District
- § 10-6-15 R-6 Multiple-Unit Dwelling District
- § 10-6-16 Design Requirements for Commercial Zoning Districts
- § 10-6-17 C-1 Commercial District
- § 10-6-18 C-2 Downtown Mixed-Use District
- § 10-6-19 Design Requirements for Industrial Zoning Districts
- § 10-6-20 I-1 Light Industrial District
- § 10-6-21 I-2 General Industrial District
- § 10-6-22 Principal Structure Encroachments

§ 10-6-1 Purpose

The purpose of this Chapter is to establish the development standards for a principal building or structure on a zoning lot within each zoning district.

§ 10-6-2 Applicability

The provisions of this Chapter apply to all new construction and significant exterior renovation of existing structures. The provisions of this Chapter are subject to the maximum height requirements of applicable federal, state, and local regulations for runway protection zones and airspace clearances for O'Hare International Airport. Refer to [Chapter 5 \(Nonconformities\)](#) for information on the continuation of nonconforming structures.

§ 10-6-3 Development Standards of General Applicability

The following sections provide development requirements that must be met in addition to the development requirements established in this Chapter.

- A. Site Plan Review. See [§ 10-3-2 \(Site Plan Review\)](#) for applicable site plan review requirements.
- B. Uses. See [Chapter 7 \(Uses\)](#) for principal, accessory, and temporary use requirements. See [Chapter 7 \(Uses\)](#) for accessory and temporary structure requirements.
- C. Parking and Loading. See [Chapter 8 \(Off-Street Parking and Loading\)](#) for off-street parking, loading, and access requirements.

- D. Landscaping and Buffering. See **Chapter 9 (Landscape Standards)** for landscaping, buffering, and screening requirements.
- E. Signs. See **Chapter 10 (Signs)** for signage requirements.
- F. Building Regulations. Refer to **Title 9 (Building Regulations)** of the Bensenville Village Code for additional development requirements outside the purview of this Ordinance.

§ 10-6-4 Zoning Map

Steering Committee Informational Note: The regulations in the proposed Ordinance do not include the standards of § 10-4-3.B (Single District Classifications) and § 10-4-3.C (Lots Split by District Lines). These regulations are unnecessary because this Ordinance update process will take a comprehensive look at the boundaries of the Village's zoning map.

- A. Establishment of Zoning Map. The location and boundaries of the districts established in this Chapter are hereby established on the map designated as the Zoning Map of the Village of Bensenville and referred to herein as "Zoning Map." The Zoning Map is adopted by reference and declared to be part of this Ordinance.
- B. Map for Reference. The Zoning Map shall be kept for reference on the Village's public website and in the offices of both the Village Clerk and the Zoning Administrator.
- C. Zoning Map Amendments. All amendments to this Ordinance (see **§ 10-3-6 (Zoning Text or Map Amendment)**) that involve a change to the designation of a lot within a zoning district shall be recorded on the Village's official Zoning Map.
- D. Interpretation of Boundary Lines. The boundaries of all zoning districts shown on the Zoning Map shall be determined in accordance with the following:
 - 1. Right-of-Way Lines. Where zoning district boundary lines coincide with streets, alleys, railroads, easements, or similar rights-of-way, the centerline of the right-of-way shall be considered the boundary line of the district.
 - 2. Lot Lines. Where zoning district boundary lines coincide with a lot line, the lot line shall be considered the boundary line of the district.

§ 10-6-5 Annexed Land

Any property annexed to the Village shall be classified R-1 Single-Unit Dwelling District upon annexation and shall be subject to the requirements of the R-1 District until the property is rezoned, unless designated otherwise as part of an annexation agreement.

§ 10-6-6 Use of Land and Buildings

- A. Number of Buildings on a Lot. No more than one principal building may be located on a lot used for a single-unit or two-unit dwelling. An accessory dwelling unit is not considered a principal building for purposes of this regulation. For other uses, more than one principal building may be located on a lot provided that each building complies with the applicable requirements of this Chapter as though it were an individual principal building on a lot.

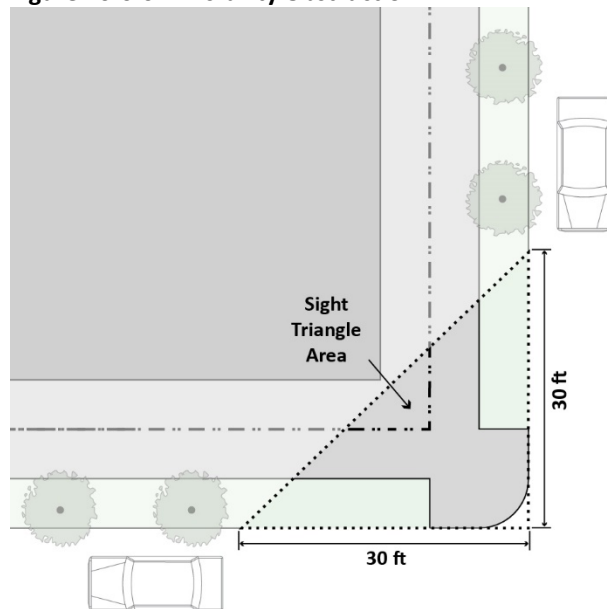
B. Applicability of Regulations.

1. Applicability of Use Regulations. No building, structure, or land shall be used for any use other than a use allowed as either a permitted or special use in the zoning district in which such building, structure, or land is located. Buildings, structures, or land may also be used for an accessory use or a temporary use in accordance with the requirements of § 10-7-4 (Accessory Structures and Uses) and § 10-7-5 (Temporary Structures and Uses).
2. Applicability of Lot and Setback Regulations. No lot or setback shall be reduced in dimension or area below the minimum requirements of this Ordinance. Lots or setbacks created after the effective date of this Ordinance shall meet the minimum requirements for the zoning district in which the structure is located. All setbacks allocated to a building shall be located on the same zoning lot as such building.
3. Applicability of Bulk and Height Regulations. All buildings and structures erected after the effective date of this Ordinance shall meet the bulk and height requirements for the zoning district in which the structure is located. No existing structure shall be enlarged, altered, reconstructed, or relocated in such a manner that conflicts with the requirements of the zoning district in which the structure is located.

- C. Visibility Obstruction. Nothing shall be erected, placed, or allowed to grow in a manner that will create a visibility obstruction for motorists, bicyclists, or pedestrians. No building, structure, sign, or landscape element shall obstruct the area between 2.5 feet and eight feet in height within the sight triangle area. The sight triangle area is measured along 30 feet of curb line, or edge of pavement where no curbs are present, from the point where two or more streets intersect or where a street intersects railroad tracks (see Figure 10-6-6-1 Visibility Obstruction).

Steering Committee Informational Note: This regulation is a streamlined version of § 10-14-10 from the existing Ordinance without the detail on level of opacity.

Figure 10-6-6-1 Visibility Obstruction



§ 10-6-7 Zoning District Purpose Statements

Steering Committee Informational Item: Overall, these purpose statements focus on density like those in the existing Ordinance, but there is not the same level of focus on dwelling units per acre.

In order to carry out the purpose and intent of this Ordinance, the Village is hereby divided into zoning districts with the following purpose statements.

Zoning Districts Equivalency Table: For Reference

Steering Committee Informational Item: This table is included for your reference as part of your review of this Chapter. This table will not be included in the final draft of the Ordinance.

Proposed Zoning District	Existing Zoning District
R-1 Single-Unit Residential District	RS-1 Low Density Single-Family District RS-2 Medium Low Density Single-Family District (portion) RS-3 Medium Density Single-Family District (portion)
R-2 Single-Unit Residential District	RS-2 Medium Low Density Single-Family District (portion) RS-3 Medium Density Single-Family District (portion) RS-4 Medium High Density Single-Family District
R-3 Single-Unit Residential District	RS-5 High Density Single-Family District
R-4 Single-Unit Residential District	RS-6 High Density Traditional Single-Family District
R-5 Multiple-Unit Residential District	Townhouse and low density multiple-family development areas located within the following districts: RA-1 Mixed Single-Family District RM-1 Low Density Multi-Family District RM-2 Medium Density Multi-Family District
R-6 Multiple-Unit Residential District	High density multiple-family development areas located within the following districts: RA-1 Mixed Single-Family District RM-1 Low Density Multi-Family District RM-2 Medium Density Multi-Family District RM-3 High Density Multi-Family District
C-1 Arterial Commercial District	C-2 Highway Commercial District O-1 Neighborhood Office District
C-2 Downtown Mixed-Use District	C-3 Downtown Mixed-Use District
I-1 Light Industrial District	I-1 Office/Research/Assembly Industrial District
I-2 General Industrial District	C-4 Regional Destination PUD Commercial District I-2 Light Industrial District I-3 Heavy Industrial District I-4 General Industrial District O-2 Office Center District
Remove: C-1 Neighborhood Commercial District (not mapped)	

A. Residential Districts.

1. R-1 Single-Unit Dwelling District. The R-1 Single-Unit Dwelling District is established to accommodate low-density single-unit dwelling development in a manner consistent with existing single-unit dwelling neighborhoods in the Village. The R-1 District allows single-dwelling units and limited non-residential uses that are compatible with surrounding residential neighborhoods.

2. R-2 Single-Unit Dwelling District. The R-2 Single-Unit Dwelling District is established to accommodate moderate density single-unit dwelling development in a manner consistent with existing single-unit dwelling neighborhoods in the Village. The R-2 District allows single-dwelling units and limited non-residential uses that are compatible with surrounding residential neighborhoods.
 3. R-3 Single-Unit Dwelling District. The R-3 Single-Unit Dwelling District is established to accommodate moderate density single-unit dwelling development in a manner consistent with existing single-unit dwelling neighborhoods in the Village. The R-3 District allows single-dwelling units and limited non-residential uses that are compatible with surrounding residential neighborhoods.
 4. R-4 Single-Unit Dwelling District. The R-4 Single-Unit Dwelling District is established to accommodate high density single-unit dwelling development in a manner consistent with the character of traditional neighborhood design. The R-4 District allows single-dwelling units and limited non-residential uses that are compatible with surrounding residential neighborhoods.
 5. R-5 Multiple-Unit Dwelling District. The R-5 Multiple-Unit Dwelling District is established to accommodate townhouse dwelling units and small-scale multiple-unit dwelling development in a manner consistent with existing townhouse dwelling unit and multiple-unit dwelling neighborhoods in the Village. The R-5 District allows townhouse dwelling units and multiple-unit dwellings and limited non-residential uses that are compatible with surrounding residential neighborhoods.
 6. R-6 Multiple-Unit Dwelling District. The R-6 Multiple-Unit Dwelling District is established to accommodate large-scale multiple-unit dwelling development in a manner consistent with existing multiple-unit dwelling neighborhoods in the Village. The R-6 District allows multiple-unit dwellings and limited non-residential uses that are compatible with surrounding residential neighborhoods.
- B. Business Districts.
1. C-1 Commercial District. The C-1 Commercial Districts is established to accommodate auto-oriented commercial development that serves the Village and surrounding communities. The C-1 District allows a wide range of commercial and institutional uses primarily along major arterials, such as Irving Park Road, Green Street, and Grand Avenue.
 2. C-2 Downtown Mixed-Use District. The C-2 Downtown Mixed-Use District is established to accommodate pedestrian-oriented commercial and high density residential development that serves the Village and surrounding communities. The C-2 District allows a wide range of commercial, residential, and institutional uses within Downtown Bensenville.
- C. Industrial Districts.
1. I-1 Light Industrial District. The I-1 Light Industrial District is established to accommodate low intensity industrial development with minimal impacts on neighboring properties. The I-1 District allows a narrowly defined set of light industrial, office, and research uses in transition areas between residential neighborhoods and high intensity industrial areas.
 2. I-2 General Industrial District. The I-2 General Industrial District is established to accommodate high intensity industrial development with the potential for impacts on neighboring properties. The I-2 District allows a wide array of light, medium, and heavy industrial uses primarily north of Eagle Drive and around the eastern portion of Green Street.

§ 10-6-8 Summary Table of Zoning Requirements

Table 10-6-8-1 Summary Table of Zoning District Requirements provides a summary of the bulk and setback requirements for each zoning district established in this Chapter.

Table 10-6-8-1 Summary Table of Zoning District Requirements

	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2
Bulk Requirements										
Minimum Lot Area	16,000 sf	7,500 sf	6,000 sf	4,400 sf	7,500 sf	10,000 sf	N/A	N/A	10,000 sf	20,000 sf
Minimum Lot Width	100 ft	60 ft	50 ft	45 ft	50 ft	60 ft	50 ft	25 ft	50 ft	100 ft
Maximum Principal Building Height	32 ft	32 ft	32 ft	32 ft	40 ft	80 ft	50 ft	100 ft	32 ft	50 ft
Maximum Impervious Coverage	50%	50%	50%	65%	65%	65%	90%	N/A	90%	90%
Setback Requirements										
Minimum Front Setback	30 ft	30 ft	30 ft	N/A	30 ft	30 ft	N/A	N/A	20 ft	25 ft
Maximum Front Setback	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0 ft	N/A	N/A
Front Build-To Line	N/A	N/A	N/A	10 ft	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Corner Side Setback	15 ft	10 ft	10 ft	N/A	15 ft	15 ft	N/A	N/A	10 ft	15 ft
Maximum Corner Side Setback	N/A	N/A	N/A	5 ft	N/A	N/A	N/A	0 ft	N/A	N/A
Minimum Interior Side Setback	10 ft	6 ft	6 ft	5 ft	10 ft	10 ft	N/A	N/A	10 ft	15 ft
Minimum Rear Setback	40 ft	25 ft	25 ft	33 ft	25 ft	25 ft	N/A	N/A	20 ft	20 ft
Minimum Setback Adjacent to a Residential District	N/A	N/A	N/A	N/A	N/A	N/A	25 ft	25 ft	30 ft	40 ft

Steering Committee Informational Items re Table 10-6-8-1 Summary Table of Zoning District Requirements

Overall: As discussed in the Recommendations Memo, bulk is no longer regulated using floor area ratios or lot area per dwelling unit.

Maximum Principal Building Height: The existing Ordinance includes two maximum principal building height restriction for the RM-1, RM-2, RM-3, C-1, C-2, O-1, O-2, I-1, I-2, I-3, and I-4:

- 1) Within 200 ft of the R or RS District, a building shall not exceed 32 ft;
- 2) Yards shall increase 1 ft for each 1 ft of building height over 32 ft.

We have not included these requirements in the proposed Ordinance. The revised district structure groups similar types of development together which will likely make this requirement less essential.

Maximum Impervious Coverage: The proposed Ordinance uses “maximum impervious coverage” as opposed to “maximum lot coverage.” The difference between the terms is subtle, but focuses on whether or not the structures on a lot allow water to pass through them into the ground. For example, in the existing Ordinance, a swimming pool is not counted as part of lot coverage even though it is not permeable for most of the year.

Minimum Corner Side Setback: We assume that the Village does not want to retain the exceptions for corner side yards and interior side yards that are currently used for the RS-1, RS-2, RS-3, RS-4, RS-5, and RA-1 Districts. The corner side yard exception seems punitive. The interior side yard exception is odd too; stating “10 ft or 10%, whichever is greater,” is far more common than stating whichever is less.

§ 10-6-9 Design Requirements for Residential Zoning Districts

- A. Applicability. The design requirements in this section apply to all new construction and additions to single-unit dwellings, two-unit dwellings, townhouse dwelling units, and multiple-unit dwellings within the Village's residential zoning districts. Refer to [Figure 10-6-9-1 Single-Unit Dwelling and Two-Unit Dwelling Design Requirements](#) and [Figure 10-6-9-2 Multiple-Unit Dwelling and Townhouse Dwelling Unit Design Requirements](#).
- B. Design Requirements for Single-Unit Dwellings and Two-Unit Dwellings.
1. Façade Articulation. To avoid the appearance of blank walls on single-unit and two-unit dwellings, facades facing the front yard and corner side yard must include articulation of the façade, such as entrances, bay windows, porches, or other architectural features.
 2. Façade Transparency. Windows are required on facades facing the front yard, corner side yard, and interior side yard. Transparency of 15% is required on facades facing the front yard and corner side yard. Transparency of 10% is required on facades facing the interior side yard.
 3. Building Orientation for Corner Lots and Reverse Corner Lots. Single-unit and two-unit dwellings located on corner lots and reverse corner lots shall have a relationship with the primary and secondary street to maintain the existing street wall to the greatest extent possible.
 4. Additions. Additions to single-unit and two-unit dwellings shall maintain the architectural style, scale, and building mass of the existing structure. The exterior building materials, colors, trim, and other architectural details of the addition must complement the existing structure. All additions must meet the requirements of [§ 10-6-10.B \(Design Requirements of Single-Unit Dwellings and Two-Unit Dwellings\)](#).
- C. Design Requirements for Multiple-Unit Dwellings and Townhouse Dwelling Units.
1. Façade Articulation. To avoid the appearance of blank walls on multiple-unit and townhouse dwelling units, facades facing the front yard and corner side yard must include articulation of the façade, such as entrances, bay windows, porches, or other architectural features.
 2. Façade Transparency. Transparency is required on facades facing the front yard, corner side yard, and interior side yard. Transparency of 15% is required on facades facing the front yard and corner side yard. Transparency of 10% is required on facades facing the interior side yard.
 3. Unified Design. The façades of multiple-unit and townhouse dwelling units shall utilize common architectural forms, elements, materials, and colors that wrap around all façades of the building to provide a unified architectural design when the development is viewed from all directions.
 4. Building Separation. In developments with more than one building, there must be a minimum separation of 40 feet between two front facades, two rear facades, a front and rear façade, a front and side façade, or a rear and side façade. There must be a minimum separation of 10 feet between two side facades. Driveways and parking areas may be located within this minimum building separation area.
 5. Doors, Windows, and Balconies. Doors and windows must have frames with raised elements, such as jambs, entablatures, thresholds, and casings, to create articulation. Windows must be set back into or projected out from the façade to provide façade depth and shadow. Bay windows and balconies are encouraged to provide dimensional elements on a façade.
 6. Roofs. Roof forms must be articulated so that varied planes and massing within the overall roof are provided. Large, monotonous, simple pitched roofs, without breaks in the expanse of the roof, are prohibited. For flat roofs, the use of cornices and/or parapets is required to break up the roofline.

Figure 10-6-9-1 Single-Unit Dwelling and Two-Unit Dwelling Design Requirements

Figure 10-6-9-2 Multiple-Unit Dwelling and Townhouse Dwelling Unit Design Requirements

§ 10-6-10 R-1 Single-Unit Dwelling District

Table 10-6-10-1 R-1 District Requirements, Figure 10-6-10-1 R-1 District Requirements: Plan View, and Figure 10-6-10-2 R-1 District Requirements: 3-D View establish bulk and setback regulations for the R-1 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-10-1 R-1 District Requirements

Bulk Requirements		
	Minimum Lot Area	16,000 sf
A	Minimum Lot Width	100 ft
B	Maximum Principal Building Height	32 ft
	Maximum Impervious Coverage	50%
Setback Requirements		
C	Minimum Front Setback	30 ft
D	Minimum Corner Side Setback	15 ft
E	Minimum Interior Side Setback	10 ft
F	Minimum Rear Setback	40 ft

Figure 10-6-10-1 R-1 District Requirements: Plan View

Figure 10-6-10-2 R-1 District Requirements: 3-D View

§ 10-6-11 R-2 Single-Unit Dwelling District

Table 10-6-11-1 R-2 District Requirements, Figure 10-6-11-1 R-2 District Requirements: Plan View, and Figure 10-6-11-2 R-2 District Requirements: 3-D View establish bulk and setback regulations for the R-2 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-11-1 R-2 District Requirements

Bulk Requirements		
	Minimum Lot Area	7,500 sf
A	Minimum Lot Width	60 ft
B	Maximum Principal Building Height	32 ft
	Maximum Impervious Coverage	50%
Setback Requirements		
C	Minimum Front Setback	30 ft
D	Minimum Corner Side Setback	10 ft
E	Minimum Interior Side Setback	6 ft
F	Minimum Rear Setback	25 ft

Figure 10-6-11-1 R-2 District Requirements: Plan View

Figure 10-6-11-2 R-2 District Requirements: 3-D View

§ 10-6-12 R-3 Single-Unit Dwelling District

Table 10-6-12-1 R-3 District Requirements, Figure 10-6-12-1 R-3 District Requirements: Plan View, and Figure 10-6-12-2 R-3 District Requirements: 3-D View establish bulk and setback regulations for the R-3 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-12-1 R-3 District Requirements

Bulk Requirements		
	Minimum Lot Area	6,000 sf
A	Minimum Lot Width	50 ft
B	Maximum Principal Building Height	32 ft
	Maximum Impervious Coverage	50%
Setback Requirements		
C	Minimum Front Setback	30 ft
D	Minimum Corner Side Setback	10 ft
E	Minimum Interior Side Setback	6 ft
F	Minimum Rear Setback	25 ft

Figure 10-6-12-1 R-3 District Requirements: Plan View

Figure 10-6-12-2 R-3 District Requirements: 3-D View

§ 10-6-13 R-4 Single-Unit Dwelling District

Table 10-6-13-1 R-4 District Requirements, Figure 10-6-13-1 R-4 District Requirements: Plan View, and Figure 10-6-13-2 R-4 District Requirements: 3-D View establish bulk and setback regulations for the R-4 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-13-1 R-4 District Requirements

Bulk Requirements		
	Minimum Lot Area	4,400 sf
A	Minimum Lot Width	45 ft
B	Maximum Principal Building Height	32 ft
	Maximum Impervious Coverage	65%
Setback Requirements		
C	Front Build-To Line	10 ft
D	Maximum Corner Side Setback	5 ft
E	Minimum Interior Side Setback	5 ft
F	Minimum Rear Setback	33 ft

Figure 10-6-13-1 R-4 District Requirements: Plan View

Figure 10-6-13-2 R-4 District Requirements: 3-D View

Steering Committee Informational Item: The bulk requirements from § 10-5F-4 (Lot Area Requirements) for the existing RS-6 District are substantially different than those outlined in the Appearance Code (Site Planning Standards, p 44 of PDF).

In this table, lot area and lot width were generated by CMAP's GIS analysis of existing conditions within the district. Minimum lot area for the RS-6 in the existing Ordinance is 3,600 sf and minimum lot width is 30 ft. The source of the standards for impervious coverage and the various building setbacks were the Site Planning Standards from the Appearance Code. We will confirm these requirements in the field.

§ 10-6-14 R-5 Multiple-Unit Dwelling District

Table 10-6-14-1 R-5 District Requirements, Figure 10-6-14-1 R-5 District Requirements: Plan View, and Figure 10-6-14-2 R-5 District Requirements: 3-D View establish bulk and setback regulations for the R-5 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-14-1 R-5 District Requirements

Bulk Requirements		
	Minimum Lot Area	7,500 sf
A	Minimum Lot Width	50 ft
B	Maximum Principal Building Height	40 ft
	Maximum Impervious Coverage	65%
Setback Requirements		
C	Minimum Front Setback	30 ft
D	Minimum Corner Side Setback	15 ft
E	Minimum Interior Side Setback	10 ft
F	Minimum Rear Setback	25 ft

Figure 10-6-14-1 R-5 District Requirements: Plan View

Figure 10-6-14-2 R-5 District Requirements: 3-D View

Steering Committee Informational Item:

Minimum Lot Area: This is a new requirement since the existing Ordinance uses lot area per dwelling unit. This figure produces approximately 85% conformity to lot area within the proposed district.

Minimum Lot Width: The existing standard for lot width in the RA-1, RM-1, RM-2, and RM-3 is 25 ft. GIS analysis shows that this standard could be increased to 50 ft without creating nonconformities.

Maximum Impervious Coverage: This is a new requirement since the existing Ordinance uses FAR. A requirement of 60% produces approximately 80% conformity. A requirement of 65% produces approximately 95% conformity. The older developments in this district (Hillside Dr, Park St, Belmont Ave) have impervious coverage closer to 60%, the newer developments in this district (Walnut St) have impervious coverage closer to 65%.

§ 10-6-15 R-6 Multiple-Unit Dwelling District

Table 10-6-15-1 R-6 District Requirements, Figure 10-6-15-1 R-6 District Requirements: Plan View, and Figure 10-6-15-2 R-6 District Requirements: 3-D View establish bulk and setback regulations for the R-5 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-15-1 R-6 District Requirements

Bulk Requirements		
	Minimum Lot Area	10,000 sf
A	Minimum Lot Width	60 ft
B	Maximum Principal Building Height	80 ft
	Maximum Impervious Coverage	65%
Setback Requirements		
C	Minimum Front Setback	30 ft
D	Minimum Corner Side Setback	15 ft
E	Minimum Interior Side Setback	10 ft
F	Minimum Rear Setback	25 ft

Figure 10-6-15-1 R-6 District Requirements: Plan View

Figure 10-6-15-2 R-6 District Requirements: 3-D View

Steering Committee Informational Item:

Minimum Lot Area: This is a new requirement since the existing Ordinance uses lot area per dwelling unit. This figure produces approximately 78% conformity to lot area within the proposed district. Choosing 7,800 sf would bring conformity up to 93%.

Minimum Lot Width: The existing standard for lot width in the RA-1, RM-1, RM-2, and RM-3 is 25 ft. GIS analysis shows that this standard could be increased to 60 ft while maintaining 97% conformity.

Maximum Impervious Coverage: This is a new requirement since the existing Ordinance uses FAR. A requirement of 60% produces approximately 71% conformity. A requirement of 65% produces approximately 76% conformity. The older developments on the east side of David Dr have impervious coverage closer to 70% and above, which seems too high. The larger developments in this district, such as Castle Towers, Bridgeway, and those along Argyle St and George St are typically between 45-60% impervious coverage.

§ 10-6-16 Design Requirements for Commercial Districts

- A. Applicability. The design requirements in this section apply to all new construction and significant exterior renovation of existing structures within the Village's C-1 and C-2 Districts, with the exception of single-unit dwellings, two-unit dwellings, townhouse dwelling units, and multiple-unit dwellings. See § 10-6-17 (C-1 Commercial District) and § 10-6-18 (C-2 Downton Mixed-Use District) for additional design requirements specific to each commercial zoning district. See § 10-6-9 (Design Requirements for Residential Zoning Districts) for design requirements specific to single-unit dwellings, two-unit dwellings, townhouse dwelling units, and multiple-unit dwellings within the Village's commercial zoning districts.
- B. Design Requirements.
1. Façade Design.
 - a. Defined Base, Middle, and Top. Buildings with multiple stories shall be designed with a distinct base (ground story), middle, and top. The base of the building shall be defined from the upper stories by a horizontal expression line, which is a decorative, three-dimensional linear element protruding or indented at least two inches from a building façade. The top of the building shall be crowned with a similar expression line no less than six inches in width.
 - b. Façade Articulation. For buildings with more than 50 feet of building width or depth, vertical architectural or structural elements must be incorporated along all street-facing façades at regular intervals to divide large, flat wall planes. Examples of such elements include texture change, material change, color change, or wall articulation change, such as an offset, pilaster, column, reveal, or vertical expression line, of no less than six inches.
 2. Building Façade Materials.
 - a. Allowed Materials. The following materials are allowed on any building façade: durable and natural materials, such as stone, brick, stucco, metal, concrete, burnished concrete masonry units, and non-reflective glass, unless otherwise limited by § 10-6-16.B.2.b (Limited Materials).
 - b. Limited Materials. The following materials may only be utilized for trim or architectural details, and shall not exceed 20 percent of the total area of any building façade: utility brick, vinyl or metal siding, metal wall panels, exposed aggregate (rough finish) concrete wall panels, non-burnished concrete masonry units, exterior insulation and finishing systems, fiberglass, plastic, untreated wood, and mirrored glass. The painting of brick, limestone, or other natural stone is prohibited so such materials retain their natural colors.
 3. Building Details. Pedestrian-scale elements, such as decorative lighting not more than nine feet in height, planters, and awnings, shall be included on any building façade fronting a public right-of-way.
 4. Roof Design. Green roof, white roof, and blue roof designs are encouraged.
- C. Explanation of Table Requirements. The following information explains the commercial design requirements established in Tables 10-6-17-1 C-1 District Requirements and 10-6-18-1 C-2 District Requirements. Refer to Figure 10-6-16-1 Commercial Design Requirements: Front Elevation View and Figure 10-6-16-2 Commercial Design Requirements: 3-D View.
1. Minimum Street Frontage. The minimum proportion of a principal building required to be located adjacent to a right-of-way expressed as a percentage of the total length of the lot line adjacent to the right-of-way.
 2. Parking Location. The yards in which an off-street parking lot is allowed.
 3. Minimum Transparency. The amount of highly transparent, non-reflective glass required as a percentage of the total area of the street-facing ground story façades between two and eight feet

above grade. Tinting of glass in excess of 20 percent is prohibited. Buildings larger than 30,000 square feet shall be exempt from these standards.

4. Principal Entrance Location. The façade on which the principal building entrance must be located.

Figure 10-6-16-1 Commercial Design Requirements: Front Elevation View

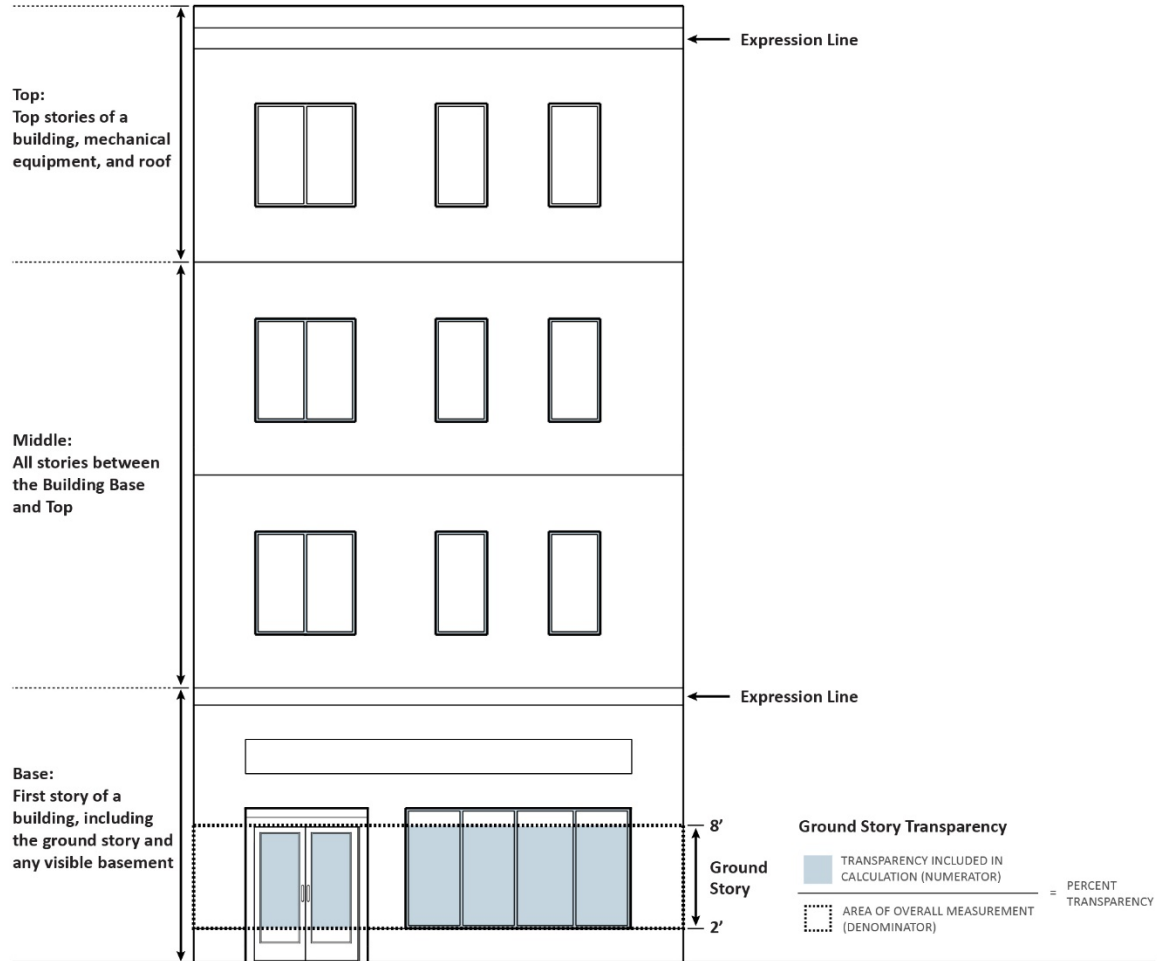
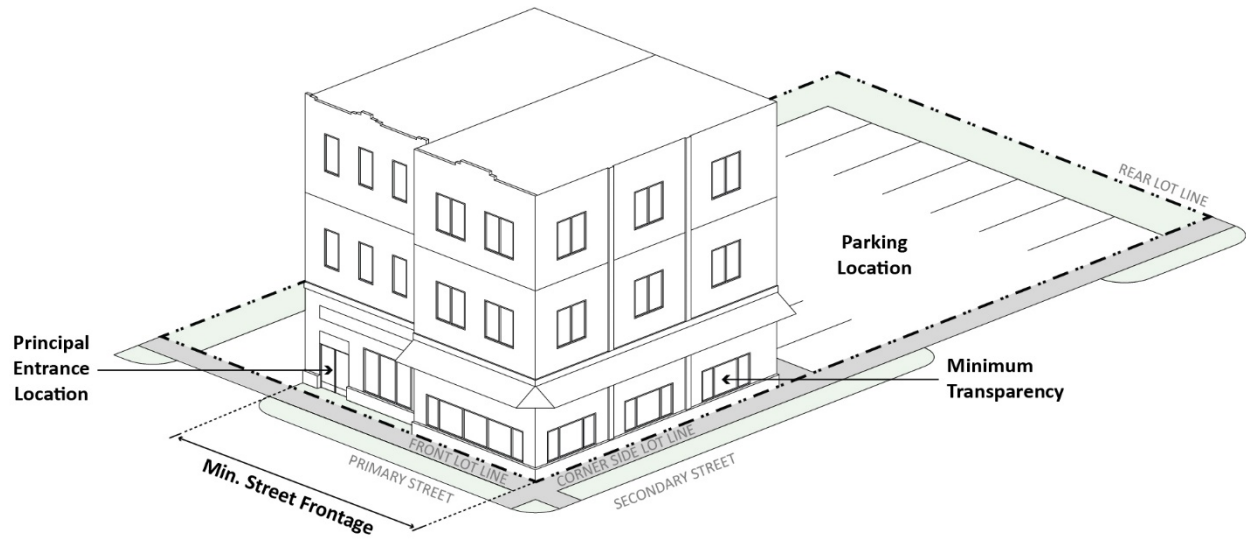


Figure 10-6-16-2 Commercial Design Requirements: 3-D View



§ 10-6-17 C-1 Commercial District

Table 10-6-17-1 C-1 District Requirements, Figure 10-6-17-1 C-1 District Requirements: Plan View, and Figure 10-6-17-2 C-1 District Requirements: 3-D View establish bulk and setback regulations for the C-1 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-17-1 C-1 District Requirements

Bulk Requirements		
	Minimum Lot Area	N/A
A	Minimum Lot Width	50 ft
B	Maximum Principal Building Height	50 ft
	Maximum Impervious Coverage	90%
Setback Requirements		
C	Minimum Front Setback	N/A
D	Minimum Corner Side Setback	N/A
E	Minimum Interior Side Setback	N/A
F	Minimum Rear Setback	N/A
	Minimum Setback Adjacent to a Residential District	25 ft
Design Requirements		
G	Parking Location	Front, corner side, interior side, or rear yard
	Minimum Transparency	60%
	Principal Entrance Location	Front or corner side façade

Figure 10-6-17-1 C-1 District Requirements: Plan View

Figure 10-6-17-2 C-1 District Requirements: 3-D View

Steering Committee Discussion Item:

Minimum Lot Width: In Table 10-6-17-1, we have recommend installing a minimum lot width of 50 ft, but we have not included a minimum lot area. A lot that is 50 ft wide could handle the inevitable parking requirements of the proposed C-1 District, but would not require a developer to meet a minimum lot area requirement.

Maximum Principal Building Height: Would the Village like to create a standard for maximum principal building height for the proposed C-1 District? The existing Ordinance does not have a maximum principal building height for the C-2 Highway Commercial District. The goal would be to capture the tallest buildings on Grand Ave, such as Brentwood Corners and Plaza de Campana.

Maximum Impervious Coverage: We suggest creating a maximum impervious coverage requirement for the proposed C-1 District. This standard will help the Village manage stormwater and account for the presence of landscape islands, perimeter landscape yards, and buffer yards that will be regulated as part of Chapter 9: Landscape Standards.

Based on our analysis of existing conditions, a maximum impervious coverage standard of 85% will create conformity of 69% while a standard of 90% will create conformity of 79%.

Setback Requirements: In the existing Ordinance, the C-2 Highway Commercial District has the following minimum setbacks: front 10 ft, corner side 10 ft, interior side 5 ft, rear 20 ft.

In reviewing existing conditions, it is clear that the location of parking is the main driver of building location in these areas. Months ago, you told us that even though the Comprehensive Plan recommended bringing buildings closer to the sidewalk in areas like Grand Ave (p 53), you felt that this idea might need to be reconsidered because these areas will continue to be auto-oriented in the years to come.

As shown in Table 10-6-17-1, one option for the Village is to remove setback requirements for the proposed C-2 District. In this scenario, developers would have more flexibility in building placement, but would still need to install perimeter landscaping at the front yard a buffer yard in the rear if it were adjacent to a residential district, and a minimum setback abutting a residential district.

Another option is to create a maximum front and corner side setback to create some uniformity among building placement. Depending on how quickly new construction occurs, this could be a long-term effort. To allow a single row of parking in the front yard, the maximum setback would be approximately 50 ft. To allow a double row of parking in the front yard, the maximum setback would be approximately 70 ft.

A third option is to maintain or tweak the existing setbacks.

§ 10-6-18 C-2 Downtown Mixed-Use District

Table 10-6-18-1 C-2 District Requirements, Figure 10-6-18-1 C-2 District Requirements: Plan View, and Figure 10-6-18-2 C-2 District Requirements: 3-D View establish bulk and setback regulations for the C-2 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-18-1 C-2 District Requirements

Bulk Requirements		
	Minimum Lot Area	N/A
A	Minimum Lot Width	25 ft
B	Maximum Principal Building Height	100 ft
	Maximum Impervious Coverage	N/A
Setback Requirements		
C	Maximum Front Setback	0 ft
D	Maximum Corner Side Setback	0 ft
E	Minimum Interior Side Setback	N/A
F	Minimum Rear Setback	N/A
	Minimum Setback Adjacent to a Residential District	25 ft
Design Requirements		
G	Minimum Street Frontage on Primary Street	95%
H	Parking Location	Rear yard
	Minimum Transparency	60%
	Principal Entrance Location	Front or corner side façade

Figure 10-6-18-1 C-2 District Requirements: Plan View

Figure 10-6-18-2 C-2 District Requirements: 3-D View

Steering Committee Informational Item:

Minimum Lot Width: In reviewing existing conditions, the Village has a number of small lots downtown with lot widths of 20 feet or less. These lots are located east of Chase Bank on Main St and across from Village Hall on Center St. The existing Ordinance does not have a minimum lot width requirement.

In Table 10-6-18-1, we have recommend installing a minimum lot width of 25 ft, but we have not included a minimum lot area. A lot that is 25 ft wide would maintain the downtown character of the proposed C-2 District, but would not require a developer to meet a minimum lot area requirement.

The narrow lots along Main St and Center St would have to be redeveloped as larger zoning lots to meet the lot width requirement if they were redeveloped together or would have to be resubdivided if they were redeveloped individually.

Maximum Front Setback: The existing Ordinance does not include a standard for minimum front and corner side setback in the existing C-3 District. We recommend including a maximum front and corner side setback of 0 ft in order to ensure that new development is built to the lot lines.

Minimum Street Frontage on Primary Street: Ideally, new development will occupy 100% of the street frontage, but the requirement is 95% in order to provide any necessary wiggle room.

§ 10-6-19 Design Requirements for Industrial Districts

- A. Applicability. The design requirements in this section apply to all new construction and significant exterior renovation of existing structures within the Village's I-1 and I-2 Districts, with the exception of single-unit dwellings, two-unit dwellings, townhouse dwelling units, and multiple-unit dwellings. See § 10-6-20 (I-1 Light Industrial District) and § 10-6-21 (I-2 General Industrial District) for additional design requirements specific to each industrial zoning district. Refer to Figure 10-6-19-1 Industrial Design Requirements. See § 10-6-9 (Design Requirements for Residential Zoning Districts) for design requirements specific to single-unit dwellings, two-unit dwellings, townhouse dwelling units, and multiple-unit dwellings within the Village's industrial zoning districts.
- B. Design Requirements.
1. Façade Articulation. For buildings with more than 100 ft of building width or depth, vertical architectural or structural elements must be incorporated along all street-facing façades at regular intervals to vertically divide large, flat wall planes. Examples of such elements include texture change, material change, color change, or wall articulation change, such as an offset, pilaster, column, reveal, or vertical expression line, of no less than six inches.
 2. Building Façade Materials.
 - a. Allowed Materials. The following materials are allowed on any building façade: durable and natural materials, such as stone, brick, stucco, metal, concrete, burnished concrete masonry units, and non-reflective glass, unless otherwise limited by § 10-6-19.B.2.b (Limited Materials).
 - b. Limited Materials. The following materials may only be utilized for trim or architectural details, and shall not exceed 25 percent of the total area of any building façade: utility brick, vinyl or metal siding, metal wall panels, exposed aggregate (rough finish) concrete wall panels, non-burnished concrete masonry units, exterior insulation and finishing systems, fiberglass, plastic, untreated wood, and mirrored glass. The painting of brick, limestone, or other natural stone is prohibited so such materials retain their natural colors.
 3. Roof Design. Green roof, white roof, and blue roof designs are encouraged.
 4. Parking Location. Parking areas may be located in the front, corner side, interior side, or rear yards. Parking areas located in the front or corner side yard must not be the dominant visual element of the site when viewed from a right-of-way. Parking areas of 50 parking spaces or more shall be located in interior side and rear yards.
 5. Principal Entrance Location. Principal entrances must be located on the front or corner side façade.

Figure 10-6-19-1 Industrial Design Requirements

§ 10-6-20 I-1 Light Industrial District

Table 10-6-20-1 I-1 District Requirements, Figure 10-6-20-1 I-1 District Requirements: Plan View, and Figure 10-6-20-2 I-1 District Requirements: 3-D View establish bulk and setback regulations for the I-1 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-20-1 I-1 District Requirements

Bulk Requirements		
	Minimum Lot Area	10,000 sf
A	Minimum Lot Width	50 ft
B	Maximum Principal Building Height	32 ft
	Maximum Impervious Coverage	90%
Setback Requirements		
C	Minimum Front Setback	20 ft
D	Minimum Corner Side Setback	10 ft
E	Minimum Interior Side Setback	10 ft
F	Minimum Rear Setback	20 ft
	Minimum Setback Adjacent to a Residential District	30 ft

Figure 10-6-20-1 I-1 District Requirements: Plan View

Figure 10-6-20-2 I-1 District Requirements: 3-D View

Steering Committee Informational Item:

Minimum Lot Area: In Table 10-6-20-1, we have recommend installing minimum lot area of 10,000 sf and a minimum lot width of 50 ft. The existing I-1 District does not have a minimum requirement for either of these standards.

Approximately 5% of the lots in the proposed I-1 are less than 10,000 sf in lot area, and are not vacant or in use as part of a larger zoning lot.

Approximately 2% of the lots in the proposed I-1 are less than 50 ft in lot width, and are not vacant or in use as part of a larger zoning lot.

Maximum Principal Building Height: With the exception of nine parcels along Park St and Evergreen St, north of Pine St, all of the parcels in the proposed I-1 District are within 200 ft of an R District. We recommend simplifying the maximum principal building height requirement of the existing I-1 District so that it is 32 ft across the board.

Maximum Impervious Coverage: We suggest creating a maximum impervious coverage requirement for the proposed I-1 District. This standard will help the Village manage stormwater and account for the presence of landscape islands, perimeter landscape yards, and buffer yards that will be regulated as part of Chapter 9: Landscape Standards.

Based on our analysis of existing conditions, a maximum impervious coverage standard of 85% will create conformity of 63% while a standard of 90% will create conformity of 79%.

Setback Requirements: Our GIS analysis of the proposed I-1 District shows that there is wide variation in conformity to the standards of the existing I-1 District. Approximately 68% of the lots meet the front setback of 25 ft, 45% meet the corner side setback of 25 ft, 64% meet the interior side setback of 15 ft, and 91% meet the rear setback of 20 ft.

Reducing the front, corner side, and interior side setbacks by 5 ft each in the proposed Ordinance as shown in Table 10-6-20-1 would increase conformity significantly and allow more new development to successfully meet the rear yard setback, which is where the greatest land use impacts occur.

A front setback of 20 ft would create 92% conformity, a corner side setback of 10 ft would create 91% conformity, and an interior side setback of 10 ft would create 74% conformity.

§ 10-6-21 I-2 General Industrial District

Table 10-6-21-1 I-2 District Requirements, Figure 10-6-21-1 I-2 District Requirements: Plan View, and Figure 10-6-21-2 I-2 District Requirements: 3-D View establish bulk and setback regulations for the I-2 District. See § 10-7-4 (Accessory Structures and Uses) for provisions related to accessory structures.

Table 10-6-21-1 I-2 District Requirements

Bulk Requirements		
	Minimum Lot Area	20,000 sf
A	Minimum Lot Width	100 ft
B	Maximum Principal Building Height	50 ft
	Maximum Impervious Coverage	90%
Setback Requirements		
C	Minimum Front Setback	25 ft
D	Minimum Corner Side Setback	15 ft
E	Minimum Interior Side Setback	15 ft
F	Minimum Rear Setback	20 ft
	Minimum Setback Adjacent to a Residential District	40 ft

Figure 10-6-21-1 I-2 District Requirements: Plan View

Figure 10-6-21-2 I-2 District Requirements: 3-D View

Steering Committee Informational Item:

Minimum Lot Area: In Table 10-6-21-1, we have recommend installing a minimum lot width of 100 ft and a minimum lot area of 20,000 sf. The existing I-2, I-3, and I-4 Districts do not have a minimum requirement for either of these standards.

Approximately 12% of the lots in the proposed I-2 are less than 20,000 sf in lot area, and are not vacant or in use as part of a larger zoning lot.

Approximately 12% of the lots in the proposed I-2 are less than 100 ft in lot width, and are not vacant or in use as part of a larger zoning lot. If the minimum lot width was 75 ft then approximately 4% of the lots in the proposed I-2 would not meet the requirement. However, wider lots in the proposed I-2 would be a step toward likely development in the future.

Maximum Principal Building Height: The existing maximum principal building height in the I-1, I-2, I-3, and I-4 Districts is 32 ft. Higher ceiling heights would allow a greater variety of modern industrial uses in the I-2 District, particularly warehousing and distribution uses. We recommend raising the maximum principal building height to 50 ft, but we wanted to gauge how aggressive the Village wanted to be with this standard.

Maximum Impervious Coverage: We suggest creating a maximum impervious coverage requirement for the proposed I-2 District. This standard will help the Village manage stormwater and account for the presence of landscape islands, perimeter landscape yards, and buffer yards that will be regulated as part of Chapter 9: Landscape Standards.

Based on our analysis of existing conditions, a maximum impervious coverage standard of 85% will create conformity of 68% while a standard of 90% will create conformity of 81%.

Setback Requirements: In contrast to the proposed I-1 District, there is less setback variation within the proposed I-2 District, particularly in the North Industrial District. We recommend maintaining the setbacks from the existing Ordinance with the exception of the corner side setback, which we have reduced to from 25 ft for the existing I-2, I-3, and I-4 Districts.

§ 10-6-22 Principal Structure Encroachments

Steering Committee Informational Item: The Village’s existing standards for principal structure encroachments are a bit odd. We did not include the standards from § 10-14-14 of the existing Ordinance. Slight changes have been included in the proposed standards for principal structure encroachments compared to the standards of § 10-14-13.B.2.c.

- A. Applicability. The following standards for principal structure encroachments apply to all zoning districts.
- B. Principal Structure Encroachments. **Table 10-6-22-1 Permitted Principal Structure Encroachments** establishes the components of a principal structure that are permitted to encroach into required yards, provided that all additional requirements are met. Accessory structures are permitted to encroach into required yards in accordance with **§ 10-7-4 (Accessory Structures and Uses)**.

Table 10-6-22-1 Permitted Principal Structure Encroachments

Type of Encroachment	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback	Additional Requirements
Accessibility Ramp	Y	Y	Y	Y	None
Awning or Canopy (without signage) ¹	Y	Y	Y	Y	May encroach up to 4 ft; minimum ground clearance of 8 ft
Balcony	Y	Y	Y	Y	May encroach up to 4 ft; minimum ground clearance of 2 ft for residential districts; minimum ground clearance of 8 ft for commercial districts
Bay Window	Y	Y	Y	Y	May encroach up to 3 ft
Chimney	Y	Y	Y	Y	May encroach up to 3 ft
Eave, Gutter, Sill, Cornice	Y	Y	Y	Y	May encroach up to 3 ft
Fire Escape	N	N	Y	Y	May encroach up to 5 ft
Porch (roofed or unroofed), Stairs, or Stoop	Y	Y	Y	Y	Shall not be closer than 5 ft from any lot line
Window Well	N	Y	Y	Y	May encroach up to 3 ft

¹ See **§ ZZZ (Awning Signs)** and **§ ZZZ (Canopy-Mounted Signs)** for regulations pertaining to awning and canopy-mounted signs.

Steering Committee Discussion Item: Do the “additional requirements” for “Porch (roofed or unroofed, Stairs, or Stoops” make sense as written? If not, how could it be changed to clarify the intent.

CHAPTER 7: USES

§ 10-7-1 General Provisions

§ 10-7-2 Use Table

§ 10-7-3 Use Standards

§ 10-7-4 Accessory Structures and Uses

§ 10-7-5 Temporary Structures and Uses

§ 10-7-6 Environmental Performance Standards

§ 10-7-1 General Provisions

- A. Purpose. The purpose of this Chapter is to establish the uses of land allowed by this Ordinance.
- B. General Standards. The following standards apply generally to the uses allowed by this Ordinance.
1. Federal, State, and Local Requirements. All uses shall comply with relevant federal, state, and local standards including licensing, health, and safety requirements. The provisions of this Chapter are subject to the use regulations of applicable federal, state, and local regulations for runway protection zones and airspace clearances for O'Hare International Airport.
 2. Number of Principal Uses. A lot may contain more than one principal use.
 3. Principal, Accessory, and Temporary Uses. Each use may function as a principal, accessory, or temporary use on a lot, unless otherwise specified.
 4. Uses within Enclosed Buildings or Structures. Each use shall be primarily located within an enclosed building or structure. Uses exempt from this requirement include community garden, outdoor dining, outdoor entertainment, outdoor recreation, outdoor storage area, and park. All buildings and structures shall comply with the applicable requirements of this Chapter and [Chapter 6 \(Zoning District Regulations\)](#).
 5. Exempt Public Uses. The following public uses are allowed to be erected, constructed, altered, or maintained in any zoning district.
 - a. Traffic signals, fire hydrants, and other similar public safety devices.
 - b. Utility poles, wires, mains, drains, pipes, conduits, cables, and other similar public service devices.
- C. Interpretation. Some of the uses included in this Chapter are defined as broad, generic categories that contain a group of similar uses. See [§ 10-11 \(Definitions\)](#) for definitions of the uses included in this Chapter.
1. Unlisted Similar Use. If a use is not listed in this Chapter, but is similar in nature and impact to a permitted or special use allowed within a zoning district, the Zoning Administrator may interpret the unlisted use as an allowed use.
 - a. The unlisted use shall be subject to any use standards that apply to the similar allowed use.
 - b. The Zoning Administrator may interpret the unlisted use as requiring the approval of a special use permit if the similar allowed use requires the approval of a special use permit.
 2. Unlisted Dissimilar Use. If a use is not listed and cannot be interpreted as similar in nature and impact to a permitted or special use, the use is not allowed and may only be approved through an amendment of this Ordinance (refer to [§ 10-3-6 \(Zoning Text or Map Amendment\)](#)).

§ 10-7-2 Use Table

A. Use Table. **Table 10-7-2-1. Use Table** establishes the uses allowed in each zoning district. Each use is given one of the following designations for each zoning district.

1. Permitted Use (“P”). A “P” indicates that a use is allowed by-right within the designated zoning district provided that it meets all applicable use standards set forth in **§ 10-7-3 (Use Standards)**.
2. Special Use (“S”). An “S” indicates that the use requires the approval of a special use permit (refer to **§ 10-3-3 (Special Use Permit)**) in order to be allowed within the designated zoning district, and must meet all applicable use standards set forth in **§ 10-7-3 (Use Standards)**.
3. No Designation. The absence of a letter (a blank space) or the absence of the use from the table indicates that the use is not allowed within the designated zoning district.

Steering Committee Informational Item: As we have discussed in the past, the Village regulates an enormous amount of uses as special uses. While this is typical for uses with significant impacts on neighboring properties, it seems like the Village has taken this to an extreme over the years. For the most part, Table 10-7-2-1. Use Table has maintained a P or S designation for the various uses in town from the existing Ordinance (while utilizing the new umbrella use structure). However, as part of your review we would like you to consider whether it is necessary to regulate so many uses as special uses going forward. Since the proposed Ordinance has use standards for both permitted and special uses, this feature may alleviate any anxiety that the Village has regarding uses that have traditionally been treated as special uses.

Steering Committee Informational Item: Please note that there are a wide range of commercial uses allowed in the proposed I-2 District based on the use designations from the existing Ordinance. The Village may want to reconsider how appropriate a lot of these uses would be in an industrial zoning district. While good planning favors the mixing of uses, it may be more appropriate to steer commercial uses to the proposed C-1 and C-2 Districts if they don’t have significant impacts on neighboring properties.

Table 10-7-2-1. Use Table

Uses	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	Use Standards
Residential											
Community Residence	P	P	P	P	P	P	P	P			See § 10-7-3.E
Dwelling Above the Ground Floor							P	P			None
Live/Work Dwelling							P	P			See § 10-7-3.P
Multiple-Unit Dwelling					P	P	S	P			None
Residential Care Facility					P	P	P	P			None
Single-Unit Dwelling	P	P	P	P	P	S					None
Townhouse Dwelling		S	P	P	P	P	S	S			None
Two-Unit Dwelling		P	P	P	P	S					None
Civic and Institutional	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	
Cemetery	S	S	S	S	S	S					None
College or University	S	S	S	S	S	S	S	S	S	S	None
Community Garden	P	P	P	P	P	P	P	P			See § 10-7-3.D
Cultural Facility	P	P	P	P	P	P	P	P	P		None
Elementary, Middle, or High School	P	P	P	P	P	P	P	P	P	P	See § 10-7-3.J
Government Facility	P	P	P	P	P	P	P	P	P	P	See § 10-7-3.L
Hospital							S	S	S	S	See § 10-7-3.K
Park	P	P	P	P	P	P	P	P	P	P	None
Place of Worship	S	S	S	S	S	S	S	S			None
Vocational School							S	S	S	S	See § 10-7-3.J
Commercial	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	

Uses	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	Use Standards
Adult Use										S	See § 10-7-3.A
Animal Boarding, Hospital, or Shelter							S			S	See § 10-7-3.B
Banquet Hall							P	S		S	None
Bar/Tavern							P	P		S	None
Body Art Establishment							P	P		S	None
Car Wash							P			P	See § 10-7-3.C
Currency Exchange							S	S			See § 10-7-3.F
Day Care Center	S	S	S	S	S	S	S	S			None
Day Care Home	P	P	P	P	P	P					See § 10-7-3.G
Day Labor Center							S	S	S	S	See § 10-7-3.H
Drive-Through Facility							S			S	See § 10-7-3.I
Financial Institution							P	P			None
Funeral Home							S	S			None
Garden Center							P			P	None
Gas Station							S			S	See § 10-7-3.K
Golf Course or Driving Range	S	S	S	S	S	S				S	None
Gun Range										S	See § 10-7-3.M
Hotel/Motel							P	P		S	None
Indoor Entertainment or Recreation							P	P	S	S	See § 10-7-3.N
Laundromat							S	S		S	See § 10-7-3.O
Massage Therapy Establishment							S	S			None
Medical Marijuana Cultivation Center										S	See § 10-7-3.Q
Medical Marijuana Dispensary							P	P		S	See § 10-7-3.R
Microbrewery or Microdistillery							P	P	P	P	None
Motor Vehicle Operations Facility									S	P	See § 10-7-3.S
Motor Vehicle Rental							P		S	S	See § 10-7-3.T
Motor Vehicle Repair and/or Service							S		S	S	See § 10-7-3.S
Motor Vehicle Sales							S		S	S	See § 10-7-3.T
Outdoor Dining							P	P			See § 10-7-3.U
Outdoor Entertainment or Recreation							S		S	P	See § 10-7-3.V
Outdoor Storage Area										S	See § 10-7-3.W
Pawnshop										S	See § 10-7-3.F
Payday or Title Loan Establishment							S	S			See § 10-7-3.F
Personal Services Establishment							P	P			None
Professional Office							P	P	P	S	None
Research/Development Facility									P	P	None
Restaurant							P	P		S	None
Retail Goods Establishment							P	P			None
Self-Service Storage									S	S	None
Tobacco Shop							S	S			See § 10-7-3.AA
Transitional Treatment Facility							S	S	S	S	None
Truck Stop										S	See § 10-7-3.BB
Industrial	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	
Heavy Industrial										S	None
Light Industrial									P	P	None
Medium Industrial									S	P	None
Medical Marijuana Cultivation Center									S	S	See § 10-7-3.Q

Uses	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	Use Standards
Machinery and Equipment Sales and Rental									S	P	None
Warehousing, Storage, or Distribution Facility									S	P	None
Other Uses	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	
Club, Lodge, or Hall							P		S	S	None
Parking Garage (Primary Use)							S	S		S	See § 10-7-3.X
Parking Lot (Primary Use)							S	S		S	See § 10-7-3.Y
Planned Unit Development	S	S	S	S	S	S	S	S	S	S	See § 10-7-3.Z
Utility	S	S	S	S	S	S	S	S	S	S	See § 10-7-3.CC
Wireless Telecommunication Facility and/or Tower	S	S	S	S	S	S	S	S	S	S	See § 10-7-3.DD
<p>Table Key</p> <p>P: Allowed by-right and shall meet the requirements of § 10-7-3 (Use Standards) when applicable.</p> <p>S: Allowed with special use permit and shall meet the requirements of § 10-7-3 (Use Standards) when applicable.</p>											

§ 10-7-3 Use Standards

The following standards apply to uses as designated in the “Use Standards” column of [Table 10-7-2-1. Use Table.](#)

A. Adult Use.

1. Minimum Spacing. An adult use shall not be located within 1,000 feet of any residential zoning district, day care center, elementary school, middle school, high school, park, place of worship, another adult use, or any other use where large numbers of minors regularly travel or congregate.
2. Off-Site Observation. An adult use shall not be conducted in a manner that permits the observation of material relating to specified sexual activities or specified anatomical areas from any right-of-way or adjacent property.

B. Animal Boarding, Hospital, or Shelter.

1. Location. Animal boarding, hospitals, and shelters are not allowed directly adjacent to any residential use with the exception of facilities that are entirely enclosed.
2. Outdoor Boarding. Two outdoor dog runs per establishment are allowed. All outdoor animal boarding facilities shall be located in the interior side and/or rear yard and shall be enclosed with a fence that is a minimum height of six feet.
3. Noise. Noise shall be managed so as not to create a public nuisance for surrounding properties in compliance with [§ 10-7-6.A \(Noise\)](#) and all other local noise regulations.

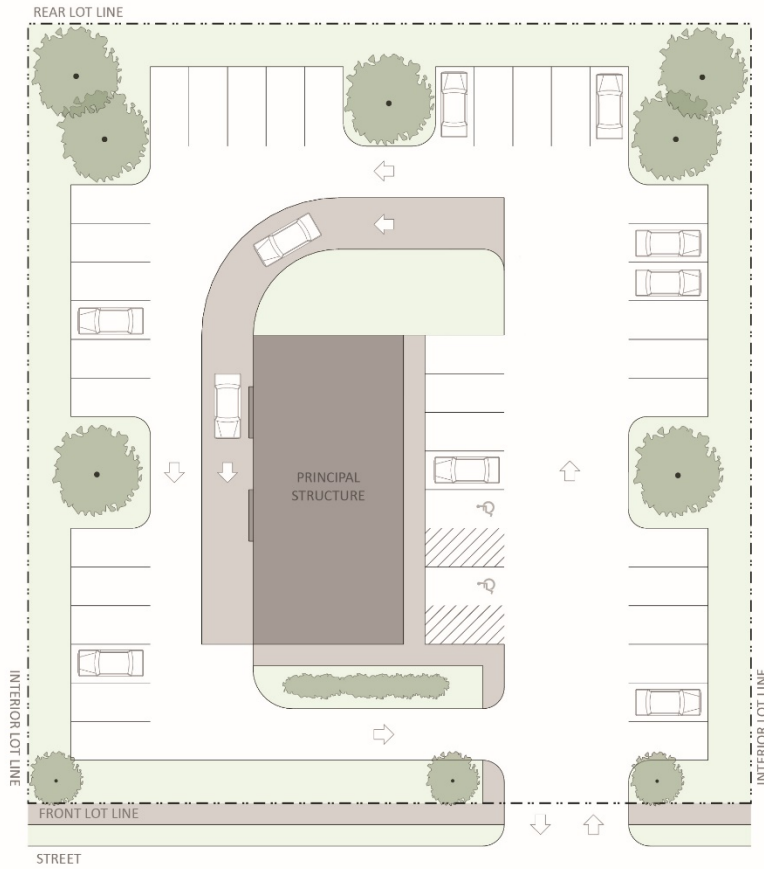
C. Car Wash

1. Stacking Spaces. Stacking spaces associated with a car wash must comply with the requirements of [§ 10-8-ZZ \(Vehicular Stacking Requirements\)](#).
2. Screening. The street frontage adjacent to any outdoor car wash area shall be screened in accordance with the requirements of [§ 10-9-ZZ \(Parking Lot Perimeter Landscape Yard\)](#).
3. On-Site Attendant. An attendant shall be present on the site during hours of operation.
4. Hours of Operation. Car washes shall be limited to hours of operation between 6:00 AM and 12:00 AM.
5. Overhead Doors. All wash bays shall be secured with overhead doors when the establishment is closed.

6. Drainage. Drainage from a car wash shall not drain onto adjacent properties, into the right-of-way, or into stormwater catchments.
- D. Community Garden.
1. Site Design. The community garden shall be designed and maintained to minimize the amount of water and/or fertilizer that drains or runs off onto adjacent property.
 2. Sales. There shall be no retail sales of any products on-site.
- E. Community Residence.
1. Minimum Spacing. A community residence may not be located within 1,000 feet of another community residence, and more than one community residence shall not be located on a block.
 2. Residential Character. The location and operation of the facility shall not alter the residential character of the neighborhood, and the facility shall incorporate a residential design that is compatible with the surrounding neighborhood.
 3. Number of Residents. In the R-1, R-2, R-3 and R-4 Districts, a maximum of eight residents per facility are allowed, including live-in staff. In the R-5 and R-6 Districts, there is no maximum number of allowed residents per facility, including live-in staff.
- F. Currency Exchange, Pawnshop, Payday or Title Loan Establishment.
1. Minimum Spacing. A currency exchange, pawnshop, or payday or title loan establishment may not be located within 1,000 feet of another currency exchange, pawnshop, or payday or title loan establishment.
 2. Hours of Operation. The hours of operation for currency exchanges, pawnshops, or payday or title loan establishments shall be limited to between 8:00 AM and 8:00 PM.
 3. Location of Transactions. All transactions shall occur entirely inside the facility at a service counter. No transactions may be permitted through an exterior walk-up window or drive-through facility.
- G. Day Care Home.
1. Residential Character. The location and operation of the facility shall not alter the residential character of the neighborhood, and the facility shall incorporate a residential design that is compatible with the surrounding neighborhood.
 2. Residency of Operator. The day care home shall be the primary residence of the operator.
 3. Employees. Additional nonresident employees are allowed to work in a day care home.
 4. Minimize Adverse Impacts. The design of the facility shall minimize traffic congestion, pedestrian hazards, noise, and other adverse impacts on surrounding properties.
- H. Day Labor Center.
1. Minimum Spacing. A day labor center shall not be located within 1,000 ft of another day labor center, or any residential zoning district.
 2. Maintenance. Outdoor areas must be clear of litter and debris during business hours. Outdoor trash receptacles must be provided.
- I. Drive-Through Facility. Refer to **Figure 10-7-3-1. Drive-Through Facility**.
1. Location. The drive-through window shall be located on the interior side or rear façade of the principal structure.
 2. Access. Driveways must comply with the requirements of **§ 10-8-ZZ (Driveways)**.

3. Stacking Spaces. Stacking spaces must comply with the requirements of § 10-8-ZZ (Vehicular Stacking Requirements).
4. Minimize Adverse Impacts. The location of entrances and exits shall minimize traffic congestion, pedestrian hazards, and adverse impacts on surrounding properties.

Figure 10-7-3-1. Drive-Through Facility



- J. Elementary, Middle, High, or Vocational School. Minimize Adverse Impacts. The location of entrances, exits, service areas, parking areas, and loading docks shall minimize traffic congestion, pedestrian hazards, and adverse impacts on surrounding properties.
- K. Gas Station.
 1. Location. A gas station shall only be located on a corner lot.
 2. Minimum Street Frontage Requirement. Gas stations shall be exempt from the minimum street frontage requirements established in Chapter 6 (Zoning District Regulations).
 3. Traffic Study. The Village may require a traffic study to verify that the placement and spacing of curb cuts for a proposed gas station will not result in traffic conflicts with pedestrians or motorists.
 4. Light Pollution. Lighting shall be designed with luminaires recessed under the canopy to minimize light pollution. The illuminance of the canopy shall not exceed 10 foot-candles as measured at any location on the lot.

5. Screening. Street frontage not occupied by building or driveways shall be improved with landscape screening in accordance with the requirements of § 10-9-ZZ (Parking Lot Perimeter Landscape Yard).
- L. Government Facility. Access. Government facilities are exempt from the maximum driveway widths established in § 10-8-ZZ (Driveways).
- M. Gun Range.
1. Location. A gun range must be located within a fully enclosed building.
 2. Minimum Spacing. A gun range shall not be located within 1,000 ft of another gun range, or any residential zoning district.
 3. Noise. Noise shall be managed so as not to create a public nuisance for surrounding properties in compliance with § 10-7-6.A (Noise) and all other local noise regulations.
- N. Indoor Entertainment or Recreation.
1. Minimize Adverse Impacts. The location of entrances and exits, service areas, and parking and loading docks shall minimize traffic congestion, pedestrian hazards, and adverse impacts on surrounding properties.
 2. Noise. Any noise associated with the facility shall be managed so as not to create a public nuisance for surrounding properties and shall comply with § 10-7-6.A (Noise) and all other local noise regulations.
- O. Laundromat.
1. Hours of Operation. The hours of operation for laundromats shall be limited to between 6:00 AM and 10:00 PM.
 2. On-Site Attendant. An attendant shall be present on the site during hours of operation.
- P. Live/Work Dwelling.
1. Sales. On-site retail transactions associated with a live/work dwelling are allowed.
 2. Residency of Operator. The live/work dwelling shall be the primary residence of the operator. A portion of a live/work dwelling may be leased as a workspace to an operator that does not reside in the dwelling.
 3. Employees. Two additional nonresident employees are allowed to work in a live/work dwelling.
 4. Space Limitation. No more than 50 percent of the total square footage of the dwelling may be used for residential uses. All activities associated with the live/work dwelling shall occur entirely within the dwelling unit.
 5. Signs. Signs for occupations within live/work units are permitted in accordance with the home-based business sign standards in § 10-10-ZZ (Permanent Signs Exempt from Permit Requirement).
- Q. Medical Marijuana Cultivation Center
1. Compliance with State Regulations. Medical marijuana cultivation centers must comply with all applicable rules and regulations enacted by the State of Illinois, including licensing and registration requirements and minimum spacing of 2,500 feet from preschools, elementary schools, middle schools, high schools, day care centers, day care homes, or any residential zoning district. When such state regulations are amended, such regulations control over this Ordinance.
 2. Minimum Spacing. A medical marijuana cultivation center shall not be located within 1,000 feet of another medical marijuana cultivation center.

R. Medical Marijuana Dispensary.

1. Compliance with State Regulations. Medical marijuana dispensaries must comply with all applicable rules and regulations enacted by the State of Illinois, including licensing and registration requirements and minimum spacing of 1,000 feet from preschools, elementary schools, middle schools, high schools, day care centers, and day care homes. When such state regulations are amended, such regulations control over this Ordinance.
2. Minimum Spacing. A medical marijuana dispensary shall not be located within 1,000 feet of another medical marijuana dispensary.
3. Security. The site design of a medical marijuana dispensary shall incorporate adequate security measures, such as exterior lighting, surveillance cameras, and/or fencing.

S. Motor Vehicle Operations Facility or Motor Vehicle Repair and/or Service.

1. Outdoor Storage. Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if the following conditions are met:
 - a. Location. Outdoor storage of vehicles is prohibited in the front yard and corner side yard.
 - b. Screening. To the extent practicable, storage areas shall be screened from view of the street by building and/or landscape screening in accordance with the requirements of § 10-9-ZZ (Parking Lot Perimeter Landscape Yard).
 - c. Storage Duration. Motor vehicle repair and/or service facilities may not store the same vehicles outdoors for more than 30 days.
2. Location for Repairs. All repairs must occur inside an enclosed building.
3. Screening. Street frontage not occupied by buildings or driveways shall be improved with landscape screening in accordance with the requirements of § 10-9-ZZ (Parking Lot Perimeter Landscape Yard).

T. Motor Vehicle Rental or Motor Vehicle Sales.

1. Screening. The street frontage adjacent to any outdoor sales and display area shall be improved with landscape screening in accordance with the requirements of § 10-9-ZZ (Parking Lot Perimeter Landscape Yard).
2. Light Pollution. The illuminance of any outdoor sales and display area shall not exceed 10 foot-candles as measured at any location on the lot.

Note for Module 3: Make sure that we review Screening for Motor Vehicle Operations Facility or Motor Vehicle Repair and/or Service and Motor Vehicle Rental or Motor Vehicle Sales once we have completed the landscape standards, particularly re uses such as car dealerships.

U. Outdoor Dining.

1. Location. Outdoor dining shall be located on private property unless otherwise allowed by the Village. Outdoor dining shall not be located in any yard that is adjacent to a residential use or zoning district, except when such residential use is part of a mixed-use development. Outdoor dining areas shall be delineated from the public right-of-way and parking areas with masonry walls, planters, bollards, fencing, or similar elements.
2. Sidewalk Clearance. A minimum of four feet of sidewalk clearance must remain available for pedestrians in accordance with the Americans with Disabilities Act Accessibility Guidelines.
3. Parking Lot Clearance. Outdoor dining shall not interfere with the drive aisles and parking spaces of a parking lot.

V. Outdoor Entertainment or Recreation.

1. Minimize Adverse Impacts. The location of entrances and exits, service areas, and parking and loading docks shall minimize traffic congestion, pedestrian hazards, and adverse impacts on surrounding properties.
2. Noise. Any noise associated with the facility shall be managed so as not to create a public nuisance for surrounding properties and shall comply with all local noise regulations.

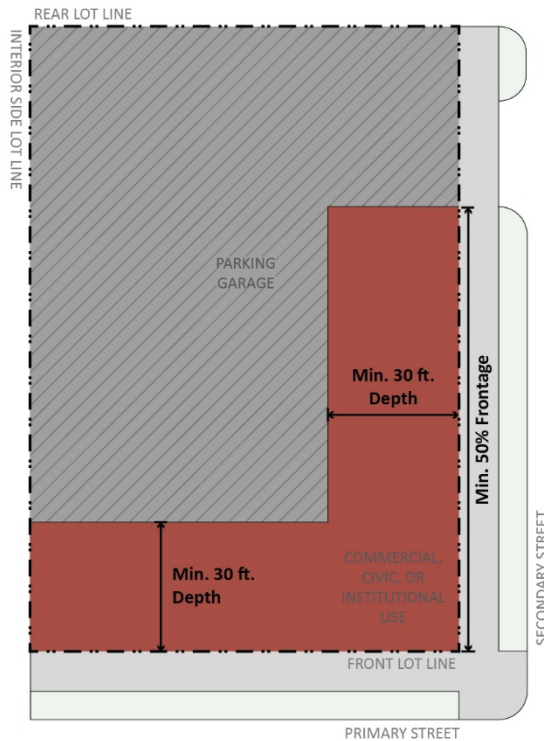
W. Outdoor Storage Area.

1. Location. Outdoor storage areas shall be located on an improved surface in the interior side yard or rear yard, provided such areas do not occupy more than 25% of the gross lot area.
2. Height. Materials stored in an outdoor storage area shall not exceed eight feet in height within 20 feet of any lot line.
3. Uses. Outdoor storage areas are allowed as a principal use in association with the following principal uses: garden center, motor vehicle rental, motor vehicle repair and/or service, motor vehicle sales, heavy industrial, light industrial, medium industrial, machinery and equipment sales and rental, and warehousing, storage, or distribution facility. Outdoor storage areas may be allowed as a principal use in association with other principal uses with prior written approval by the Zoning Administrator.
4. Screening. The requirements of § 10-9-ZZ (Screening Requirements) shall apply to outdoor storage areas. No stackable materials or goods shall be piled or stacked so that they are visible above the height of the screen.

X. Parking Garage (Primary Use).

1. Design Requirements. Parking garages in all zoning districts shall meet the requirements for façade design in accordance with [§ 10-6-16.B \(Façade Design\)](#).
2. Ground Floor Uses. In the C-2 District, a use listed in [Table 10-7-2-1. Use Table](#) as an allowed commercial, civic, or institutional use must occupy the first 30 feet of building depth on the ground floor of a parking garage along a minimum of 50 percent of the street-facing façade (refer to [Figure 10-7-3-2. Parking Garage](#)).

Figure 10-7-3-2. Parking Garage



Y. Parking Lot (Primary Use). Screening. The requirements of [§ 10-8-ZZ \(Parking Lot Perimeter Landscape Yard\)](#) shall apply to all off-street parking lots.

Z. Planned Unit Development. Refer to the requirements of [§ 10-4 \(Planned Unit Developments\)](#).

AA. Tobacco Shop. Minimum Spacing. A tobacco shop may not be located within 1,000 feet of an elementary school, middle school, high school, place of worship, or another tobacco shop.

BB. Truck Stop

1. Stacking Spaces. Truck stops shall provide at least two stacking spaces at each island pump to minimize the need for waiting trucks to stack in the public right of way.
2. Overnight Parking. Parking facilities associated with a truck stop shall not be utilized for overnight parking.

CC. Utility. Screening. The street frontage adjacent to the utility shall be treated with landscape screening in accordance with the requirements of [§ 10-9-ZZ \(Parking Lot Perimeter Landscape Yard\)](#).

DD. Wireless Telecommunication Facility and/or Tower.

1. General Requirements. All wireless telecommunication facilities and towers shall be subject to the following.
 - a. Lighting. A wireless telecommunication facility or tower shall not include lights unless required by the Federal Communications Commission, the Federal Aviation Administration, or the Village.
 - b. Signs. A wireless telecommunication facility or tower shall not display signs except for information required for government regulation, such as Federal Communications Commission registration information.
 - c. Screening. A wireless telecommunication facility or tower shall include landscape screening in accordance with the requirements of **§ 10-9-ZZ (Buffer Yard Requirements)**, except that a required fence shall be a minimum of eight feet and maximum of 10 feet in height.
2. Wireless Telecommunication Facility.
 - a. Height. The maximum height of a wireless telecommunication facility shall be 15 feet.
 - b. Use. A wireless telecommunication facility may house equipment and supplies for operation of a wireless telecommunication tower. Such facility shall be unstaffed and shall not be used for equipment that is not used as part of the operation of the facility.
3. Wireless Telecommunication Tower.
 - a. Height. The maximum height of a wireless telecommunication tower is 50 feet, unless a taller height is required to function satisfactorily; in such case, the applicant must present a report indicating the need for a height in excess of 50 feet.
 - b. Design. A wireless telecommunication tower shall be designed to accommodate at least three telecommunication providers and their accompanying wireless telecommunication facilities. A wireless telecommunication tower shall have a galvanized gray or silver finish unless otherwise required by the Federal Communications Commission, the Federal Aviation Administration, or the Village.

§ 10-7-4 Accessory Structures and Uses

Accessory structures and uses shall be subject to the requirements of this Section.

- A. General Provisions for Accessory Structures. Accessory structures shall be subject to the following standards, unless otherwise established by this Ordinance.
 1. Construction Phasing. No accessory structure shall be constructed prior to the construction of the principal building to which it is accessory.
 2. Location. Accessory structures may be located in the front, corner side, interior side, and rear yards, unless otherwise specifically prohibited by this Ordinance. Accessory structures shall not be allowed in any easement.
 3. Setback. Accessory structures shall be located a minimum of three feet from any interior lot line or rear lot line.
 4. Height. The maximum height of an accessory structure shall be 12 feet, unless otherwise specifically permitted in this Ordinance.
- B. Accessory Structures Table. **Table 10-7-4-1. Accessory Structures** includes common accessory structures that may be located in each zoning district within the Village. For accessory structures not listed, the Zoning Administrator will review a proposed accessory structure and determine if it is similar to those listed and therefore subject to the applicable standards.

1. Permitted (“P”). A “P” indicates that the accessory structure does not require a building permit and is allowed by-right within the designated zoning district provided that it meets all applicable standards set forth in [§ 10-7-4.C \(Use Standards for Accessory Structures\)](#).
2. Permitted with Building Permit (“B”). A “B” indicates that the accessory structure requires the approval of a building permit in accordance with [Title 9 \(Building Regulations\)](#) and shall meet the use standards set forth in [§ 10-7-4.C \(Use Standards for Accessory Structures\)](#) in order to be allowed within the designated zoning district.
3. No Designation. The absence of a letter (a blank space) indicates that the structure is not allowed within the designated zoning district.

Table 10-7-4-1. Accessory Structures

Accessory Structures	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	Use Standards
Arbor, Pergola, or Trellis	P	P	P	P	P	P	P	P	P	P	None
Ball Court	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.1
Blue Roof, Green Roof, White Roof	B	B	B	B	B	B	B	B	B	B	None
Chicken Coop	B	B	B	B							See § 10-7-4-C.2
Compost Bin	P	P	P	P	P	P	P	P	P	P	See § 10-7-4-C.3
Deck or Patio	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.4
Dog Run	B	B	B	B	B	B	B	B		B	See § 10-7-4-C.5
Electrical Generator	B	B	B	B	B	B	B	B	B	B	None
Electric Vehicle Charging Station	B	B	B	B	B	B	B	B	B	B	None
Fence or Wall	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.6
Flagpole	P	P	P	P	P	P	P	P	P	P	See § 10-7-4-C.7
Garage	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.8
Garden	P	P	P	P	P	P	P	P	P	P	See § 10-7-4-C.9
Gazebo	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.10
Greenhouse	B	B	B	B	B	B	B	B	B	B	None
Hoophouse	P	P	P	P	P	P	P	P	P	P	See § 10-7-4-C.11
Mechanical Equipment	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.12
Outdoor Fire Pit	P	P	P	P	P	P	P	P			See § 10-7-4-C.13
Outdoor Sales and Display Area							P	P	P	P	See § 10-7-4-C.14
Rain Barrel or Rainwater Cistern	P	P	P	P	P	P	P	P	P	P	None
Rain Garden	P	P	P	P	P	P	P	P	P	P	See § 10-7-4-C.15
Recreation Equipment	P	P	P	P	P	P	P	P			See § 10-7-4-C.16
Refuse, Recycling, or Grease Container	P	P	P	P	P	P	P	P	P	P	See § 10-7-4-C.17
Satellite Dish	P	P	P	P	P	P	P	P	P	P	See § 10-7-4-C.18
Shed	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.19
Small Wind Energy System	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.20
Solar Energy Collection System	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.21
Swimming Pool	B	B	B	B	B	B	B	B			See § 10-7-4-C.22
Treehouse	B	B	B	B	B	B					See § 10-7-4-C.23
Wireless Telecommunication Antenna	B	B	B	B	B	B	B	B	B	B	See § 10-7-4-C.24

Table Key

P: Allowed by-right and shall meet the requirements of [§ 10-7-4.C \(Use Standards for Accessory Structures\)](#) when applicable.

B: Allowed with building permit and shall meet the requirements of [§ 10-7-4.C \(Use Standards for Accessory Structures\)](#) when applicable.

- C. Use Standards for Accessory Structures. The following standards apply to accessory structures designated as permitted (“P”) or permitted with building permit (“B”) in the zoning districts noted in the “Use Standards” column of [Table 10-7-4-1. Accessory Structures](#).

1. Ball Court. Location. Ball courts are allowed in the rear yard, except that one fixed basketball standard and backboard shall be allowed in the front yard, corner side yard, interior side yard, or rear yard in the R-1, R-2, R-3, R-4, R-5, and R-6 Districts without a building permit.
2. Chicken Coop. Chickens may be kept in chicken coops in accordance with the following standards.

Steering Committee Discussion Item: We have added the regulations of the Hen Ordinance to this section. The italicized text are regulations that we have found helpful that aren't in the existing Ordinance, would you like to the italicized text?

The language here is somewhat different than the existing Ordinance, but we assume that § 4-6-17 (Hens) of the Municipal Code will just include the licensing information, not these standards. If this is the case, § 4-6-17 (Hens) of the Municipal Code will need to be revised to avoid differences in the regulatory text.

- a. Permit. Prior to erecting a chicken coop an applicant must obtain a license from the Village in accordance with § 4-6-17 (Hens) of the Municipal Code.
 - b. Height. The maximum height of a chicken coop shall be eight feet.
 - c. Area. Chicken coops shall provide a minimum of four square feet of floor area per hen.
 - d. Location. Chicken coops shall be located in the rear yard only. Chicken coops are prohibited inside a residential unit or attached garage.
 - e. Setback. Chicken coops shall be located a minimum of 10 feet from any lot line and *a minimum of 10 feet from the principal structure on the lot.*
 - f. Number. No more than four hens are permitted per zoning lot. Roosters are not permitted.
 - g. Chicken Runs. Any chicken run associated with a chicken coop shall be fully enclosed to ensure that all hens are confined.
 - h. Maintenance. Chicken coops shall be maintained in a manner that provides adequate lighting and ventilation, and protects chickens from cold weather, precipitation, rodents, predators, and trespassers. Chicken coops must be maintained in a sanitary condition and shall be cleaned of droppings, uneaten feed, feathers, and other waste so as not to become a nuisance.
 - i. Sales. There shall be no retail sales of any products on-site.
 - j. Slaughter. On-site slaughtering of chickens is prohibited. Chickens shall be taken off premises to a licensed live poultry establishment for slaughter.
3. Compost Bin.
 - a. Enclosure. Compost must be contained in a fully enclosed receptacle with a tightly fitted lid.
 - b. Maintenance. Compost bins must be maintained in a sanitary condition so as not to become a nuisance. Compost may not contain sewage, meat, bones, or grease.
 4. Deck or Patio. Location. Decks and patios are allowed in the front yard, corner side yard, interior side yard, or rear yard.
 5. Dog Run. Location. Dog runs may encroach into the required rear yard only. The run must be located a minimum of ten feet from all property lines.
 6. Fence or Wall.

Steering Committee Informational Item: We understand that there is a preference to prohibit front yard and corner side yard fences so this section has been crafted to include this regulation. We have also removed the distinction between open and solid fences, which creates unnecessary confusion and creates inconsistency in the built environment.

- a. Location. In all zoning districts, fences and walls are allowed in the interior side yard and rear yard.
 - b. Height. The maximum height of a fence or wall shall be measured from the ground at the base of the fence or wall.
 - (1) Residential and Commercial Districts. In residential and commercial zoning districts, the maximum height of a fence or wall shall be six feet in an interior side or rear yard.
 - (2) Industrial Districts. In industrial zoning districts, the maximum height of a fence or wall shall be ten feet in an interior side or rear yard.
 - (3) Exceptions. Any yard adjacent to a railroad right-of-way may have a maximum fence height of ten feet. Any yard adjacent to a six lane arterial street may have a maximum fence height of eight feet.
 - c. Access. Every fence fronting onto an existing or proposed road right-of-way, except for corner lots, must include a gate giving access to the right-of-way.
 - d. Materials and Construction.
 - (1) Construction, Design and Appearance. In all zoning districts, both sides of a fence or wall shall be similar in construction, design, and appearance. The finished side of a fence or wall shall face outward from the zoning lot so that all posts are located on the property owner's side of the fence or wall.
 - (2) Residential Districts. In residential zoning districts, fences and walls may be constructed of treated wood, simulated wood, vinyl, chain link without slats, wrought iron, brick, and stone.
 - (3) Non-Residential Districts. In non-residential zoning districts, fences and walls may be constructed of treated wood, simulated wood, vinyl, chain link with slats of a uniform color or without slats, metal mesh, corrugated metal, wrought iron, brick, stone, cinderblock, and concrete block.
 - (4) Prohibited Materials. Fences shall not be constructed of barbed wire, electrically charged wire, or razor wire, except in the I-1 and I-2 Districts where electrified wire may be used for an electric fence with approved building permit.
7. Flagpole.
- a. Location. Flagpoles are allowed in the front yard, corner side yard, interior side yard, or rear yard.
 - b. Height. The maximum height of a flagpole shall be 20 feet.
8. Garage. Refer to **Figure 10-7-4-1. Garage Location**.
- a. Location. Detached garages are allowed in the rear yard. Attached garages are allowed in the interior side yard and rear yard, subject to compliance with **§ 10-7-4.C.8.c (Required Setback)**.
 - b. Alley Orientation. Where an alley exists adjacent to the side or rear lot line, all motor vehicle access to the garage shall occur through the alley.
 - c. Required Setback. In residential zoning districts, attached garages shall be set back a minimum of five feet from the primary front elevation of the building.

Steering Committee Discussion Item: Would you like to retain any portions of the existing provision limiting attached garage size: "Single-family attached garages in excess of eight hundred eighty (880) square feet may be allowed provided the garage does not exceed twenty five percent (25%) of the living space of the residence and that the lot size is sixteen thousand (16,000) square feet or greater?" (See 10-6-4 of the existing Ordinance.)

Figure 10-7-4-1. Garage Location.



9. Garden.

- a. **Location.** Gardens are allowed in the front yard, corner side yard, interior side yard, or rear yard, but shall be limited to 50 percent of the pervious area of the front yard and corner side yard.
- b. **Height.** The maximum height of any structure used to grow items in a garden, such as raised planting beds or hoophouses, shall be three feet in the front or corner side yard, and six feet in the interior side or rear yard.
- c. **Loose Soil.** Loose soil associated with a garden must be covered or confined so that the soil does not spillover from the garden area.

10. Gazebo.

- a. **Location.** Gazebos are allowed in the rear yard only.
- b. **Design.** Each side of a gazebo shall be at least 25 percent open.

11. Hoophouse. Use Limitation. Hoophouses are only allowed in conjunction with residential uses, community gardens, and garden centers.

12. Mechanical Equipment.

- a. **Location.** Ground-mounted mechanical equipment shall only be located in the rear yard. Roof-mounted mechanical equipment shall be located a minimum of six feet from any supporting wall to facilitate safe access.
- b. **Screening.** The requirements of § 10-9-ZZ (Screening Requirements) shall apply to mechanical equipment.

13. Outdoor Fire Pit.

- a. **Location.** Outdoor fire pits are allowed in the rear yard only.
- b. **Setback.** Outdoor fire pits shall be located a minimum of 10 feet from any structure.

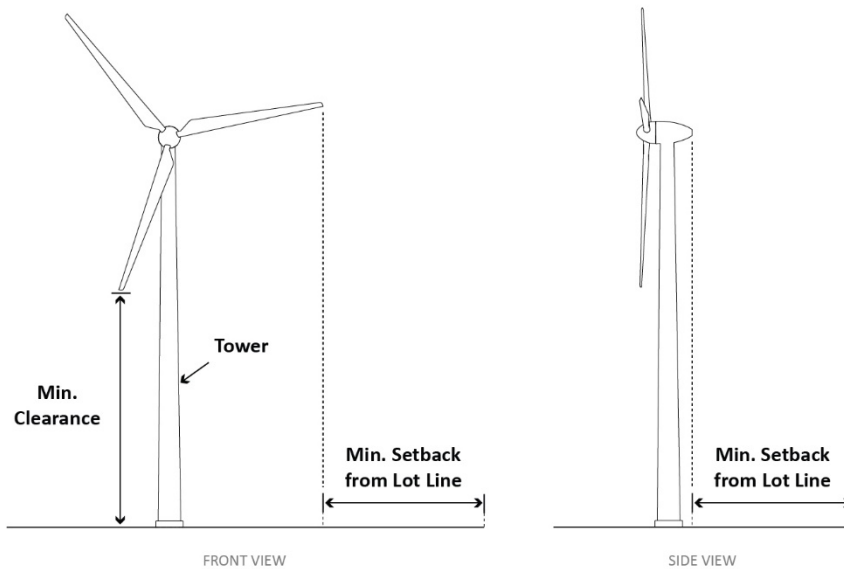
14. Outdoor Sales and Display Area

- a. **Items Offered.** The items permitted to be offered for sale or lease in outdoor sales and display areas include, but are not limited to, building or garden supplies for retail sale, nursery plants, equipment for household use, and other household items that are typically used or stored

- outdoors. Permanent outdoor sales and display areas for motor vehicle sales shall be subject to the requirements for [§ 10-7-3.T \(Motor Vehicle Rental or Motor Vehicle Sales\)](#).
- b. Location. Outdoor sales and display areas shall not exceed 15% of the gross lot area in commercial zoning districts and 25% in industrial zoning districts.
 - c. Improved Surface. Outdoor sales and display areas must be paved.
 - d. Unobstructed Access. Outdoor sales and display area shall not obstruct driveways, parking areas, sidewalks, and landscaped yards.
 - e. Fencing. If the outdoor sales and display area is secured with a fence, it shall be either a decorative wooden, masonry, or wrought iron fence.
15. Rain Garden.
- a. Location. Rain gardens are allowed in the front yard, corner side yard, interior side yard, or rear yard.
 - b. Loose Soil. Loose soil associated with a rain garden must be covered or confined so that the soil does not spill over from the garden area.
16. Recreation Equipment. Location. Recreation equipment is allowed in the rear yard only.
17. Refuse, Recycling, and Grease Containers.
- a. Applicability. Refuse, recycling, and grease container regulations apply only to those uses that collect refuse, recyclable materials, and grease in commercial containers.
 - b. Location. Refuse, recycling, and grease containers are prohibited in the front yard.
 - c. Screening. The requirements of [§ 10-9-ZZ \(Screening Requirements\)](#) shall apply to refuse, recycling, and grease containers.
18. Satellite Dish. Location. Satellite dishes are allowed on the rear or interior side yard façade of a building or on the roof of a building.
19. Shed.
- a. Location. Sheds are allowed in the or rear yards.
 - b. Area. In the R-1, R-2, R-3, R-4, R-5, and R-6 Districts, the maximum area of a shed shall be 120 square feet.
20. Small Wind Energy System. Small wind energy systems may be roof-mounted or ground-mounted in accordance with the following standards. Refer to [Figure 10-7-4-2. Ground-Mounted Small Wind Energy System Standards](#).
- a. General Requirements. All systems shall be subject to the following.
 - (1) Building Permit Application. The application for a building permit shall include drawings of the wind turbine structure, including the tower, base, footings, and location on the site, and of the electrical components in sufficient detail to determine whether the proposed system conforms to pertinent electrical codes.
 - (2) Capacity. Systems shall have a rated capacity of 100 kilowatts or less.
 - (3) Noise. Systems shall not exceed 60 dBA, as measured at the closest lot line. This level may be exceeded during short-term events such as utility outages and/or severe storms.
 - b. Roof-Mounted Systems. Roof-mounted systems shall adhere to the following.
 - (1) Districts. Roof-mounted systems are allowed in all zoning districts.
 - (2) Location. Systems are allowed anywhere on the roof of a principal structure. Systems on an accessory structure, such as a garage, gazebo, greenhouse, shed, or other structure, must be approved by the Zoning Administrator.
 - (3) Height. The maximum height of a roof-mounted system shall be 15 feet above the height of the principal or accessory structure to which the turbine is mounted.
 - c. Ground-Mounted Systems. Ground-mounted systems shall adhere to the following.
 - (1) Districts. Ground-mounted systems are allowed in the C-1, I-1, and I-2 Districts.
 - (2) Location. Systems are allowed in the interior side and rear yards.

- (3) Setback. All components of a ground-mounted system (such as the tower, blade, and guy wire anchors) shall be located a minimum of five feet from any lot line.
- (4) Height. The maximum height of a ground-mounted system shall be the height limit of the applicable zoning district.
- (5) Clearance. A ground-mounted system shall have a minimum of 15 feet of clearance from the ground.

Figure 10-7-4-2. Ground-Mounted Small Wind Energy System Standards.



21. Solar Energy Collection System. Solar energy collection systems may be roof-mounted or ground-mounted in accordance with the following standards.
 - a. Roof-Mounted Systems. Roof-mounted systems shall adhere to the following.
 - (1) Districts. Roof-mounted systems are allowed in all zoning districts.
 - (2) Height. The maximum height of a roof-mounted system shall be five feet above the height of the principal or accessory structure to which the system is mounted.
 - b. Ground-Mounted Systems. Ground-mounted systems shall adhere to the following.
 - (1) Districts. Ground-mounted systems are allowed in all zoning districts.
 - (2) Location. Ground-mounted systems are allowed in the interior side and rear yards.
 - (3) Height. The maximum height of a ground-mounted system shall be the height limit of the applicable zoning district.
22. Swimming Pool. The following standards apply to swimming pools with a maximum depth equal to or greater than two feet.
 - a. Building Code. The installation or replacement of a swimming pool shall comply with all requirements of the International Building Code, including those for swimming pool enclosures and safety devices.
 - b. Location. Swimming pools are allowed in the rear yard.
 - c. Height. Aboveground pools shall not exceed six feet in height.
 - d. Distance from Other Structures. A swimming pool shall be a minimum of 10 feet from any other structure or building on a zoning lot, with the exception of a permanent deck or patio. A swimming pool shall be at least 10 feet from any utility lines or cables, as verified by the Zoning Administrator.

23. Treehouse.
 - a. Location. Treehouses are allowed in the rear yard.
 - b. Number. A maximum of one treehouse is allowed per zoning lot in the R-1, R-2, R-3, R-4, R-5, and R-6 Districts.
 - c. Size. The maximum size of treehouse shall be 100 square feet.
 - d. Tree Incorporation. Treehouses must incorporate a planted tree as a critical structural element.
24. Wireless Telecommunication Antenna.
 - a. General Requirements. Wireless telecommunication antennas shall meet the general requirements for wireless telecommunication facilities and/or towers in § 10-7-3-DD.1 (General Requirements).
 - b. Height.
 - (1) A wireless telecommunication antenna shall not increase the height of any building or structure on which it is mounted by more than 10 percent.
 - (2) A wireless telecommunication antenna mounted to a wireless telecommunication tower shall not increase the height of the tower by more than 10 percent.
 - c. Stealth Design. All wireless telecommunication antennas shall utilize stealth design to blend into the surrounding environment, including those co-located on a wireless telecommunication tower.
 - (1) A wireless telecommunication antenna must be enclosed, camouflaged, screened, or obscured so that it is not readily apparent to a casual observer.
 - (2) A wireless telecommunication antenna shall blend into another part of the structure upon which it is mounted, such as a rooftop, tower, spire, or other similar feature.
- D. Accessory Dwelling Units. Accessory dwelling units are permitted in all residential zoning districts within a principal or accessory structure subject to approval of site plan review (§ 10-3-2 (Site Plan Review)) and provided that the following standards are met.
 1. Accessory Dwelling Unit.
 - a. Location. An accessory dwelling unit located in a principal structure may be located anywhere within a principal structure. An accessory dwelling unit located in an accessory structure is allowed in the rear yard only.
 - b. Number. The number of accessory dwelling units on a lot shall be no greater than the number of principal dwelling units on a lot.
 - c. Size. The maximum size of an accessory dwelling unit shall be 900 square feet
 - d. Design. An accessory dwelling unit shall be designed to be clearly secondary to the principal dwelling unit on the site. For accessory dwelling units located in an accessory structure, the exterior materials of the dwelling unit must be compatible with the primary dwelling unit, including siding and trim materials, window design, roof shape, roof pitch, and roof material.
- E. Home-Based Business. A home-based business is permitted within any dwelling unit in the Village as part of a principal or accessory structure, subject to approval of site plan review (§ 10-3-2 (Site Plan Review)) and provided that the following standards are met.
 1. Residential Character. The location and operation of the home-based business shall not alter the residential character of the dwelling.
 2. Uses. Examples of allowed home-based business include, but are not limited to, artist, consultant, counselor, craftsperson, designer, tutor, writer, and instructor of music, craft, or fine art.
 3. Sales. No on-site retail or wholesale transactions are allowed.
 4. Hours of Operation. Home-based businesses with outside visitors may be allowed to operate from 7:00 AM to 9:00 PM.

5. Residency of Operator. The operator of the home-based business shall reside in the dwelling unit in which the home-based business is located.
6. Employees. One additional employee who does not reside in the dwelling unit is allowed to work in a home-based business.
7. Visitors. A maximum of four visitors (such as clients, customers, and pupils) associated with the home-based business may be present at any given time.
8. Parking. Any parking needs associated with the home-based business shall be accommodated on-site within an existing driveway or garage.
9. Deliveries. Deliveries and shipments are not allowed to or from the premises, with the exception of carriers that typically provide service to residential neighborhoods, such as the U.S. Postal Service and/or express shipping services (e.g. UPS, FedEx, DHL).
10. Signs. Signs for home-based businesses are permitted in accordance with **§ 10-10-ZZ (Permanent Signs Exempt from Permit Requirement)**.
11. Permit and Fee. Every home-based business shall complete a permit application with the Village that shall be accompanied by a required filing fee as established and modified from time to time by the Village.

§ 10-7-5 Temporary Structures and Uses

Temporary structures and uses shall be subject to the requirements of this section.

- A. Temporary Structures and Uses Table. **Table 10-7-5-1. Temporary Structures and Uses** establishes the allowed temporary structures and uses for each zoning district. **Table 10-7-5-1** is not an exhaustive list of temporary structures and uses that may be located within the Village. Each structure or use is given one of the following designations for each zoning district.
 1. Permitted (“P”). A “P” indicates that the temporary structure or use does not require a temporary use permit and is allowed by-right within the designated zoning district provided that it meets all applicable use standards set forth in **§ 10-7-5.B (Use Standards for Temporary Structures and Uses)**.
 2. Permitted with Temporary Use Permit (“T”). A “T” indicates that the temporary structure or use requires the approval of a temporary use permit (refer to **§ 10-3-10 (Temporary Use Permit)**) and must meet any applicable use standards set forth in **§ 10-7-5.B (Use Standards for Temporary Structures and Uses)** in order to be allowed within the designated zoning district.
 3. No Designation. The absence of a letter (a blank space) indicates that the use is not allowed within the designated zoning district.

Table 10-7-5-1. Temporary Structures and Uses

Temporary Structures and Uses	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	Use Standards
Contractor Trailer	P	P	P	P	P	P	P	P	P	P	See § 10-7-5-B.1
Farmers Market	T	T	T	T	T	T	T	T			See § 10-7-5-B.2
Garage or Yard Sale	T	T	T	T	T	T					See § 10-7-5-B.3
Mobile Food Facility							P	P	P	P	See § 10-7-5-B.4
Model Unit	P	P	P	P	P	P	P	P			See § 10-7-5-B.5
Temporary Outdoor Entertainment	T	T	T	T	T	T	T	T			See § 10-7-5-B.6
Temporary Outdoor Sale							T	T			See § 10-7-5-B.7
Temporary Storage Container	P	P	P	P	P	P	P	P	P	P	See § 10-7-5-B.8
<p>Table Key</p> <p>P: Allowed by-right and shall meet the requirements of § 10-7-5.B (Use Standards for Temporary Structures and Uses) when applicable.</p> <p>T: Allowed with temporary use permit and shall meet the requirements of § 10-7-5.B (Use Standards for Temporary Structures and Uses) when applicable.</p>											

B. Use Standards for Temporary Structures and Uses. The following standards apply to temporary structures and uses designated as permitted (“P”) or permitted with temporary use permit (“T”) in the zoning districts noted in the “Use Standards” column of **Table 10-7-5-1. Temporary Structures and Uses**. Temporary uses may be located outdoors or within an enclosed building or structure.

1. Contractor Trailer. Duration. Contractor trailers shall be limited to the period of active construction of the project. Contractor trailers shall not contain accommodations for sleeping or cooking.
2. Farmers Market.
 - a. Schedule. The schedule for a farmers market will be determined as part of a temporary use permit, including number of days per week and overall duration of the event. A temporary use permit for a farmers market can be issued on an annual basis, which allows for a schedule of days per week and number of weeks per year.
 - b. Management Plan. A management plan for a farmers market shall be submitted that demonstrates the following.
 - (1) The on-site presence of a manager to direct the operation of vendors.
 - (2) An established set of operating rules, days and hours of operation, vendor set-up and take-down times, a maintenance plan, and provisions for waste removal.
 - (3) A site plan indicating vendor stalls, visitor facilities, seating areas, restrooms, and all entrances and exits to the site.
3. Garage or Yard Sale.
 - a. Permit Requirements. Except during Village-wide events, no garage or yard sale shall be conducted on any premises in a residential zoning district without a temporary use permit. The temporary use permit shall be posted in the front yard of the premises so it can be easily seen by the public.
 - b. Duration and Frequency. No garage or yard sale shall be conducted:
 - (1) For more than three consecutive days.
 - (2) Before 8:00 AM or after 9:00 PM.
 - (3) Within 12 months of another garage sale conducted either on the same premises or by the same applicant, except during Village-wide events.
 - c. Location. No sale items or sales activities shall be located outside of the zoning lot.

- d. Signs. Signs for garage sales shall be permitted in accordance with **§ 10-10 (Signs)**.
 - e. Amplification. No outdoor loudspeakers or other amplification equipment shall be used in connection with the sale.
4. Mobile Food Facility.
- a. Maintenance. The permit holder for a mobile food facility must keep the area clear of litter and debris during business hours and provide a trash receptacle for customer use if such receptacles are not already provided on site or in the right-of-way.
 - b. Outdoor Seating. Outdoor seating may be provided on the site, but no seating may be permanently installed.
 - c. Electrical Service. Electrical service may be provided only by temporary service through an electric utility or by an on-board generator.
 - d. Alcohol. The sale of alcohol is prohibited.
 - e. Water Connection. A permanent water or wastewater connection is prohibited.
 - f. Drive-Throughs. Drive-through service is prohibited.
5. Model Unit. Duration. Model units shall be limited to the period of active selling and/or leasing of space in the development, or six months after issuance of the final occupancy permit, whichever is less. Model units shall not be used for sleeping, bathing, or cooking purposes.
6. Temporary Outdoor Entertainment.
- a. Duration. Temporary outdoor entertainment shall be limited to a period of seven consecutive days.
 - b. Frequency. A maximum of two temporary outdoor entertainment permits may be issued per year for any lot.
 - c. Other Local Regulations. Temporary outdoor entertainment shall comply with the requirements of the Municipal Code (**Chapter 4: Exhibitions and Carnivals**) and other local regulations.
 - d. Temporary Use Permit Application. Approval of the temporary use permit shall be based on the adequacy of the lot area, provision of parking, traffic access, and public safety, as well as the absence of undue adverse impacts on adjacent properties. The temporary use permit application shall include the following:
 - (1) Site Plan. As part of the temporary use permit application, the operator of the event must submit a site plan to the Village prior to the event that illustrates the location of major site components and ingress and egress routes for emergency vehicles.
 - (2) Proof of State Inspection. The operator of the event shall provide proof that all amusement devices have been inspected and approved by the State of Illinois Department of Labor.
 - e. Bulk and Yard Requirements. Temporary outdoor entertainment is exempt from **§ 10-6 (Zoning District Regulations)**.
7. Temporary Outdoor Sale.
- a. Temporary Use Permit Application. Approval of a temporary use permit for a temporary outdoor sale shall be based on the adequacy of the lot area, provision of parking, traffic access, and public safety, as well as the absence of undue adverse impacts on other properties.
 - b. Duration. Temporary outdoor sale uses shall be limited to a period of up to 45 days. The Zoning Administrator may grant additional time or successive permits through the temporary use permit process.
 - c. Sidewalk Clearance. A minimum of four feet of sidewalk clearance must remain available for pedestrians in accordance with the Americans with Disabilities Act Accessibility Guidelines.
 - d. Storage. Merchandise must be stored inside the building during non-business hours.

8. Temporary Storage Container.

- a. Duration. Temporary storage containers shall be located on a lot for a period of no more than 45 consecutive days unless used in conjunction with an approved building permit.
- b. Frequency. A maximum of two instances of temporary storage container installation are allowed per year.
- c. Improved Surface. The temporary storage container shall be located on an improved surface. Containers shall not be permanently attached to the ground, have permanent utility service, or be stacked on top of one another.

§ 10-7-6 Environmental Performance Standards

All uses in all zoning districts shall comply with the performance standards established in this Section unless any federal, state, county, or local regulation establishes a more restrictive standard, in which case the more restrictive standard shall apply.

- A. Noise. No activity or use shall be conducted in a manner that generates a level of sound, as measured on another property, greater than that allowed by federal, state, county, and local regulations. These limits shall not apply to construction noises, noises emanating from safety signals or warning devices, noises not directly under the control of the owner or occupant of the property, and transient noises from moving sources, such as motor vehicles, railroads, and aircraft.
- B. Odor. No activity or use shall be conducted in a manner that generates odors of such intensity and character as to be harmful to the health, welfare, or comfort of the public. Any such use shall be stopped or modified so as to remove the odor.
- C. Dust and Air Pollution. Dust and air pollution carried by the wind from sources such as storage areas, yards, roads, equipment, and the like, within lot boundaries, shall be kept to a minimum by appropriate landscaping, screening, paving, wetting, or other acceptable means.
- D. Glare and Heat. No activity or use shall be conducted in a manner that generates glare or heat that may be detected at any point off the lot on which the use is located. Light sources shall be shielded so as not to cause a nuisance across lot lines.
- E. Vibration. No activity or use shall be conducted in a manner that generates earthborn vibration that can be detected at any point off the lot on which the use is located.
- F. Fire and Explosion Hazards. Materials that present potential fire and explosion hazards shall be transported, stored, and used only in conformance with all applicable federal, state, county, and local regulations.
- G. Electromagnetic Interference. Electromagnetic interference from the operation of any use that is not in compliance with the rules and regulations of the Federal Communications Commission must not adversely affect the operation of any equipment located off the lot on which such interference originates.
- H. Hazardous, Radioactive, and Toxic Materials. No activity or use shall produce hazardous, radioactive, or toxic material without prior notice to the Village. Notice shall be given to the Zoning Administrator at least 30 days before the operation is commenced. The transport, handling, storage, discharge,

clean up, and disposal of all hazardous, radioactive, or toxic materials, including waste, shall comply with applicable federal, state, county, and local regulations.

CHAPTER 11: DEFINITIONS

§ 10-11-1 Purpose

§ 10-11-2 Definition of Terms

§ 10-11-1 Purpose

The purpose of this Chapter is to define the terms used throughout this Ordinance.

§ 10-11-2 Definition of Terms

Accessibility Ramp: An inclined structure that allows increased access to a building or structure.

Accessory Dwelling Unit (ADU): A small, self-contained residential dwelling unit often referred to as a mother-in-law suite, or a granny flat, that is secondary to a larger residential dwelling unit located on the same zoning lot.

Accessory Structure: A structure located on the same lot as a principal structure, and that is subordinate in structure and use to the principal structure.

Accessory Use: A use located on the same zoning lot as a principal use that is subordinate to the principal use.

Addition: Construction that increases the size of a building or structure in terms of height, length, depth, width, floor area, or impervious coverage.

Adjacent: Property or a right-of-way that touches a lot line of the subject property or is separated by a public alley. Properties shall not be considered adjacent to one another if a street separates the properties.

Adult Cabaret: An establishment that features any of the following: persons who appear nude or seminude; live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of "Specified Anatomical Areas" or the conduct or simulation of "Specified Sexual Activities"; or films, motion pictures, videos, slides, computer displays, or other visual representations or recordings that emphasize "Specified Anatomical Areas" or "Specified Sexual Activities."

Adult Store: An establishment having a substantial or significant portion of its sales or stock in trade devoted to books, magazines, periodicals, other printed matter, instruments, novelties, devices, paraphernalia, films, motion pictures, videos, digital materials, or other visual representations that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas." This shall include any establishment with a segment or section devoted to the sale or display of such materials, or an establishment that publicly claims itself as a purveyor of such materials based upon its signage, advertising, displays, actual sales, presence of booths, or any other factors showing the establishment's primary purpose is to purvey such material.

Adult Theater: An establishment that, as a substantial or significant portion of its business, presents films, motion pictures, videos, digital materials, or other visual representations that are distinguished or characterized by an emphasis on matter depicting, describing, or relating to “Specified Sexual Activities” or “Specified Anatomical Areas.”

Adult Use: “Adult Use” shall include “Adult Cabarets,” “Adult Stores,” “Adult Theaters,” and other similar uses.

Alley: A narrow public or private right-of-way that provides a means of access to adjacent properties typically located at the side or rear of a lot.

Alteration: A change in the supporting members of a building or structure, such as bearing walls, partitions, columns, beams, or girders, or a substantial change to the roof or exterior walls.

Animal Boarding, Hospital, or Shelter: An establishment where pet animals are temporarily boarded, treated for illness or injury, and/or temporarily cared for while permanent homes are found for them.

Antenna: A linear antenna designed to send and/or receive television, radio, communication, data, or other similar signals from other antennas.

Arbor: A freestanding structure that serves to support climbing plants, often used to define an access point to a garden.

Assisted Living Facility: A residential facility that provides daily assistance and long-term residence for three or more disabled and/or elderly individuals, but does not provide regular in-patient medical or nursing care. Such facilities provide a combination of housing, supportive services, personalized assistance, and health care designed to respond to the individuals who need help with common daily activities, such as dressing, grooming, and bathing. An “Assisted Living Facility” does not include “Community Residence,” “Independent Living Facility,” or “Nursing Home.”

Awning: A roof-like cover, often constructed of flexible fabric and/or metal, which projects from the wall of a structure over a window, sidewalk, or door and is designed for protection from the weather or as a decorative element.

Balcony: A platform that projects from the exterior wall of a building, which is exposed to the open air, has direct access to the interior of the building, and is not supported by columns extending to the ground.

Ball Court: A paved area used to play sports and/or games.

Banquet Hall: An establishment that provides accommodations for private functions, such as weddings, anniversaries, or other similar celebrations. Such use may include facilities for the preparation of food, sale of alcoholic beverages for on-premises consumption, and outdoor reception facilities.

Bar/Tavern: An establishment that sells alcoholic beverages for consumption on the premises, and may serve food for consumption on the premises in a manner that is incidental to the sale of alcoholic beverages.

Basement: A portion of a building located partly underground that has no more than one half of its height above grade.

Bay Window: A window built to project outward from an exterior wall, often with a flat front and angled sides.

Block: Land bounded on all sides by street rights-of-way, utility rights-of-way, and/or physical barriers such as bodies of water or public open spaces.

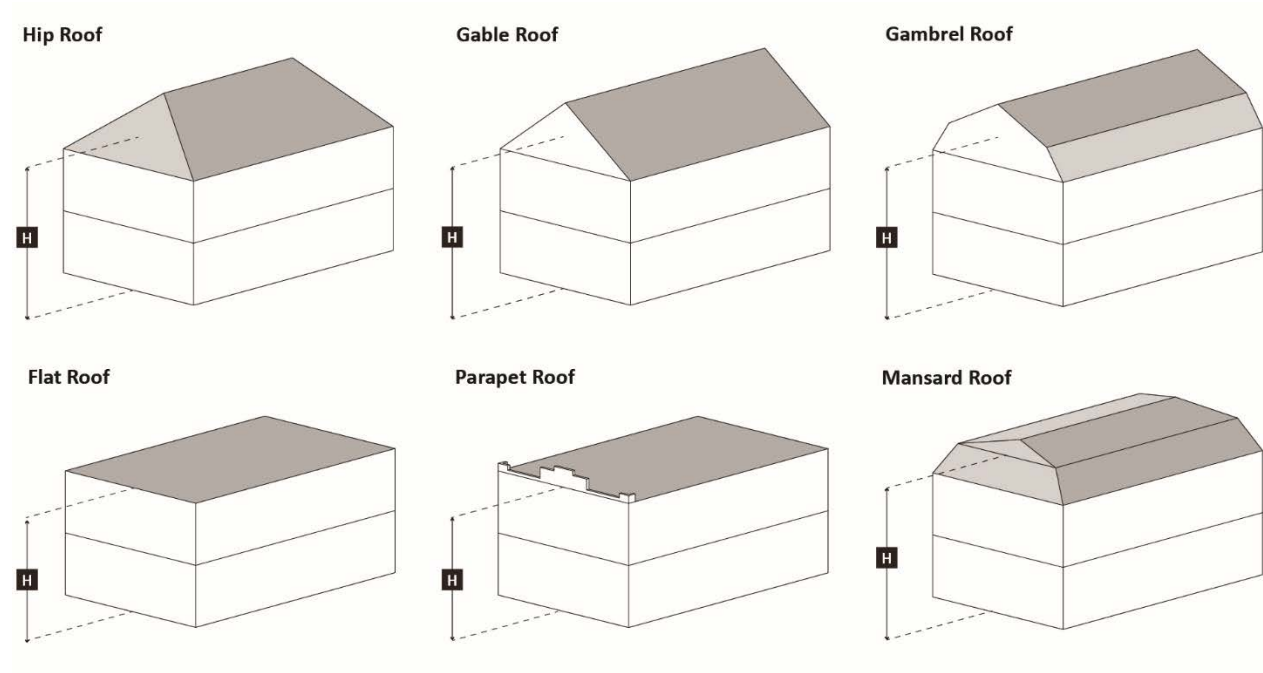
Blue Roof: A roof that is designed to store and discharge rainfall.

Body Art Establishment: An establishment that provides physical body adornment, alteration or modification that may include, but shall not be limited to, tattooing, piercing, branding, braiding, implantation, or scarification.

Building: A structure with substantial walls and a substantial roof that is securely affixed to land and separated on all sides from similar structures by space or by walls that do not have communicating doors, windows, or similar openings.

Building Height: The vertical distance measured from the mean average elevation of finished grade within twenty feet of the front building line to the mean point between the eaves and the ridge for a building with a hip, gable, or gambrel roof; to the highest point of a flat roof; and to the deck line for a building with a mansard roof. Regardless of roof type, the following projections shall not be included when determining building height: chimneys, towers, spires, steeples, parapet walls, staircase enclosures, elevator enclosures, tanks, cooling towers, green roofs, blue roofs, mechanical equipment, and similar projections. See [Figure 10-11-2-1. Building Height and Roof Types](#).

Figure 10-11-2-1. Building Height and Roof Types



Building Line. A line measured at the building wall of a structure that is parallel or nearly parallel to a lot line. For the purposes of establishing a building line, the building wall does not include permitted encroachments of architectural features, such as bay windows, eaves, stairs, and stoops.

Canopy: A rigid roof-like cover, often constructed of metal and/or glass, which projects from the wall of a structure over a window, sidewalk, or door and is designed for protection from the weather or as a decorative element. A canopy may include ground-mounted support posts.

Car Wash: An establishment engaged in the cleaning or detailing of motor vehicles, recreational vehicles, and/or other similar vehicles whether automatic or by hand.

Cemetery: Land used for the burial of the dead, which may include offices, structures for performing religious ceremonies related to the entombment of the deceased, and related accessory structures for the storage of maintenance equipment.

Chicken Coop: An enclosure used to house chickens.

Chimney: A vertical structure used to remove smoke and combustion gases from a building that is often of masonry construction.

Club, Lodge, or Hall: A meeting, recreational, or social facility established for the use of the members and guests of a non-profit or private organization.

College or University: A facility for post-secondary higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. "College or University" includes ancillary uses such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, and similar uses.

Commercial Vehicle: A motor vehicle operated for the transportation of people or material as part of a commercial enterprise.

Community Garden: Land that is collectively cultivated and maintained by a group of people.

Community Residence: A group residence consisting of a group home or specialized residential care home that is licensed, certified, or accredited by the appropriate state or federal agencies. Such residence shall serve as a single housekeeping unit for the housing of unrelated people with functional disabilities who share responsibilities, meals, social activities, and other aspects of residential living. "Community Residence" does not include "Assisted Living Facility," "Independent Living Facility," "Nursing Home," or "Residential Care Facility."

Compost Bin: A container used to store and break down organic matter to produce material that facilitates fertilizing and conditioning soil.

Comprehensive Plan. The comprehensive plan of the Village of Bensenville.

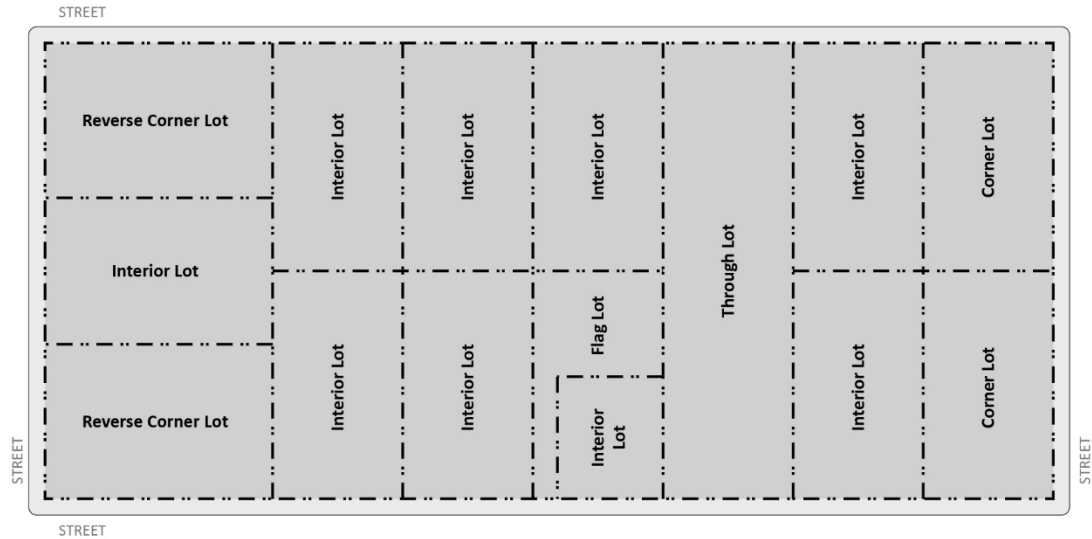
Conforming Structure: A structure that complies with the bulk and setback regulations of this Ordinance for the zoning district in which such structure is located.

Conforming Use: A use that complies with the use regulations of this Ordinance for the zoning district in which such use is located.

Contractor Trailer: A portable building or structure that may include office space and/or facilities for equipment storage for a construction project.

Corner Lot: A parcel of land located at the intersection of two or more streets that has more than one street frontage, or a lot located at the bend of one street that has an interior angle no greater than 135 degrees. See [Figure 10-11-2-2. Lot Types](#).

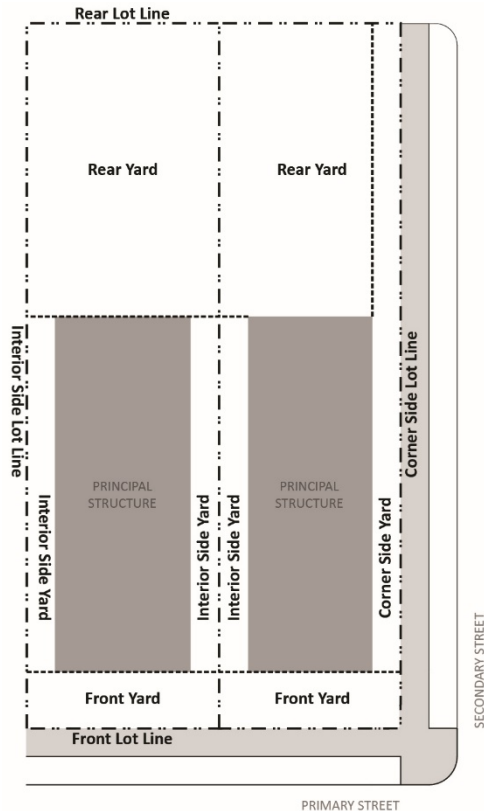
Figure 10-11-2-2. Lot Types



Corner Side Façade: Any façade that faces and is most closely parallel to the corner side lot line.

Corner Side Lot Line: The boundary of a lot that is approximately perpendicular to the front and rear lot lines, which separates the longest street right-of-way frontage of a corner lot from the street right-of-way. Refer to [Figure 10-11-2-3. Lot Lines and Yards.](#)

Figure 10-11-2-3. Lot Lines and Yards



Corner Side Yard: The area on a lot extending from the corner side façade of a building to the corner side lot line between the front yard and the rear lot line. Refer to [Figure 10-11-2-3. Lot Lines and Yards.](#)

Cornice. A projecting horizontal architectural feature, often located on the wall of a building or structure below the roofline.

Cultural Facility: A use that provides cultural services including, but not limited to, museums, cultural centers, historical societies, and libraries.

Currency Exchange: An establishment engaged in providing services to cash checks, issue money orders, and prepare cashier's checks for a fee. "Currency Exchange" does not include "Financial Institution" or "Payday or Title Loan Establishment."

Day Care Center: An establishment providing care for more than three adults or children in a protective setting for less than 24 hours per day that is not located within a residential dwelling unit. "Day Care Center" does not include day care programs operated by an "Elementary, Middle, or High School" or a "Place of Worship."

Day Labor Center: An indoor establishment where assignments for occasional or irregular employment are made, characterized by the daily gathering of workers generally seeking low-skilled manual labor. "Day Labor Center" does not include "Professional Office."

Day Care Home: A facility within a residential dwelling unit that provides care for adults or children, including the family's natural or adopted children, in a protective setting for less than 24 hours per day.

Deck: A roofless outdoor platform often constructed of wood or composite wood that is elevated from the ground and connects to the exterior wall of a building.

Development: Any human-made change to improved or unimproved real estate, including but not limited to construction of or substantial improvements to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Dog Run: An enclosed area located within a yard that provides space for a dog to exercise.

Drive-Through Facility: A facility used to provide products or services through a window, attendant, or automated machine to people in motor vehicles. A "Drive-Through Facility" may be established in combination with other uses, such as a "Financial Institution," "Personal Services Establishment," "Restaurant," or "Retail Goods Establishment." A "Drive-Through Facility" shall not be considered to be established in combination with a "Car Wash," "Gas Station," or "Motor Vehicle Repair and/or Service."

Driveway: An unobstructed area that provides access to a parking or loading space.

Dwelling Above the Ground Floor: A dwelling unit located on the upper floor of a building that contains non-residential uses on its ground floor.

Dwelling Unit: A structure, or portion thereof, designed for residential purposes as a single housekeeping unit that provides independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. "Dwelling Unit" does not include "Hotel/Motel," "Model Unit," recreational vehicle, mobile home, trailer, tent, or portable building.

Easement: Land that has been designated by lawful agreement between the owner of the land and another person for a specified use by such person.

Eave: The projecting lower edge of a roof that overhangs the wall of a building.

Electrical Generator: A device that generates electrical power.

Electrical Vehicle Charging Station: A location used to supply energy to electric vehicles.

Elementary, Middle, or High School: A public or private educational facility offering instruction to preschool, elementary school, middle school, junior high school, and/or high school students with a full range of curricular programs.

Encroachment: The location of a structure within a required setback.

Environmental Performance Standards: Criteria established to regulate noise, odor, dust, air pollution, glare, heat, vibration, fire, explosion hazards, or hazardous materials generated by the use of land or buildings.

Façade: The exterior face of a building, including, but not limited to, the wall, windows, windowsills, doorways, and design elements.

Farmers Market: An outdoor market located in a designated area for the sale of agricultural products, such as fruits, vegetables, juices, flowers, plants, herbs, spices, dairy goods, meats, by the vendors who typically produce such items. “Farmers Markets” typically offer for sale items such as baked goods, arts and crafts, and other value-added goods.

Fence: A barrier typically constructed of treated wood, simulated wood, PVC, steel, or a combination of materials, that is erected to separate, screen, or enclose an area that may have one or more gates.

Financial Institution: A bank, credit union, or savings and loan office, or an automated teller machine established by such an entity. “Financial Institution” does not include “Currency Exchange” or “Payday or Title Loan Establishment.”

Fire Escape: A structure located on the exterior wall of a building that is used to escape in case of a fire or other emergency.

Flag Lot: A lot where the vast majority of the lot can only be accessed from the right-of-way by means of a narrow strip of land between adjacent lots. See [Figure 10-11-2-2. Lot Types](#).

Flagpole: A ground-mounted or building-mounted structure used to display a flag.

Flat Roof: A flat roof structure with no visible slope, which is located on all street-facing façades and may or may not have overhanging eaves. See [Figure 10-11-2-1. Building Height and Roof Types](#).

Front Build-To Line: A line on a lot measured parallel to the front lot line where a structure must be located.

Front Façade: Any façade that faces and is most closely parallel to the front lot line.

Front Lot Line: The boundary of a lot that is adjacent to a street right-of-way. For corner lots, the front lot line shall be the shortest street frontage of the lot. For irregular lots, the front lot line shall be the entire length of the lot line that is adjacent to a street right-of-way. Refer to [Figure 10-11-2-3. Lot Lines and Yards](#).

Front Yard: The area on a lot extending from the front façade of a building to the front lot line between the side lot lines. Refer to [Figure 10-11-2-3. Lot Lines and Yards](#).

Funeral Home: An establishment where services are conducted for the deceased, including facilities to prepare the deceased for display, burial, and/or cremation.

Garage: A building, either attached or detached, which is used or designed for the parking and storage of motor vehicles, and the storage of various equipment.

Garage or Yard Sale: The sale of a variety of used household items, which is typically held in the garage or front yard of a residential dwelling unit.

Garden: An area dedicated to the cultivation of plants.

Garden Center: An establishment that sells plants grown or stored on site.

Gas Station: An establishment where motor vehicle fuel, including non-petroleum fuel, is stored and dispensed from fixed equipment into motor vehicles. A “Gas Station” may also include accessory activities such as restaurants, car washes, and convenience retail stores. “Gas Station” does not include “Motor Vehicle Repair and/or Service” or “Truck Stop.”

Gazebo: A freestanding open-sided structure, often hexagonal or octagonal in shape, that provides shade and shelter in outdoor areas.

Golf Course or Driving Range: A tract of land designed with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, and related accessory structures for the storage of maintenance equipment. A driving range may be designed as a standalone facility or included as part of a larger golf course.

Government Facility: A building or structure owned, operated, and/or occupied by a governmental agency to provide services to the public. “Government Facility” includes public safety facilities, public works facilities, post offices, and administrative offices, but does not include “Park,” “Elementary, Middle, or High School.”

Grade: For structures five feet or more from the front lot line, the average level of the finished surface of the ground adjacent to the exterior wall of the building. For structures less than five feet from the front lot line, the average level of the finished surface of the ground at the center of the front lot line.

Steering Committee Informational Item: We have used the Village’s existing definition of “Grade,” but we did not include the clause about “level of the sidewalk” and “where there is no sidewalk, or “in the case of a through lot, the grade shall be established by the director of community development” from the existing Ordinance. We believe that the revised definition removes some of the confusion and does not require Zoning Administrator interpretation.

Green Roof: A roof that is partially or completely covered with vegetation, a growing medium, and a waterproof membrane, that absorbs rainwater and reduces the heat absorbed by a building or structure.

Greenhouse: A building for the cultivation and protection of plants, which is typically constructed of transparent glass, metal, and/or plastic.

Gross Floor Area: The total horizontal area of the floors of a building as measured from the exterior face of the exterior walls, or from the centerline of a party wall to the exterior face of the exterior walls.

Steering Committee Informational Item: The existing definition for Gross Floor Area is complicated. The definition in the proposed Ordinance mirrors the exiting Ordinance in that it excludes parking facilities,

balconies, and roof area. However, the proposed definition would include attics, half stories, and space occupied by atriums. Note, we do not plan to use the term “Net Floor Area” in the proposed Ordinance so this term was not included in the Definitions Chapter.

Gun Range: An establishment designed for discharging firearms to practice marksmanship.

Gutter: A structure located at the eave of a roof to convey stormwater.

Half Story: The portion of a building located under a pitched roof.

Heavy Industrial: A use engaged in manufacturing, assembly, fabrication, packaging, storage, handling, or other industrial processing of products from unprocessed or raw materials, which may include the use of highly flammable material, or toxic matter. “Heavy Industrial” uses may be engaged in processes that are likely to have a substantial impact on the environment or on adjacent properties. Typical “Heavy Industrial” uses include, but shall not be limited to, chemical processing, grain milling, metal casting, metal smelting, motor vehicle assembly, motor vehicle wrecking, petroleum refining, rendering, tire assembly, and asphalt, brick, concrete, or tile manufacturing.

Home-Based Business: An occupation carried on in a dwelling unit by a resident, which is accessory to the residential use of the dwelling unit.

Hoophouse. A structure used to extend the growing season of agricultural crops that is generally semicircular in shape.

Hospital: An institution that provides healthcare and medical services for the sick and injured, which may include, but shall not be limited to, in-patient facilities, out-patient facilities, training facilities, offices, and laboratories.

Hotel/Motel: An establishment that provides sleeping accommodations and lodging services on a short-term basis for a fee and amenities which may include, but shall not be limited to, restaurants, meeting rooms, health clubs, and swimming pools.

Illegal Structure: A structure that did not legally exist prior to the adoption of this ordinance and does not conform with the current ordinance requirements for the district in which it is located.

Illegal Use: An activity or facility that does not enjoy a legal conforming or legal nonconforming status, as defined in this ordinance.

Impervious Coverage: The proportion of the area of a zoning lot occupied by surfaces that do not allow stormwater infiltration, such as principal structures, accessory structures, walkways, paved parking lots, and paved driveways, to the lot area of the zoning lot.

Independent Living Facility: A residential facility that contains dwelling units where at least one of the residents occupying a unit is 55 years or older. Such facilities do not provide regular in-patient medical or nursing care but may provide common areas for meals or socializing and limited convenience services. An “Independent Living Facility” does not include “Assisted Living Facility,” “Community Residence,” or “Nursing Home.”

Indoor Entertainment: An enclosed building where spectator uses are conducted by a for-profit entity that typically charges patrons a fee to enter. Typical “Indoor Entertainment” uses include, but shall not be limited to, indoor theaters, indoor music venues, and indoor sports arenas. “Indoor Entertainment” uses may include refreshment stands that provide products for consumption on the premises. “Indoor Entertainment” does not include “Adult Use” or “Indoor Recreation.”

Indoor Recreation: An enclosed building where recreational activities are conducted by a for-profit entity that typically charges patrons a fee to enter. Typical “Indoor Recreation” uses may include, but shall not be limited to, health clubs, bowling alleys, pool halls, children’s play facilities, arcades, indoor miniature golf courses, indoor swimming pools, indoor tennis courts, and indoor skating facilities. “Indoor Recreation” uses may include refreshment stands that provide products for consumption on the premises. “Indoor Recreation” does not include “Gun Range,” “Indoor Entertainment,” “Park,” “Elementary, Middle, or High School.”

Interior Lot: A parcel of land that has street frontage along at least one lot line and is flanked by lots along its side lot lines. See [Figure 10-11-2-2. Lot Types.](#)

Interior Side Façade: Any façade that faces and is most closely parallel to the interior side lot line.

Interior Side Lot Line: The boundary of a lot that is approximately perpendicular to the front and rear lot lines and is not adjacent to the street right-of-way. Refer to [Figure 10-11-2-3. Lot Lines and Yards.](#)

Interior Side Yard: The area on a lot extending from the interior side façade of a building to the interior side lot line between the front yard and the rear yard. Refer to [Figure 10-11-2-3. Lot Lines and Yards.](#)

Irregular Lot: A lot whose opposing lot lines are generally not parallel, such as a pie-shaped lot, or where one or more lot lines are curvilinear.

Laundromat: An establishment that provides washing, drying, and/or ironing machines for use by customers on the premises.

Light Industrial: A use engaged in manufacturing, assembly, fabrication, packaging, storage, handling, or other industrial processing of products primarily from prepared materials or finished products, which does not include the use of highly flammable material, or toxic matter. “Light Industrial” uses may be engaged in processes that have a minimal impact on the environment and adjacent properties.

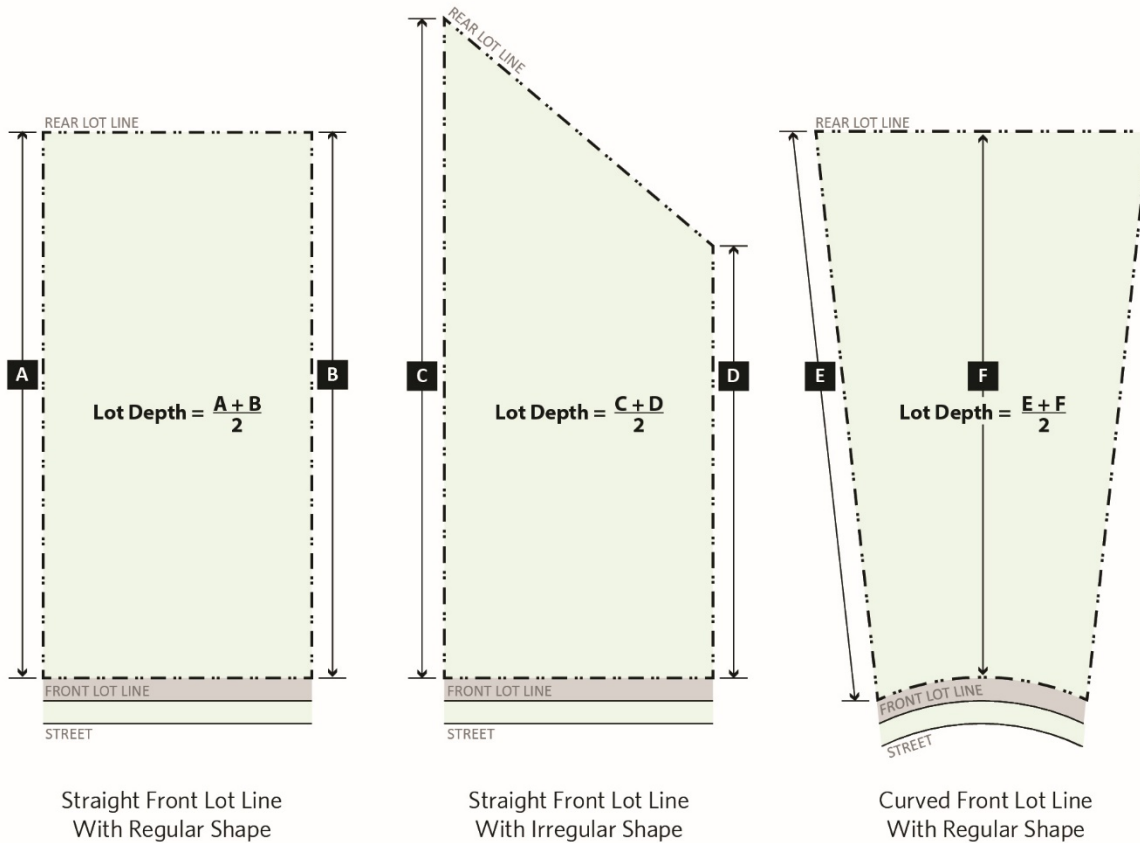
Live/Work Dwelling: A dwelling unit consisting of both residential and commercial components.

Lot: A parcel or tract of land intended to be separately owned, developed, or otherwise used.

Lot Area: The area of a zoning lot contained within its lot lines.

Lot Depth: The mean distance between the front and rear lot lines of a lot. See [Figure 10-11-2-4. Lot Depth](#).

Figure 10-11-2-4. Lot Depth



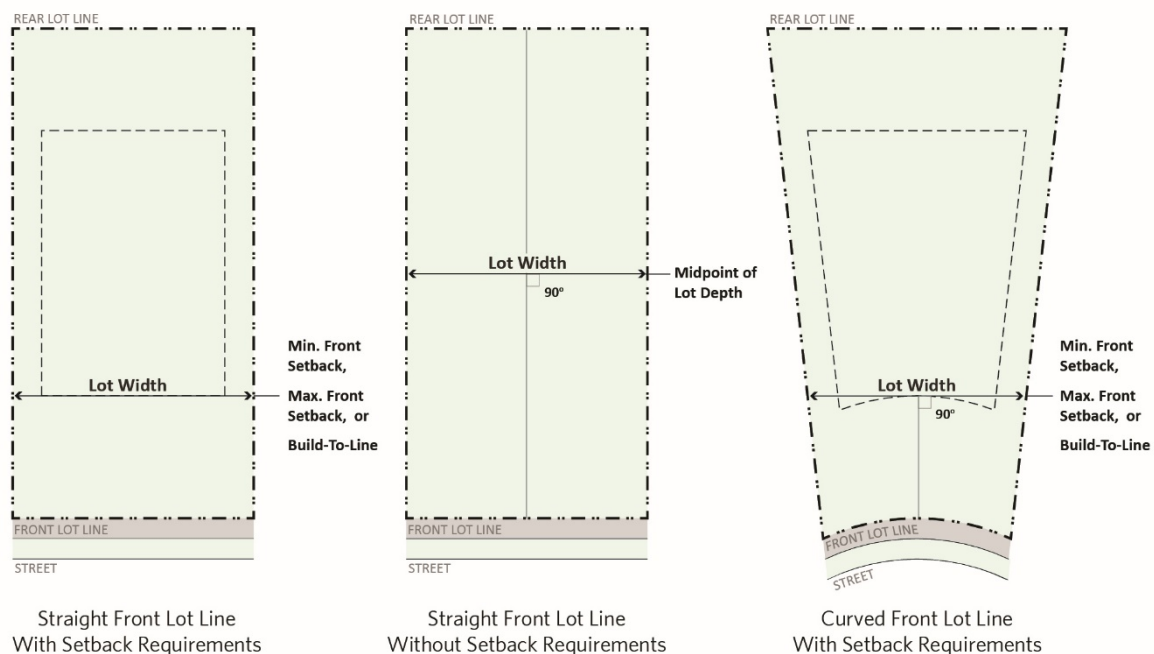
Lot Line: The boundary line of any lot.

Lot of Record: A legally created lot established by plat, deed, or contract, as recorded by the Cook or DuPage County Recorder of Deeds.

Lot Width: For zoning lots with a straight front lot line, the distance between the side lot lines measured at the applicable minimum front setback, maximum front setback, or front build-to line. For zoning lots with a straight front lot line, but no requirement for minimum front setback, maximum front setback, or front build-to line, the distance between the side lot lines measured at right angles to the lot depth at the midpoint between the front and rear lot lines. For zoning lots with a curved front lot line, the distance between the side lot lines along a line that is tangent to the minimum front setback, maximum front setback, or front build-to line at its midpoint. See [Figure 10-11-2-5. Lot Width](#).

Steering Committee Informational Item: The definition of lot width has been revamped based on the standards of Chapter 6 (Districts). We have not included the clause for the determination of irregular lots by the Zoning Administrator, which should be determined by a Zoning Interpretation.

Figure 10-11-2-5. Lot Width



Machinery and Equipment Sales and Rental: Establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, and similar industrial equipment. “Machinery and Equipment Sales and Rental” includes the incidental storage, maintenance, and servicing of such equipment.

Massage Therapy Establishment: An establishment that provides services for the manipulation of tissues for relaxation or therapeutic purposes. “Massage Therapy Establishment” does not include “Adult Use.”

Maximum Corner Side Setback: The maximum distance that a building or structure shall be located from a corner side lot line, as required by the zoning district regulations.

Maximum Front Setback: The maximum distance that a building or structure shall be located from a front lot line, as required by the zoning district regulations.

Mechanical Equipment: Ground-mounted and roof-mounted equipment such as heating, ventilating, and air-conditioning (HVAC) units.

Medical Marijuana Cultivation Center: An establishment licensed, certified, or accredited by the appropriate state agencies to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

Medical Marijuana Dispensary: An establishment licensed, certified, or accredited by the appropriate state agencies to acquire medical cannabis from a registered “Medical Marijuana Cultivation Center” for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

Medium Industrial: A use engaged in manufacturing, assembly, fabrication, packaging, storage, handling, or other industrial processing of products from both unprocessed and prepared materials, which does not include the use of highly flammable material, or toxic matter. “Medium Industrial” uses may be engaged in process that are likely to have a moderate impact on the environment or on adjacent properties. Typical “Medium Industrial” uses include, but shall not be limited to, bottling, food processing, machine shops, or freight handling.

Microbrewery or Microdistillery: A facility for the production and packaging of malt beverages of alcoholic content with a capacity of less than 15,000 barrels per year, or a facility for the production and packaging of spirits and liquors with a capacity of less than 12,000 gallons per year. Microbreweries or Microdistilleries include a tasting room, which allows customers to consume products manufactured on site, and/or a retail space for purchase of products manufactured on site and related items. Breweries that exceed a capacity of 15,000 barrels per year, distilleries that exceed a capacity of 12,000 gallons a year, or facilities that only manufacture for distribution are considered “Light Industrial.”

Minimum Corner Side Setback: The minimum distance that a building or structure shall be located from a corner side lot line, as required by the zoning district regulations.

Minimum Front Setback: The minimum distance that a building or structure shall be located from a front lot line, as required by the zoning district regulations.

Minimum Interior Side Setback: The minimum distance that a building or structure shall be located from an interior side lot line, as required by the zoning district regulations.

Minimum Rear Setback: The minimum distance that a building or structure shall be located from a rear lot line, as required by the zoning district regulations.

Minimum Setback Abutting a Residential District: The minimum distance that a building or structure shall be located from any lot line shared with a lot located in a residential district, as required by the zoning district regulations.

Minimum Street Frontage: The minimum proportion of a principal building required to be located adjacent to a right-of-way expressed as a percentage of the total length of the lot line adjacent to the right-of-way.

Mobile Food Facility: A motorized vehicle or mobile food unit, such as a pushcart, that is used to sell food items.

Model Unit: A building or structure displayed as an example of the dwelling units available for sale or for rent in a residential development. A “Model Unit” may include sales or rental offices. “Model Unit” does not include “Dwelling Unit.”

Motor Vehicle Operations Facility. A facility for the dispatch, storage, and maintenance of emergency medical vehicles, taxis, school buses, and livery vehicles. “Motor Vehicle Operations Facility” does not include “Motor Vehicle Rental,” Motor Vehicle Repair and/or Service,” “Motor Vehicle Sales,” or “Government Facilities” to dispatch, store, and maintain fire, police, public works, and other municipal vehicles.

Motor Vehicle Rental: An establishment that rents motor vehicles, including incidental facilities for parking and servicing such vehicles. “Motor Vehicle Rental” does not include “Motor Vehicle Operations Facility.”

Motor Vehicle Repair and/or Service: An establishment that provides services to adjust, align, repair, repaint, and/or replace motor vehicle parts and systems. “Motor Vehicle Repair and/or Service” includes facilities that sell motor vehicle parts and supplies in an incidental manner to the establishment’s repair facilities. “Motor Vehicle Repair and/or Service” does not include “Gas Station,” “Motor Vehicle Rental,” or “Motor Vehicle Sales.”

Steering Committee Discussion Item: In contrast to the existing Ordinance, the proposed Ordinance does not create a distinction between minor and major repair for motor vehicles. However, we have included uses standards for this use in § 10-7-3 (Use Standards). However, truck repair is a major issue in the community. We can add standard for repair of trucks within standards for motor vehicles after Village has discussed scenarios.

Motor Vehicle Sales: An establishment that sells or leases new or used motor vehicles, including incidental facilities for parking and servicing such vehicles.

Multiple-Unit Dwelling: A building that contains three or more dwelling units where each unit has an individual entrance to a common stairway, hallway, or to the outdoors. “Multiple-Unit Dwelling” does not include “Townhouse Dwelling” or “Two-Unit Dwelling.”

Nonconforming Lot: A lot of record that at one time conformed to applicable zoning regulations, but no longer conforms due to subsequent amendments to this Ordinance.

Nonconforming Structure: A principal or accessory structure that at one time conformed to applicable zoning regulations, but no longer conforms due to subsequent amendments to this Ordinance. “Nonconforming Structure” shall also include nonconforming signs, on-site development, off-street parking and loading facilities, and landscape characteristics.

Nonconforming Use: A use of land or a structure that at one time conformed to applicable zoning regulations, but no longer conforms due to subsequent amendments to this Ordinance.

Nursing Home: A residential facility that provides ongoing medical care and inpatient services for people requiring regular medical attention. Such facilities do not provide emergency medical services, surgical services, or treatment for alcoholism, drug addiction, or mental illness. A “Nursing Home” does not include “Assisted Living Facility,” “Community Residence,” or “Independent Living Facility.”

On-Street Parking: An area located within a right-of-way that is used to park a motor vehicle.

Outdoor Dining: An outdoor seating area that is typically connected to an indoor seating area for a “Restaurant” or “Bar/Tavern.”

Outdoor Entertainment: An open air or partially enclosed structure in which spectator uses are conducted by a for-profit entity that typically charges patrons a fee to enter. Typical “Outdoor Entertainment” uses include, but shall not be limited to, outdoor theaters, outdoor music venues, outdoor sports arenas, and amusement parks. “Outdoor Entertainment” uses may include refreshment stands that provide products for consumption on the premises. “Outdoor Entertainment” does not include “Outdoor Recreation.”

Outdoor Fire Pit. An outdoor fireplace that is open in design, or equipped with openings for a hearth and chimney and is generally constructed of steel, concrete, clay, or other noncombustible material.

Outdoor Recreation: An open air or partially enclosed structure in which recreational activities are conducted by a for-profit entity that typically charges patrons a fee to enter. Typical “Outdoor Recreation” uses may include, but shall not be limited to, outdoor miniature golf courses, outdoor swimming pools, outdoor tennis courts, and outdoor skating facilities. “Outdoor Recreation” uses may include refreshment stands that provide products for consumption on the premises. “Outdoor Recreation” does not include “Outdoor Entertainment,” “Park,” “Elementary, Middle, or High School.”

Outdoor Sales and Display. The sales and display of products and services outside of a building or structure.

Outdoor Storage Area: An area for the storage of materials, equipment, machinery, or motor vehicles used in the conduct of a business.

Owner: The legal or beneficial title-holder of land, or the holder of a written option to contract or purchase the land.

Parapet Roof: A low wall that projects above a roof along the perimeter of a building. See [Figure 10-11-2-1. Building Height and Roof Types](#).

Park: An area for active recreation, passive recreation, and/or resource protection that is open to the public. “Park” may include, but shall not be limited to, baseball fields, football fields, soccer fields, basketball courts, tennis courts, playgrounds, water parks, and field houses. “Park” does not include “Indoor Recreation” or “Outdoor Recreation.”

Parking Garage (Primary Use): A structure with two or more levels that is used to park motor vehicles.

Parking Lot (Primary Use): A paved area not located within a right-of-way that is used to park motor vehicles and is not ancillary to any other use on the same lot.

Patio: A roofless hard surfaced area typically constructed of masonry, brick, or concrete that is attached to the ground adjacent to the wall of a building.

Pawn Shop: An establishment licensed, certified, or accredited by the appropriate local and state agencies that lends money in exchange for personal property that is used as collateral. "Pawn Shops" may purchase personal property outright or on the condition of selling it back to a customer with interest. "Pawn Shops" may include cash for gold establishments, which have the primary business of purchasing precious metals, jewelry, watches, and other similar items. "Pawn Shop" does not include "Retail Goods Establishments" such as antique stores and consignment stores.

Payday or Title Loan Establishment: An establishment that provides loans to individuals in exchange for personal checks or titles to motor vehicles. "Payday or Title Loan Establishment" does not include "Currency Exchange" or "Financial Institution."

Pergola: A freestanding structure with columns or posts topped with beams and open rafters, which may or may not be connected to the wall of a building.

Permitted Use: A use that is allowed to be established by-right in a zoning district, and does not require administrative review or approval.

Person: An individual, firm, corporation, partnership, or other similar entity.

Personal Services Establishment: A commercial enterprise primarily engaged in the provision of services of a personal nature. "Personal Service Establishment" uses may include, but shall not be limited to, dry cleaners, barbershops, beauty salons, animal day care establishments, animal grooming establishments, shoe repair shops, and tailor shops. "Personal Service Establishment" includes facilities that sell products and goods in an incidental manner to the establishment's provision of services. "Personal Services Establishment" does not include "Adult Use," "Animal Boarding, Hospital, or Shelter" or "Tattoo Parlor."

Pitched Roof: A pitched or sloped roof, including hipped roofs, gabled roofs, roofs with a combination of hips and gables, gambrel roofs, and mansard roofs. See [Figure 10-11-2-1. Building Height and Roof Types](#).

Place of Worship: An institution maintained by a religious body where people assemble for religious purposes, ceremonies, and other similar events. "Place of Worship" may include housing for members of religious orders, "Day Care Centers," "Preschools," "Elementary, Middle, or High Schools."

Planned Unit Development: A distinct category of special use permit intended to allow flexibility in the application of the standards of this Ordinance. "Planned Unit Developments" are intended for significant development proposals that provide amenities to the community which are not required from conventional development applications.

Plat: A document that displays property lines and other information for the purpose of identifying and/or dividing land.

Porch: An unenclosed roofed platform projecting from the exterior wall of a building.

Principal Structure: A structure where the primary use of the lot is conducted.

Principal Use: The primary use of a lot or building as distinguished from an accessory use, which may be designated as a permitted use or a special use.

Professional Office: An establishment that engages in the application, processing, or manipulation of business information or professional expertise, which may or may not offer services to the public or offers health-related outpatient treatment by licensed health professionals. A “Professional Office” shall not manufacture, assemble, warehouse, or repair goods and products for the retail or wholesale market or engage in the repair of products or the provision of retail services. “Professional Office” may include, but shall not be limited to, medical offices, dental offices, law firms, insurance agencies, accounting firms, real estate agencies, investment firms, and non-profit organizations. “Professional Office” does not include “Day Labor Center,” “Medical Marijuana Dispensary” or government offices, which are considered “Government Facilities.”

Rain Barrel: A container for storing rainwater installed above-grade that generally has a capacity of less than 500 gallons.

Rain Garden: A shallow vegetated basin that collects and absorbs stormwater runoff.

Rainwater Cistern: A container for storing rainwater that may be installed either above or below grade.

Rear Façade: Any façade that faces and is most closely parallel to the rear lot line.

Rear Lot Line: The boundary of a lot that is most distant from and approximately parallel to the front lot line. If the rear lot line is less than 10 feet in length, or if the lot forms a point in the rear, then the rear lot line shall be considered a line that is 10 feet in length between the side lot lines that is most distant from and approximately parallel to the front lot line. Refer to [Figure 10-11-2-3. Lot Lines and Yards.](#)

Rear Yard: The area on a lot extending from the rear façade of a building to the rear lot line between the side lot lines on an interior lot, and between the side lot line and the corner side yard on a corner lot. Refer to [Figure 10-11-2-3. Lot Lines and Yards.](#)

Recreation Equipment: Structures typically used for children’s active recreation, which may include, but not be limited to swing sets and jungle gyms. “Recreation Equipment” does not include “Treehouse.”

Recreational Vehicle: Vehicles or trailers for recreational or utilitarian uses that can be driven, towed, hauled, sailed, or flown. “Recreational Vehicles” includes, but is not limited to, snowmobiles, all-terrain vehicles, race cars, off-road vehicles, travel trailers, pull campers, tent trailers, special purpose trailers, cargo trailers, utility trailers, vehicle trailers, power boats, cruisers, jet skis, fishing boats, hunting boats, pontoon boats, personal watercraft, row boats, and sail boats. “Recreational Vehicle” does not include “Dwelling Unit.”

Refuse, Recycling, or Grease Container: A receptacle for the disposal of litter, recyclables, or grease.

Research/Development Facility: A facility in which ideas and technologies are investigated, tested, and refined in industries that may include, but shall not be limited to, electronics, computer hardware and software, communications, information technology, biotechnology, and pharmaceuticals. "Research/Development Facility" may include the incidental manufacture and/or sale of products developed at the facility.

Residential Care Facility: A group care facility licensed for 24-hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A "Residential Care Facility" includes "Assisted Living Facility," "Independent Living Facility," "Nursing Home," hospice, and continuum of care facilities. A "Residential Care Facility" does not include "Community Residence."

Restaurant: An establishment that prepares and sells food and beverages for consumption on the premises and/or for carry-out. "Restaurant" shall not include refreshment stands incidental to "Indoor Entertainment," "Indoor Recreation," "Outdoor Entertainment," or "Outdoor Recreation" uses.

Retail Goods Establishment: A commercial enterprise primarily engaged in providing physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. "Retail Goods Establishment" may include, but shall not be limited to, grocery stores, clothing stores, jewelry stores, appliance stores, electronics stores, furniture stores, office supply stores, bookstores, and sporting goods stores. "Retail Goods Establishment" does not include "Adult Use," "Medical Marijuana Dispensary," or "Tobacco Shop."

Reverse Corner Lot. A type of corner lot where the corner side lot line is adjacent to the front lot line of the lot to its rear. See [Figure 10-11-2-2. Lot Types](#).

Right-of-Way: Land dedicated or utilized for a street, trail, sidewalk, utility, railroad, or other similar purpose.

Satellite Dish: A parabolic antenna designed to send and/or receive television, radio, communication, data, or other similar signals from satellites and antennas.

Self-Service Storage: A facility used for the storage of personal property where individuals rent storage spaces of various sizes on an individual basis.

Shed: A relatively small building typically used to store lawn, garden, and/or swimming pool equipment.

Sill: A projecting horizontal architectural feature, often located below a window or door.

Single-Unit Dwelling: A building that contains one dwelling unit, which is not attached to any other dwelling units. A "Single-Unit Dwelling" may include an attached or detached "Accessory Dwelling Unit" as an accessory use.

Small Wind Energy System: A structure that converts wind energy to electric or mechanical power with a rated capacity of not more than 100kW. "Small Wind Energy Systems" consist of a wind turbine, tower or mounting device, and associated control or conversion electronics intended to reduce on-site consumption of utility power.

Solar Energy Collection System: A structure that converts sunlight into electric or mechanical power. “Small Wind Energy Systems” consist of photovoltaic panels, mounting device, and associated control or conversion electronics intended to reduce on-site consumption of utility power.

Special Use: A use that has unique characteristics inherent in its operation that may be allowed in a zoning district following administrative review and approval.

Specified Anatomical Areas: Less than completely and opaquely covered human genitals, pubic region, buttocks, or female breasts below a point immediately above the top of the areola; and human genitals, or any device worn to simulate human genitals, in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, oral copulation, or sodomy; and fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.

Stairs: A structure made up of a series of steps used to move from one level of a building or structure to another.

Stealth Design: A technique that reduces the visual impact of a structure by enclosing, camouflaging, screening, or obscuring the structure in relation to the architectural features of a larger building or structure.

Stoop: A structure made up of stairs and a landing used to access a building or structure.

Story: The portion of a building included between a floor and the floor above it, or if there is no floor above it, the space between the floor and the ceiling above the floor. A basement shall not be counted as a story.

Structure: Anything constructed or erected that requires location on the ground or must be attached to something located on the ground.

Swimming Pool: An in-ground or aboveground basin of water constructed for swimming or wading.

Temporary Outdoor Entertainment: A live event that is intended to be in place for a limited period of time within an outdoor space. “Temporary Outdoor Entertainment” may include, but shall not be limited to, animal shows, carnivals, circuses, fireworks shows, live music, outdoor theater, and worship services.

Temporary Outdoor Sale: The outdoor sale and display of merchandise of a seasonal nature, such as pumpkins or Christmas trees.

Temporary Storage Container: A temporary, moveable structure that may be used for the storage of possessions or products prior to being transported to a storage facility, or for collecting waste and other material associated with the construction and renovation of a structure.

Temporary Structure: A structure that is intended to be in place for a limited period of time, which is typically constructed without a foundation.

Temporary Use: A use that is intended to be in place for a limited period of time.

Through Lot: An interior lot having frontage on two generally parallel streets that do not intersect. On a through lot, both lot lines adjacent to the right-of-way shall be deemed front lot lines. See [Figure 10-11-2-2. Lot Types.](#)

Tobacco Shop: An establishment primarily engaged in the sales and display of cigarettes, cigars, chewing tobacco, electronic cigarettes, and other smoking related products.

Townhouse Dwelling: A building that contains three or more dwelling units where each unit has an individual entrance to the outdoors and each unit is attached vertically using one or more party walls. “Townhouse Dwelling” does not include “Two-Unit Dwelling” or “Multiple-Unit Dwelling.”

Transitional Treatment Facility: A facility that provides supervision, counseling, and therapy for individuals recovering from addiction that is licensed, certified, or accredited by the appropriate state or federal agencies, and may dispense pharmaceutical products for off-site use. “Transitional Treatment Facility” does not include any residential facility.

Treehouse: An accessory structure supported by one or more trees. “Treehouse” does not include “Recreation Equipment.”

Trellis: A vertical latticework structure used in a garden to support climbing plants.

Truck Stop: An establishment where motor vehicle fuel, including non-petroleum fuel, is stored and dispensed from fixed equipment into motor vehicles for commercial vehicles and/or trucks. A “Truck Stop” may also include accessory activities such as restaurants, shower facilities, truck washes, and convenience retail stores.

Two-Unit Dwelling: A building that contains two dwelling units where each unit has an individual entrance to a common stairway, hallway, or to the outdoors. “Two-Unit Dwelling” does not include “Townhouse Dwelling” or “Multiple-Unit Dwelling.”

Use: The purpose or activity for which a lot, building, or structure is designed, intended, occupied, or maintained.

Utility: The use of land for infrastructure facilities including, but not limited to, services for gas, electricity, water treatment and storage, sewage treatment and storage, telephone, cable television, data, cellular, and fiber.

Variation: Authorization granted by the Village to allow development that deviates from the specific regulations of this Ordinance.

Village: The Village of Bensenville, Illinois.

Vocational School: A facility that offers instruction in industrial, clerical, commercial, managerial, building trades, or automotive skills. “Vocational School” also includes educational facilities conducted as commercial enterprises, such as driving schools, schools for general educational development, and other privately operated schools that do not offer a complete educational curriculum. “Vocational School” does not include “High School” or “College or University.”

Wall: A vertical structure, typically constructed of concrete, stone, brick, masonry, or other similar material, that creates a physical barrier for light and air.

Warehousing, Storage, or Distribution Facility: An establishment that stores and transports products or equipment, including, but not limited to warehouses, moving companies, storage facilities, freight transportation, and truck terminals.

White Roof: A roof that is white or light in color that provides high levels of solar reflectance and reduces the heat absorbed by a building or structure.

Window Well: Space maintained around an at grade or below-grade window to provide light, egress, and stormwater drainage.

Wireless Telecommunication Antenna: A structure used to transmit and/or receive communication, data, or other similar signals in order to facilitate the use of wireless devices. “Wireless Telecommunications Antenna” does not include “Antenna” or “Satellite Dish.”

Wireless Telecommunication Facility: A structure used to protect the equipment that processes communication, data, or other similar signals in order to facilitate the use of wireless devices.

Wireless Telecommunication Tower: A structure designed and constructed to support one or more “Wireless Telecommunications Antennas” and all devices attached to it. “Wireless Telecommunication Towers” are typically freestanding and may be of either lattice or monopole construction.

Yard: The area on a lot between the principal structure and the lot line.

Zoning District: A designation given to each lot within the Village under which certain development regulations and requirements are uniform.

Zoning Lot: One or more lots located within a block that is under single ownership and is designated as a unit of land for development by the owner of such land.

Zoning Map: The map incorporated into this Ordinance, which designates the boundaries of the zoning districts of the Village.