

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:** Planning & Community Development **DATE:** December 7, 2004  
(Name)

**RECOMMENDATION FROM:** \_\_\_\_\_ **FILE REF:** \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

- Ordinance
- Resolution
- Motion
- Other

**STEPS NEEDED TO IMPLEMENT ACTION:**

Motion to Adopt "AN ORDINANCE REQUIRING SPECIAL USE APPROVAL FOR AUTOMOBILE USES", as presented.



**SUMMARY OF ITEM:**

At their meeting of October 18, 2004, the Plan Commission recommended to approve changes to the Zoning Ordinance which will require special use approval for automobile uses.

**RECORD OF ACTION TAKEN:**

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REQUIRING SPECIAL USE APPROVAL FOR AUTOMOBILE USES**

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by ~~XXXXXX~~/underline; deletions by ~~strikeout~~):

**Section 1. That Section 28.201 is hereby amended to read as follows:**

**28.201 Definitions.**

For the purposes of this Zoning Ordinance, wherever any term is used in this Chapter, it shall have the same meaning as defined in Chapter 1 of the Downers Grove Municipal Code, unless otherwise defined in this Chapter. The following words and phrases shall have the meanings respectively ascribed to them as follows:

*Adult Entertainment Establishment or Adult Establishment.* Any of the following Commercial Establishments, as defined herein:

1. *Adult Cabaret.* Any Commercial Establishment including, but not limited to a lounge, theater, concert hall, men's or women's club, auditorium, or similar commercial establishment, regardless of its seating capacity that as a substantial or significant portion of its business features or provides any of the following:

- (i) Persons who appear Nude or Semi-Nude.
- (ii) 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.
- (iii) The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.
- (iv) Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind 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.
- (v) The actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals.
- (vi) The actual or simulated displaying of the breasts, pubic hair, anus, vulva or genitals.
- (vii) A role playing interaction.

2. *Adult Store.* Any Commercial Establishment (i) that contains one or more Adult Booths or; (ii) that as a substantial or significant portion of its business offers for sale, rental, or viewing any Adult Materials.

3. *Adult Theater.* Any Commercial Establishment that as a substantial or significant portion of its business features or provides films, motion pictures, video or audio cassettes, slides, or other visual representation or recordings of any kind 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.

*Aircraft landing area.* Any premises which are used or made available for the landing or takeoff of aircraft, including premises which are classified as a restricted landing area as contemplated by the rules and regulations promulgated by the Illinois Department of Transportation Division of Aeronautics, and including any appurtenant areas which are used or suitable for use for structures or facilities incidental to aircraft services.

*Aisle (parking).* That portion of a parking facility which acts as a maneuvering area to gain access

## Automobile Uses

Transportation Division of Aeronautics, and including any appurtenant areas which are used or suitable for use for structures or facilities incidental to aircraft services.

*Aisle (parking).* That portion of a parking facility which acts as a maneuvering area to gain access to a parking stall or to a parking structure.

*Alternative Telecommunications Tower.* A man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that render the facility aesthetically consistent with the character of the surrounding area and otherwise camouflage or conceal the presence of antennas or telecommunications towers.

*Amateur Radio Station Operators/Receive Only Antennas.* A telecommunications tower, or an antenna, that is under seventy (70) feet in telecommunications tower height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only antennas.

*Animal Surgical Office.* An office for veterinary services permitting surgical procedures, consultations, patient visits, and boarding, which shall be limited to pre-surgical and/or post-surgical care, and to the care of infirmed animals.

*Antenna.* An exterior transmitting or receiving device, including any supporting post not more than twelve (12) feet in length, mounted on the ground or on a telecommunications tower, building or structure and used in communications that radiate or capture electromagnetic waves, micro waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

*Attention getting device.* A device such as a pennant, flag, valance, banner, propeller, spinner, streamer, balloon, or similar device used to draw someone's attention to a particular place.

~~*Automobile Dealership.* A retail establishment that sells, leases, or rents new or used automobiles, trucks, vans, recreational vehicles, trailers, boats, or motorcycles or other similar motorized transportation vehicles. An automobile dealership may maintain an inventory of the vehicles for sale or lease on-site. Accessory uses may also exist upon the same site, such as maintenance, repair, and service areas, indoor parts storage areas, and financial services areas.~~

*Automobile Laundry.* An "automobile laundry" is a building, or any portion thereof, which either (i) contains facilities for washing of one or more automobiles primarily by means of steam cleaning, or high pressure water devices, or other mechanical devices, or (ii) provides space, water, equipment or soap for the complete or partial handwashing of more than 2 automobiles at any one time, whether by operator or customer.

~~*Automobile Repair.* Incidental repairs, replacement of parts and motor service, minor painting and upholstering of automobiles, engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers, collision service, including body, frame or fender straightening or repair, and painting of vehicles; not including automobile sales.~~

*Automobile Service Station.* Any building or portion thereof, or any premises, used for dispensing or sale of automobile fuels, lubricating oil or grease, tires, batteries or minor automobile accessories. Services offered by an automobile service station may include the installation of tires, batteries, and minor accessories; minor automobile repairs; and greasing or handwashing of not more than 2 automobiles at any one time, but not by means of steam cleaning, high pressure water devices, or other mechanical devices. If such sales, services and repairs are offered incidentally to the operation of a public garage, the building and premises shall be classified as a public garage.

~~*Automobile Repair, Major.* The replacement and rebuilding of engines, transmissions, differentials, frames and bodies of motor vehicles.~~

~~*Automobile Repair, Minor.* Incidental repairs, replacement of parts, and motor service to automobiles, but not including any operation specified under "Auto Repair, Major."~~

~~*Automobile and Trailer Sales Area.* An open area, other than a street, used for the display and sale of new or used automobiles, trucks, or trailers, and where no repair work is done.~~

## Automobile Uses

~~except for minor incidental repair of automobiles, trucks, or trailers to be displayed and sold on the premises.~~

*Automobile Wrecking.* The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, or wrecked vehicles or their parts.

*Backhaul network.* The lines that connect a provider's telecommunications towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

*Basement.* A story having part but not more than half of its height below grade. (Also see "cellar")

*Block.* That property abutting on one side of a street between two (2) nearest intersecting streets, railroad right-of-ways, or other natural barriers. Provided that where a street curves so that any two (2) chords thereof form an angle of one hundred twenty (120) degrees or less, measured on the lot side, such curve shall be construed as an intersecting street.

*Boarding house.* A building or premises where meals are regularly served by pre-arrangement for definite periods for compensation for three (3) or more persons, but not exceeding twelve (12) persons, not open to transient guests, in contradistinction to hotels or restaurants open to transients.

*Buildable area.* The space remaining on a zoning lot after the minimum yard and open space requirements of this Zoning Ordinance have been met.

*Building.* Any structure with a permanent roof, separated on all sides from adjacent open space by walls, built for the shelter, or enclosure of persons, animals, chattels, or property of any kind.

*Bulk.* The term used to indicate the size and setbacks of structures and location of same with respect to one another and includes the following:

- (a) Size and height of structures;
- (b) Location of exterior walls at all levels in relation to lot lines, streets, or to other structures;
- (c) Floor area ratio of buildings;
- (d) All yards and open spaces allocated to structures; and
- (e) Amount of lot area per dwelling unit.

*Business.* The engaging in the purchase, sale, barter, or exchange of goods, areas, or merchandise, or the maintenance or operation of offices or recreational or amusement enterprises or the furnishing of services.

*Canopy.* A structure which is an overhanging shelter consisting of a roof and supporting vertical columns. Such structure may be freestanding without walls, or may project from the walls of a structure.

*Cellar.* A story having more than half of its height below the curb level or below the highest level of the adjoining ground. (Also see "basement")

*Certificate of Occupancy.* A certification issued by the Director as provided and required herein authorizing property or a structure to be occupied or used, in whole or in part, in conformance with this Zoning Ordinance.

*Church.* Wherever the term "church" is used, it shall include any church, synagogue, temple or other structure designed, intended and used primarily for religious worship or religious ceremony by an assembled group.

*Church School.* A school affiliated with and conducted on the same zoning lot or contiguous zoning lots as the Church to which it is affiliated.

*Community center.* A structure, including its surrounding premises, that is owned, leased or otherwise controlled by a unit of local government or a school district and that contains rooms or other facilities limited to use for purposes of meetings, gatherings or other functions or activities carried on or performed by or under the supervision of a unit of local government, a school district or a civic, educational, religious or eleemosynary organization. The authorization

## Automobile Uses

for the establishment of a municipal community center may include authorization for the incidental and accessory sale or resale of food, merchandise or services in connection with and in support of the principal activity or function being carried on or performed by such unit of local government, school district or organization.

*Concentrated Business District.* The Concentrated Business District includes the following areas:

- (a) The block bounded by Main Street, Forest Avenue, Franklin Street and Warren Avenue.
- (b) Frontage along the east side of Main Street from Franklin Street to Rogers Street.
- (c) The block bounded by Main Street, Highland Avenue, Rogers Street and Warren Avenue.
- (d) The blocks bounded by Main Street, Warren Avenue, Forest Avenue and Curtiss Street, and the blocks bounded by Main Street, Warren Avenue, Washington Street and Curtiss Street;
- (e) Beginning at a point on the south line of Curtiss Street, 465.52 feet west of Main Street; thence south 196.68 feet to a point at the southwest corner of Lot 55 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11 east of the Third Principal Meridian, thence east along the south line thereof 245.52 feet; thence south to the south line of Grove Street; thence east along said south line to the northwest corner of Lot 1 of Hoefert's Subdivision of Lot 47 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11, East of the Third Principal Meridian, thence south along the west line of Lots 1, 2, 3, and 4 of said Hoefert's Subdivision to the southwest corner of said Lot 4, thence east along the south line of said Lot 4 to the west line of Main Street; thence north along said west line of Main Street to the south line of Curtiss Street; thence west along the south line of Curtiss Street to the point of beginning; and
- (f) Frontage along the east side of Main Street from the north line of Lot 20 in Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian to the south line of Grove Street, extended; and
- (g) That part of Outlot 1 in Curtiss' Addition to Downers Grove as recorded as Document Number 7317 lying south of Lot 22 in Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian and lying west of Lot 18 in said Assessor's Subdivision; also, Lots 20, 21 and 22 in said Assessor's Subdivision; also that part of Lot 18 in said Assessor's Subdivision described by beginning on the north line of Maple Avenue at the southwest corner of Lot 18; thence North 1-1/2 degrees West along the west line of said Lot 18 a distance of 118.9 feet; thence North 77 degrees East a distance of 44.2 feet; thence South 4-3/4 degrees East a distance of 107.4 feet to the north line of said Maple Avenue; thence South 65-1/2 degrees West along said north line a distance of 54.2 feet to the place of beginning.
- (h) Beginning at a point on the east line of Main Street at the intersection with the south line of Curtiss Street; thence south along said east line of Main Street to the south line of Grove Street, extended; thence east along said south line of Grove Street, extended, a distance of 380 feet east of the east line of Main Street; thence north along a line parallel to the east line of Main Street to the south line of Tract 2 of Albert P. Nelson's Assessment Plat, a part of Lot 52 of Assessor's Subdivision of Part of Section 8, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded March 27, 1945 as Document 475345, in DuPage County, Illinois; thence easterly along the south line of said Tract 2 to the southeast corner of said Tract 2; thence continuing east along the extended south line of said Tract 2 to the west line of Washington Street; thence north along said west line of Washington Street to the south line of Curtiss Street; thence west along said south line of Curtiss Street to the point of beginning; and
- (i) Beginning at a point on the northeast corner of the rights-of-way of Warren Street and Highland Avenue; thence east along the north right-of-way line of Warren Street, a distance of 154 feet, east of the east line of Highland Avenue; thence north a distance of 124 feet; thence east, a distance of 60 feet; thence north to the south right-of-way line of Rogers Avenue, thence west to the east right-of-way line of Highland Avenue; thence south to the point of beginning.

*Concentrated Business District compact development.* Structures located in the

## Automobile Uses

Concentrated Business District containing uses permitted in the district, but with a gross floor area greater than the maximum allowed for the permitted use.

*Concentrated Business District Re-Development Project.* A development involving residential units of not more than three bedrooms or a combination of commercial units and residential units of not more than three bedrooms which must be pursued as a Planned Development and located in the Concentrated Business District, and which involves the redevelopment through the construction of new buildings on vacant or underutilized parcels.

*Concentrated Central Area.* An area defined as commencing at southeast corner of the intersection of Gilbert Avenue and Carpenter Street and running thence southeasterly along the east line of Carpenter Street to the north line of Maple Avenue; thence easterly along the north line of Maple Avenue to the southeast corner of Lot 44 of Assessor's Subdivision of Sections 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, to the point of beginning; thence southerly on a straight line to the northwest corner of Lot 2 of Blanchard Subdivision in the southwest quarter of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, also being the northeast corner of Lot 1 of Meadowcroft Resubdivision; thence continuing southerly along the easterly boundary of the aforementioned Blanchard Subdivision to the southwest corner of Lot 4 of said Blanchard Subdivision; thence easterly along the southerly line of said Lot 4 to the southeast corner of said Lot 4; thence northeasterly on a straight line to the southwest corner of Lot 36 of the aforementioned Assessor's Subdivision; thence east along the south line of said Lot 36 a distance of 165 feet to the southeast corner of said Lot 36; thence northerly along the east line of said Lot 36 and the east line of Lot 6 in Curtiss Subdivision (Recorded as Document 29341) to the northwest corner of the Park District property; thence easterly along the most northerly line of the Park District property and its easterly prolongation to a point in the southerly prolongation of the west line of Lot 32 in said Curtiss Subdivision; thence southerly along said prolongation to a point being 150 feet northerly of the westerly prolongation of the south line of Lot 26 in said Curtiss Subdivision as measured along the said southerly prolongation of the west line of said Lot 32; thence easterly along the said line being 150 feet northerly of the westerly prolongation of the south line of Lot 26 to a point in the east line of the west 92 feet of said Lot 26, said point being 150 feet northerly of the south line of Lot 26 as measured along the said east line of the west 92 feet of Lot 26; thence northerly along the said east line of the west 92 feet of Lot 26 to a point in the northerly line of Maple Avenue right-of-way; thence easterly along the north line of Maple Avenue to the west line of Washington Street; thence northerly along the west line of Washington Street to the center line of the St. Joseph Creek easement; thence easterly along the center line of St. Joseph Creek easement to the west line of Belden Place; thence northerly along the west line of Belden Place to the north line of Curtiss Street; thence easterly along the north line of Curtiss Street to its intersection with the east line of Mackie Place; thence northerly along the extension of the east line of Mackie Place to the intersection of said line with the south line of the Chicago, Burlington and Quincy Railroad right-of-way; thence westerly along the south line of said right-of-way to the west line of Washington Street; thence northerly along the west line of Washington Street to the south line of Rogers Street; thence westerly along the south line of Rogers Street to the west line of Highland Avenue; thence northerly along the west line of Highland Avenue to the south line thence westerly along the south line of Franklin Street to the east line of East Parkway; thence south along the east line westerly along the north line of said Lot 23 to the northwest corner thereof; thence southerly along the east lines of Lots 22 and 17, and the southerly extension of said Lot 17 (in said Block 3) to the south line of Warren Avenue; thence easterly along the south line of Warren Avenue to the northeast corner of Lot 13 in Block 1 of said E. H. Prince and Company's Addition; thence southerly along the east line of said Lot 13, and the southerly extension of said line to the south line of Gilbert Avenue; thence westerly along the south line of Gilbert Avenue to the place of beginning.

*Concentrated central area compact residential development.* Buildings for

## Automobile Uses

multiple-family dwellings within the Concentrated Central Area at a greater density and floor area ratio than allowed for permitted uses.

*Curb Level.* The level of the established curb in front of the structure measured at the center of such front. Where a structure faces on more than one (1) street, the curb level shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the Village Engineer shall establish such curb levels.

*Day care centers.* The term "day care centers" shall have the same meaning as contained in the Illinois Child Care Act as now or hereafter amended.

*Decibel.* A unit of measurement of the intensity of sound level.

*Director.* The Director of Planning Services of the Village of Downers Grove, or such person's designee.

*Displacement (vibration).* The amount of motion involved in a vibration.

*Drive-in; drive-through; or drive-up use.* An establishment which, by design, physical facilities, service or packaging procedures permits or encourages customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.

*Dwelling.* A building or portion thereof, but not including a house trailer or mobile home, designed or used exclusively for residential occupancy, including single-family, two-family, and multiple-family dwelling units, but not including hotels, motels, boarding or lodging houses.

*Dwelling unit.* One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having its own permanently installed cooking and sanitary facilities.

*Dwelling, attached single-family.* (Group, Row, Townhouse) A building originally designed and constructed to accommodate three (3) or more dwelling units, with dwelling units joined together by party wall or walls. Each unit shall have its own ground floor entrance and living space.

*Dwelling, detached.* A single-family dwelling entirely surrounded by open space.

*Dwelling, multiple-family.* A dwelling containing three (3) or more dwelling units, with one or both of the following:

- (a) More than one (1) dwelling unit connecting to a common corridor or entranceway; or,
- (b) Dwelling unit vertically connected to neighboring dwelling units through shared floors and ceilings.

*Dwelling, single-family.* A detached dwelling containing accommodations for and occupied by one (1) family only.

*Dwelling, two-family.* A dwelling containing two (2) dwelling units with each unit having its own ground floor entrance and living space.

*Educational institution.* Public, parochial, charitable, or nonprofit junior college, college, or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers, and employees.

*Efficiency unit.* A dwelling unit consisting of one (1) room containing a minimum area of four hundred (400) square feet, exclusive of bathroom, kitchen, hallway or closets directly off the principal room.

*Exempt Telecommunications Facilities.* The following:

- a. Amateur radio station operators/receive only antennas.
- b. Receive only television, direct broadcast satellite and wireless cable antennas not more than one (1) meter in diameter which may be located on posts not more than twelve (12) feet in length.

*Exercise of religion.* Exercise of religion means an act or refusal to act that is substantially motivated by religious belief, whether or not the religious exercise is compulsory or central to a larger system of religious belief.

## Automobile Uses

*Extended family accessory housing.* A single-family dwelling which has been constructed or converted as two separate dwelling units to provide for joint occupancy of the dwelling in the separate dwelling units by persons related to one another by blood, marriage, or adoption with at least one of the units being occupied by a person sixty-two (62) years of age or older or by a person with a proven physical or mental condition, excluding drug addiction, alcoholism, or similar chemical dependency or substance abuse condition, which renders such joint occupancy of the single-family dwelling medically necessary, beneficial or desirable. The two (2) separate dwelling units shall be designated as follows:

(a) A primary unit, which shall be that portion of the extended family accessory housing dwelling which is the primary housing dwelling, and which is not part of the accessory unit; and

(b) An accessory unit, which shall be that portion of the extended family accessory housing dwelling which is in addition to and separate from the primary unit, and which is a dwelling unit composed of one or more rooms including complete, permanently installed kitchen and bath facilities.

*FAA.* The Federal Aviation Administration.

*FCC.* The Federal Communications Commission.

*Fairview Concentrated Business District.* Frontage along Fairview Avenue from Maple Avenue to Burlington Avenue.

*Family.* An individual, or two (2) or more persons related by blood, marriage, or adoption and/or a group of not more than three (3) unrelated persons living together as a single housekeeping unit in a dwelling unit, but not including sororities, fraternities, or other similar organizations.

*Farm, crop.* An area on more than one (1) acre which is used for the growing of the usual farm crops such as vegetables, fruit trees, and grain, and for the packing and storage of the products produced on the premises, but not including the raising of farm animals or laboratory animals such as mice, rats, rabbits, etc.

*Fence, open design.* Fences which (i) are of split-rail, post and board, or similar designs which do not create a hazard by obstructing or distorting vision, except that chain link and woven mesh fences are not included as such similar designs; and (ii) have no vertical members with a width in excess of six (6) inches; and (iii) have a ratio of open area to closed area of at least 1:2, with the open area distributed uniformly over the entire fence surface.

*Floor area, gross.* The sum of the gross horizontal areas of the several floors of the building, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The floor area of a building shall include basement and cellar floor areas; elevator shafts and stairwells at each floor; floor space used for mechanical equipment, open or enclosed, located on the roof; penthouse; attic space having headroom of seven (7) feet ten (10) inches or more; interior balconies and mezzanines; enclosed porches; and floor area devoted to accessory uses. However, any space devoted to off-street parking or loading shall not be included in floor area.

*Floor area, livable.* Livable floor area shall be the same as "gross floor area" defined above, excluding all areas occupied by cellars, garages, porches, attics, stairways, and storage, utility and heating rooms.

*Floor area ratio.* The floor area of the building or buildings on a zoning lot divided by the area of such zoning lot, or in the case of planned developments, the floor area divided by the net site area.

*Foot candle.* A unit of illumination intensity.

*Frequency.* The number of oscillations per second in a sound wave - an index of the pitch of the resulting sound.

*Frontage.* All the property fronting on one side of a street between the nearest intersecting streets, or between a street and right-of-way, waterway, or other similar barrier.

*Garage, Private.* A detached accessory building or portion of the main building

## Automobile Uses

designed, arranged, used or intended to be used by the occupants of the premises for the storage of passenger automobiles and commercial vehicles not exceeding 1 1/2 tons capacity.

*Garage, Public.* A building other than a private garage, used for the care, incidental servicing and sale of automobile supplies, or where motor vehicles are parked or stored for remuneration, hire, or sale within the structure, but not including trucks, tractors, truck trailers, and commercial vehicles exceeding 1 1/2 tons capacity.

*Garage, Truck.* A building which is used or intended to be used for the storage of motor trucks, truck trailers, tractors, and commercial vehicles exceeding 1 1/2 tons capacity.

*Group home.* A single-family dwelling owned and operated by a governmental, religious or other not-for-profit agency and occupied by persons who do not constitute a family as defined herein, but who will have a cooperative living arrangement. Group homes shall include, but not be limited to residential-care homes as defined herein, but shall not include living quarters which serve persons as an alternative to incarceration for a criminal offense.

*Height.* The vertical distance from the established average grade at the front of a structure to the highest point of the structure. In the case of a building, this shall be the vertical distance from the established average grade at the front of the building to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof, to the mean height level between the eaves and ridge for hip, gabled, and gambrel roofs.

*Home occupation.* An occupation carried on in a dwelling by a resident thereof which is incidental to the principal use as a residence.

*Hospital.* An institution consisting of one or more buildings or structures primarily devoted to the diagnosis, prevention or treatment of illness, disease, injury, deformity or other abnormal physical or mental conditions. The term "hospital" may include such services, equipment and activities as may from time to time be customarily included at such institutions for outpatient and inpatient care. This may include, but is not limited to the following as accessory uses: general medical, surgical care; cardiovascular care; perinatal, neonatal or obstetrics care; skilled nursing care; diagnostic, interventional, therapeutic, rehabilitative services or geriatric care; oncology services; diagnostic imaging centers; medically oriented health, fitness or wellness centers; surgical centers; emergency and trauma centers; heliports; medical offices; community health programs; sports medicine services; and health, wellness libraries and worksite health promotions. The term "hospital" shall not include convalescent or nursing homes, sheltered care facilities or boarding houses.

*Hotel.* A building in which lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such it is open to the public in contradiction to a boarding house, a lodging house, or an apartment hotel.

*Hotel, apartment.* A hotel in which at least ninety percent (90%) of the accommodations are occupied or intended for occupancy by permanent guests.

*Improvement Location Permit.* A permit issued by the Director as provided and required herein authorizing the erection, reconstruction, or structural alteration of a structure.

*Inner court.* All open, unoccupied spaces surrounded on all sides by walls or by walls and a lot line or lines.

*Institution.* A structure occupied by a nonprofit corporation or a nonprofit establishment for public use.

*Junk yard.* The use of more than two hundred (200) square feet of any lot where waste, scrap metal, paper, rags, or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including vehicle and structure wrecking yards, but excluding similar uses taking place entirely within a completely enclosed building.

*Junker.* An automobile, truck, or other motor vehicle which has been damaged to such an extent that it cannot be operated under its own power, and will require major repairs before being made usable, or such a vehicle which does not comply with State or Village vehicle laws

## Automobile Uses

or ordinances.

*Kennel.* Any lot or premises or portion thereof on which more than four (4) dogs or cats, or other household domestic animals, over four (4) months of age, are kept or on which more than two (2) such animals are boarded for compensation or kept for sale.

*Laboratory.* A place devoted to experimental study such as testing and analyzing. Manufacturing, assembly, or packaging of products is not included within this definition.

*Landbank Area.* The area south of Gilbert Street, north of Curtiss Street, east of Forest Avenue and west of Carpenter Street.

*Landbank Development.* A residential townhouse development when pursued as a Planned Development and involving more than 1.5 acres of land and located in the Landbank Area.

*Landscaped green space.* An area of land on which has been located grass, living groundcover, shrubs, trees, flowering plants, annuals, perennials, and water areas, but not including synthetic plants or surface materials, walks, open terraces or patios, decorative walls, fences or other similar features.

*Loading space, off-street.* An open, hard-surfaced area of land, other than a street or alley, the principal use of which is for the standing, loading, and unloading of motor vehicles, to avoid undue interference with the public use of streets and alleys.

*Lodging house.* A building where sleeping and living quarters, without cooking facilities, and with or without an individual bathroom, are rented on a weekly or monthly basis. Each room in a lodging house which provides sleeping accommodations shall be considered a dwelling unit for the purposes of lot area requirements, and a lodging unit for the purposes of off-street parking requirements.

*Lot, zoning lot or parcel.* A lot of record, an unsubdivided parcel of land, or a combination of contiguous parcels or lots under common ownership or control, used or intended to be used for a single principal use.

*Lot coverage.* Area of zoning lot occupied by the principal and accessory structure or structures.

*Lot depth.* The mean horizontal distance between the front and rear lot lines.

*Lot of record.* A lot which is part of a real estate subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of DuPage County, Illinois, pursuant to statute.

*Lot width.* The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front setback line.

*Lot, corner.* A lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street two (2) chords of which form an angle of one hundred twenty (120) degrees or less measured on the lot side.

*Lot, double frontage.* A lot having frontage on two (2) nonintersecting streets as distinguished from a corner lot.

*Lot line, front.* The boundary of a lot abutting on a street. On a corner lot, the shortest street lot line shall be the front lot line; provided, however, that if the length of the longer street lot line of a corner lot is not more than ten percent (10%) greater than the length of the shorter street lot line on such lot, the Director, shall, upon written request of the owner, designate the longer of such street lot lines as the front lot line for all purposes of this Zoning Ordinance.

*Lot line, rear.* The lot line or lot lines most nearly parallel to and most remote from the front lot line.

*Lot line, side.* Lot lines other than front or rear lot lines are side lot lines.

*Lounge.* An area within a restaurant which is licensed by the Village for the sale of alcoholic liquor which is accessory to the restaurant use, includes a bar and the open area immediately adjacent thereto, and may include stools, seats and tables with a diameter of less than two (2) feet or an area of less than four (4) square feet.

*Motels.* A group of attached or detached buildings containing individual sleeping or

## Automobile Uses

living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking spaces conveniently located to each unit, including auto courts, motels, motor lodges, or other similar type uses.

*Nonconforming structure.* A structure or portion thereof which, as currently existing, is not in conformance with the provisions of this Zoning Ordinance. A structure which was lawfully established or existing, but which was rendered non-conforming as a result of an amendment to this Zoning Ordinance shall be considered a lawful nonconforming structure until such time as such lawful nonconforming status is terminated as provided in this Zoning Ordinance.

*Nonconforming use.* A use which, as currently conducted, is not in conformance with the provisions of this Zoning Ordinance. A use which was lawfully established or existing, but which was rendered non-conforming as a result of any amendment to this Zoning Ordinance shall be considered a lawful nonconforming use until such time as such lawful nonconforming status is terminated as provided in this Zoning Ordinance.

*Odorous matter.* Material which is gas, liquid or solid that causes an odor sensation to a human being.

*Outdoor café.* An outdoor seating area in which food and beverages are served and consumed.

*Owner.* The fee title holders of property, including such persons designees and agents.

*Parking Space, Automobile, Exterior.* Space within a public or private parking area of not less than 166.5 square feet (9 feet by 18.5 feet) for Class A parking as provided in section 28-1410, and 157.25 square feet (8.5 feet by 18.5 feet) for Class B parking as provided in section 28-1410, exclusive of access drives or aisles, ramps, columns, or office and work areas, for the storage of one passenger automobile or commercial vehicle under 1 1/2 tons capacity. Such space shall have a vertical clearance of at least 7 feet.

*Parking Space, Automobile, Interior.* Space within a public or private underground, covered or decked parking area of not less than the length and width requirements set forth in Section 28-1405, exclusive of access drives or aisles, ramps, columns or office and work areas, for the storage of one passenger automobile or commercial vehicle under 1 1/2 tons capacity.

*Particulate matter.* Finely divided solid or liquid matter other than water which is released into the atmosphere.

*Permanent common open space.* Property under common ownership used for parks, playgrounds, parkway medians, landscaped green space, schools, community centers or other similar areas in public ownership or common ownership and subject to the provisions of restrictive covenants, if any, required or approved by the Village Council, but shall not include space devoted to structures, public rights-of-way or areas improved for use as private drives or parking facilities.

*Plan Commission.* The Downers Grove Plan Commission.

*Planned development.* A tract of land which is developed as a unit under single or multiple ownership or control, containing one (1) or more principal structures, and containing minimum acreage as specified in the provisions relating to the several zoning districts.

*Planned development plan.* The plans and other documents setting forth the land uses and restrictions of a planned development. This may include, but is not limited to, documents commonly referred to as the site plan, elevation drawings, landscape plan, and engineering plans.

*Planned redevelopment.* A tract of land in the Concentrated Central Area involving the redevelopment or rehabilitation of multiple-family residential property and which includes either demolition and redevelopment, or rehabilitation of existing structures or improvements, or a combination of both.

*Preexisting Telecommunications Towers and Preexisting Antennas.* Any telecommunications tower or antenna for which a building permit or conditional use has been properly issued prior to August 1, 1997, including permitted telecommunications towers or

## Automobile Uses

antennas that have not yet been constructed so long as such approval is current and not expired.

*Pump island.* A concrete structure in the immediate vicinity of and designed to support and protect gasoline pumps.

*Railroad right-of-way.* A strip of land with tracks and auxiliary facilities for track operation, but not including depots, loading platforms, stations, train sheds, warehouses, car shops, car yards, locomotive shops, or water towers.

*Recreational equipment.* Any snowmobile or all-terrain vehicle (as that term is defined in the Illinois Motor Vehicle Code), and any watercraft including personal watercraft and specialty prop-craft (as those terms are defined in the Illinois Boat Registration and Safety Act), and the trailers used to transport or store such recreational equipment.

*Recreational vehicle.* Any camping trailer, motor home, mini-motor home, travel trailer, truck camper and van camper as those terms are defined in the Illinois Motor Vehicle Code, or any other habitable vehicle used primarily for recreational purposes.

*Recycling collection facility.* A facility, limited to a building, trailer, vehicle or completely closed containers of wood, metal or masonry, designed for the purpose of receiving articles or materials which are to be transported to another location for distribution or processing, which may or may not be the principal use on the zoning lot where located. Provided, the term "recycling collection facility" as used in this Zoning Ordinance shall not include facilities located within a structure principally devoted to another use, facilities temporarily located on a zoning lot under authority of a temporary uses, and facilities for collecting used motor oil which are necessary to an automobile service station.

*Rest home or nursing home.* A rest home or nursing home is a private home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders. Such home does not contain equipment for surgical care or for treatment of disease or injury.

*Ringelmann chart.* A chart described by the U.S. Bureau of Mines Information Circular 6888 and upon which are illustrated graduated shades of gray for use in estimating the light obscuration of smoke.

*Ringelmann number.* The next lowest shade number on the Ringelmann Chart which most nearly corresponds to the light obscuration of the smoke being measured. For example, smoke capacity lying between No. 1 and No. 2 shades of gray on the Ringelmann Chart shall be measured as Ringelmann No. 1 smoke.

*School.* An institution which offers instruction in any of the branches of learning and study as taught in the public schools under the Illinois School Code, including pre-kindergarten, kindergarten, elementary school, and junior and senior high schools, but excluding trade, business or commercial schools.

*Senior citizen housing.* A multiple-family dwelling designed for occupancy by the elderly which means a dwelling:

- (a) Intended for, and solely occupied by persons sixty-two (62) years of age or older; or
- (b) Provided under any state or federal housing subsidy program for elderly persons (as defined in any such program); or
- (c) Intended for and operated for occupancy by at least one (1) person fifty-five (55) years of age or older per unit, provided such senior citizen housing facility shall:

- (1) Provide significant facilities and services specifically designed to meet the physical or social needs of elderly persons, or if the provision of such facilities and services is not practicable, that such housing is necessary to provide important housing opportunities for older persons; and

- (2) Have at least eighty percent (80%) of its units occupied by at least one person fifty-five (55) years of age or older per unit, or if less than eighty percent (80%) of such units are so occupied, not less than eighty percent (80%) of such units shall be reserved for occupancy by persons fifty-five (55) years of age or older; and

- (3) Publish and adhere to policies and procedures which demonstrate an intent by

## Automobile Uses

the owner or manager to provide housing for persons fifty-five (55) years of age or older.

(d) Senior Citizen Housing shall be processed and require approval as a residential planned development.

*Service bay.* An area situated entirely within a building which is required to store and service one automobile.

*Setback.* A minimum required front yard, as specified for the respective zoning districts, within which no structure or parts of structures shall be erected, altered or maintained except as authorized herein.

*Shed.* An accessory building storage to be utilized for the comfort, convenience or necessity of the occupants of the principal structure on the lot upon which the shed is located.

*Sheltered care facility.* A private home which provides personal assistance, meal preparation, supervision, oversight, and a suitable activity program for the care of the aged or infirm who need such assistance in daily living, but do not need full-time nursing care.

*Sign.* A sign is a structure consisting of tangible material that includes, contains, or is designed to include or contain, a display or illustration of any letters, words, numbers, objects or symbols, or any combination thereof, which is affixed to, suspended from, placed upon or otherwise represented directly or indirectly upon a building or other structure, or upon the ground, which is intended to direct attention to an object, product, place, activity, person, institution, organization or business; provided that any such structure that is related directly to a national holiday shall not be deemed to be a sign for the purposes of this Article.

*Sign, Advertising off premises.* A sign that directs attention to a business, product or activity available or conducted, at a location other than the zoning lot upon which such sign is located or that directs attention to a noncommercial message or idea not directly related to an activity conducted on such zoning lot. Village sponsored banners located in an established business district and advertising located on Village-owned vehicles shall not be considered advertising off premises signs.

*Sign, awning.* A sign located on a structure made of cloth, metal, or other material attached to a structure, such structure being erected so as to permit its being raised or retracted to a position against the structure when not in use.

*Sign, billboard.* See freestanding and wall sign.

*Sign, Building Identification.* A non-illuminated or indirectly illuminated sign, either freestanding or affixed to a building, that states only the name or address, or both, of a multi-family building.

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

*Sign, canopy.* A sign located on a structure, other than an awning, made of cloth, metal or other material with frames attached to a building, and supported by a frame or other device placed upon or affixed to the ground or sidewalk.

*Sign, Changeable Copy.* A sign whereon provision is made for letters or characters to be placed in the sign or upon the surface area of the sign, either manually or electronically to provide a message or picture.

*Sign, contractor.* A contractor's sign is a sign placed by a contractor engaged in construction activities for a limited period of time on a certain zoning lot or lots for the purpose of identifying the work of the contractor.

*Sign, developer's temporary.* A non-illuminated, on premises, freestanding sign that supplies information concerning the development in which the sign is located. In residence districts, this includes pennants used in conjunction with residential development to attract attention to and promote such development.

*Sign, directly illuminated.* A sign having its characters, letters, figures, designs, or outlines illuminated by any source of artificial lighting that is located on or within the perimeter

of such sign.

*Sign, Exterior Rate.* Any sign that is attached to a freestanding or wall sign, and that consists of words, numbers, or figures that describe rates, prices or any similar information.

*Sign, flashing.* A directly or indirectly illuminated sign with a source of artificial light that is not maintained stationary or constant in intensity or color at all times when such sign is illuminated, or if any portion of such illuminated sign revolves or otherwise moves. For the purpose of this Zoning Ordinance, any sign that indicates the time, temperature, date or other similar information shall not be considered to be a flashing sign, provided the surface area of such sign does not exceed 24 square feet and further provided that no letter or number appearing on such sign exceeds 24 inches in height.

*Sign, freestanding.* A sign that is completely or principally self-supported by posts or other supports independent of any other structure and anchored in or upon the ground. This term also includes those signs commonly known as ground signs, pole signs and lawn signs.

*Sign, indirectly illuminated.* A sign having its characters, letters, figures, designs, or outlines illuminated entirely by its own source of artificial light located outside the perimeter of such sign.

*Sign, inflatable.* Any inflatable animal, character or shape used for drawing attention to a business.

*Sign, marquee.* A sign located on any hood of permanent and stationary construction projecting from the wall of a structure, but not supported by the ground or sidewalk, such hood serving the purpose of providing shelter and protection from the weather and providing the location for an illuminated sign surface. A structure facade which extends over the public right-of-way and is not primarily used as the location for a sign shall not be considered to be a marquee.

*Sign, moving.* Any sign that rotates or moves or that gives the visual impression of rotating or moving.

*Sign, Nameplate.* A sign, of a design other than freestanding, that sets forth only the name or address, or both, of a building, or the practice of an occupation therein.

*Sign, ornamental entry gate.* A freestanding, non-illuminated or indirectly illuminated sign that sets forth the name of a subdivision or planned unit development. In manufacturing districts, such signs may also contain a listing of the names and addresses of the businesses or industries within the planned unit development or subdivision.

*Sign, political campaign.* Signs or posters announcing or describing candidates seeking public political office or announcing or describing political issues and data pertinent thereto.

*Sign, projecting.* A sign which is attached to a structure wall, with the sign faces perpendicular to such wall.

*Sign, public hearing notice.* A sign posted by the Village which is intended to provide notice of a public hearing or meeting concerning a proposed rezoning, planned development or subdivision for the property on which the sign is posted.

*Sign, Real Estate.* A sign used or intended for use for purposes of advertising a parcel of land or a building that is or will be available for sale or lease.

*Sign, roof.* A sign erected, constructed, or maintained in whole or in part upon the roof of a structure.

*Sign, surface area.* The entire area within a single continuous perimeter enclosing the extreme limits of a sign, exclusive of any structure or framing elements. For projecting or double-faced signs, only one display face shall be measured in computing the surface area if the sign faces are parallel or if the interior angle formed by such faces is 90 degrees or less. For purposes of this Article, any determination by the Director of the surface area of a sign shall be binding and conclusive upon all parties.

*Sign, temporary.* An exterior sign designed and intended for a temporary period of posting; typically constructed from non-durable materials such as paper, cardboard, vinyl,

## Automobile Uses

cloth, plastic and/or wallboard and which does not constitute a structure subject to the Village's building or zoning codes.

*Sign, under canopy.* A sign suspended beneath a canopy or marquee and generally intended to attract pedestrians.

*Sign, vehicle.* Any advertising or business sign attached to a motor vehicle that is parked or placed in a position for the purpose of displaying such sign to the public. The vehicle must be licensed, insured and operable. The vehicle may not remain stationary, must be used for the operation of the business and may not be used solely to display signage for the business.

*Sign, wall.* A sign attached directly to the wall of a structure with the sign face being effectively parallel to the wall and projecting not more than 12 inches from such wall or a sign painted on the wall of a structure.

*Sign, window.* A sign that is visible from the exterior of a structure and that is permanently painted on a window, or hung immediately behind a window, or displayed from a window for the specific purpose of identifying the proprietor or name of business to the passerby.

*Smoke.* A visible discharge from a chimney, stack, vent, exhaust or combustion process which is made up of particulate matter.

*Stormwater Control Ordinance.* Chapter 26 of the Downers Grove Municipal Code entitled "Stormwater and Flood Plain Ordinance", as now or hereafter amended.

*Story.* That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof.

*Structure.* Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground. This includes but is not limited to, buildings, freestanding signs, back stops for tennis courts, canopies and awnings, pump islands, at- or above- grade walkways, swimming pools, antennae, and pergolas.

*Structure, accessory.* A structure which:

- (a) is subordinate to and serves a principal structure; and,
- (b) is subordinate in area, extent, and purpose to the principal structure; and,
- (c) contributes to the comfort, convenience, or necessity of occupants of the

principal structure.

*Structural alterations.* Any change in the supporting members of a structure, such as bearing walls or partitions, columns, beams, or girders, excepting such alterations as may be required for the safety of the structure.

*Structure, principal.* A structure, other than an accessory structure, in which is conducted a principal use of the zoning lot on which it is located.

*Subdivision Ordinance.* Chapter 20 of the Downers Grove Municipal Code entitled "Subdivisions", as now or hereafter amended.

*Telecommunications Tower.* Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

*Telecommunications Tower Height.* The distance measured from the finished grade of the parcel to the highest point on the telecommunications tower or other structure supporting an antenna, including the base pad and any antenna.

*Temporary use.* An activity permitted on a limited basis pursuant to Chapter 8 of the Downers Grove Municipal Code.

## Automobile Uses

*Terrace, open; patio.* A level plane or platform which, for the purpose of this Zoning Ordinance, is located adjacent to one (1) or more faces of the principal structure and which is constructed not more than four (4) feet in height above grade.

*Three-component measuring system.* An instrument or complement of instruments which records earthborn vibrations simultaneously in three (3) mutually perpendicular directions. Such systems shall be subject to the approval of the Director.

*Toxic or noxious matter.* Materials which may be gas, liquid or solid which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

*Trailer.* A vehicle without motive power used or adaptable for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirting, which does not meet building code requirements and has been or reasonably may be equipped with wheels or other devices for transporting the structure from place to place. A permanent foundation shall not change its character unless the entire structure is erected in accordance with the Village Building Code.

*Trailer House or Mobile Home.* Any trailer as defined herein used for residential purposes, but excluding travel trailers.

*Travel Trailer.* A trailer designed to be used only as a temporary dwelling for travel, recreational and vacation use, and not exceeding 8 feet in width.

*Use, accessory.* A use which is subordinate in its scope, intensity and purpose to a principal use.

*Use, principal.* The purpose for which land or a structure thereon is designed, arranged, or intended, or for which it is occupied, maintained or leased.

*Use, exceptional.* A use which, although not designated as a permitted use or a special use in a particular district, may be established and maintained as authorized by the Village Council as part of a planned development in conformance with the regulations of this Zoning Ordinance.

*Use, permitted.* A use which is designated as a permitted use and may be lawfully established in a particular district, provided it conforms with all requirements, regulations, and use restrictions, if any.

*Use, special.* A use which is designated as special use and may be lawfully established in a particular district in conformance with the regulations of this Zoning Ordinance governing special uses, provided it conforms with all requirements, regulations, and use restrictions, if any.

*Vibration.* A periodic displacement of the earth measured in inches.

*Walkways, At- or Above-grade Covered.* Covered structures for pedestrian access, connecting structures on two (2) adjacent lots.

*Yard.* An open space on the same zoning lot with a principal structure or group of structures which is unoccupied and unobstructed from its lowest level upward except as otherwise permitted in this Zoning Ordinance and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located.

*Yard, front.* A yard extending across the full width of the zoning lot and lying between the front lot line and the front line of the structure located on the lot.

*Yard, rear.* A yard extending across the full width of the zoning lot and lying between the rear line of the structure located on the lot and the rear lot line.

*Yard, side.* A yard extending along the side lot line between the front and rear yard.

*Yard, transitional.* A yard which is required to be provided on certain zoning lots in business or manufacturing districts by reason of the fact that such lots are abutting or adjacent to residential districts.

*Zoning Board of Appeals.* The Downers Grove Zoning Board of Appeals.

*Zoning map.* The map designating the zoning districts in Downers Grove and adopted by

## Automobile Uses

reference in this Zoning Ordinance.

### **Section 2. That Section 28.605. is hereby amended to read as follows:**

#### **28.605. B-2 District - Permitted uses.**

The following uses are allowed in the B-2 General Retail Business District as permitted uses:

- (a) Any use permitted in the B-1 Limited Retail Business District.
- (b) Retail, office and service uses as follows:
  - (1) Amusement establishments including, but not limited to, bowling alleys, pool halls, dance halls, skating rinks, and other similar places of recreation when conducted wholly within a completely enclosed building but specifically excluding any off-track wagering location as defined and licensed pursuant to the Illinois Horse Racing Act(230 ILCS 5/1 et seq.) which establishments are expressly prohibited in the Village.
  - (2) Animal Surgical Office (See Section 28-1021)
  - (3) Antique Shops
  - (4) Auction rooms
  - (5) Auditoriums
  - ~~(6) Automobile sales and service conducted wholly within a completely enclosed building~~
  - ~~(7) Bakeries~~
  - ~~(8) Banks and financial institutions, excluding drive-in banking.~~
  - ~~(9) Bicycle stores, including rental and repair~~
  - ~~(10) Blueprinting and photostating establishments~~
  - ~~(11) Business colleges or business schools, operated as business enterprises.~~
  - ~~(12) Carpet, rug and linoleum stores~~
  - ~~(13) Caskets and casket supplies conducted wholly within a completely enclosed building.~~
  - ~~(14) Catering establishments~~
  - ~~(15) Concentrated Business District Compact Development (See Section 28-1009.)~~
  - ~~(16) China and glassware stores~~
  - ~~(17) Clothing and costume rental shops~~
  - ~~(18) Currency exchanges~~
  - ~~(19) Department stores~~
  - ~~(20) Dry cleaning establishments when employing facilities for the cleaning and pressing of dry goods for retail trade only conducted on the premises, and when using carbon tetrachloride, perchlorethylene, or other similar nonflammable solvents approved by the Fire Department.~~
  - ~~(21) Employment agencies~~
  - ~~(22) Feed and seed stores~~
  - ~~(23) Frozen food lockers, excluding wholesale storage~~
  - ~~(24) Furrier shops~~
  - ~~(25) Furniture stores~~
  - ~~(26) Garages, public, for storage of private passenger automobiles and commercial vehicles under one and a half (1 ½) tons capacity~~
  - ~~(27) Hospitals or sanitariums~~
  - ~~(28) Hotels~~
  - ~~(29) Laundries employing not more than four (4) persons in addition to one owner or manager~~
  - ~~(30) Leather goods and luggage stores~~
  - ~~(31) Loan offices~~
  - ~~(32) Locksmith shops~~
  - ~~(33) Medical or dental clinics and laboratories~~
  - ~~(34) Motels~~

## Automobile Uses

- (354) Music conservatories or music instruction
- (365) Musical instruments, sales and repair
- (376) News stands
- (387) Office supply stores
- (398) Orthopedic, medical and surgical
- (4039) Optometrists
- (410) Parking lots, open and other than accessory for the storage of private passenger automobiles and subject to the provisions of Article XIV
- (421) Photograph developing and processing shops
- (432) Physical, cultural and health services including, but not limited to gymnasiums, swimming pools, reducing salons, masseurs, public baths.
- (443) Picture framing establishments when conducted for retail trade on the premises only.
- (454) Plumbing showrooms
- (465) Printing, lithographing, or publishing establishments for letter press, business cards, mimeographing and other similar custom services, newspaper publishing, including engraving and photo engravings.
- (476) Private clubs or lodges
- (487) Public service facilities, including electric distribution substations, fire or police stations, telephone exchanges and similar uses.
- (498) Radio and television broadcasting studios
- (5049) Restaurants, excluding drive-in or drive-through restaurants.
- (510) Second hand stores, if conducted wholly within a completely enclosed building.
- (521) Schools - music, dancing, business, or trade
- (532) Taxidermist shops
- (543) Telegraph offices
- (554) Theaters, excluding drive-in theaters
- (565) Ticket agencies - amusement
- (576) Travel bureaus and transportation ticket offices
- (587) Upholstering shops, if conducted wholly within a completely enclosed building.
- (598) Wholesale merchandise brokers, excluding wholesale storage
- (6059) Any other similar type of retail store or service establishment not specifically permitted herein, but which has economic compatibility with the established uses on adjoining premises.

### **Section 3. That Section 28.606. is hereby amended to read as follows:**

#### **28.606. B-2 District - Special uses.**

The following uses are allowed in the B-2 General Retail Business District as special uses:

- (a) Aircraft landing areas.
- (b) ~~Automobile repair service shops, including automobile laundries, repair, rebuilding and painting of automobiles~~ Dealerships; conducted wholly within a completely enclosed building.
- (c) ~~Automobile Laundries; conducted wholly within a completely enclosed building.~~
- (d) ~~Automobile Repair; conducted wholly within a completely enclosed building.~~
- (ee) Automobile service stations. (See Section 28-1018.)
- (ef) Concentrated central area compact residential development. (See Section 28-1008.)
- (eg) Drive-in, drive-up and drive-through uses, including but not limited to banks and restaurants.
- (fh) Outdoor cafes. (See Section 28-1006.)
- (gi) Outdoor display of merchandise. (See Section 28-1005.)
- (hj) Planned developments. (See Article XVI.)
- (ik) Plumbing contractors' offices and shops, provided that such use shall be operated in conjunction with a plumbing showroom.

Automobile Uses

- (j) Recycling collection facilities. (See Section 28-1007.)
- (k) Telecommunications Towers. (See Section 28-1307.)
- (l) Undertaking establishments, funeral parlors.

**Section 4. That Section 28.608. is hereby amended to read as follows:**

**28.608. B-3 District - Permitted Uses.**

The following uses are allowed in the B-3 General Services and Highway Business District as permitted uses:

(a) Any use permitted in the B-2 General Retail Business District, except dwellings unless otherwise set forth or superseded hereafter.

(b) Retail, office and service uses as follows:

- (1) Agricultural implement sales and service
- (2) Animal hospitals, pounds, shelters and kennels
- (3) Air conditioning and heating sales and service
- (4) Beverages, nonalcoholic, bottling and distributing
- (5) Boat sales
- (6) Building material sales, when conducted wholly within a building.
- (7) Carpenter or cabinet shops (excluding furniture manufacture)
- (8) Cartage and express facilities
- (9) Clothing, custom manufacturing and alterations for retail trade only
- (10) Contractor or construction shops, when conducted wholly within a building such as: air conditioning, masonry, building, painting, cement, plumbing, electrical, refrigeration, heating and ventilating, and roofing.

- (11) Dry cleaning establishments
- (12) Exterminating shops
- (13) Feed and seed stores, wholesale
- (14) Glass cutting and glazing
- (15) Greenhouses, wholesale growers
- (16) House trailer or mobile home sales
- (17) Laboratories, medical, dental, research, experimental, and testing; provided there is no danger from fire or explosion, nor of offensive noise, smoke, dust, odors, heat, glare, vibration or other objectionable conditions beyond the confines of the premises upon which the use is located.

- (18) Laundries
- (19) Linen, towel, diaper and other similar supply services.
- (20) Machinery sales and service
- (21) Monument sales
- ~~(22) Motor vehicle sales, including used car lots~~
- ~~(23) Motorcycle sales, including servicing and repair~~
- (24) Outdoor cafes. Provided, no site plan or elevation drawings shall be required. (See

Section 28-1006.)

(25) Processing or assembly of the following. Provided, space occupied in a building shall not exceed ten thousand (10,000) square feet of total floor and basement space, not including stairwells or elevator shafts; and provided such processing or assembly can be conducted without noise, vibration, odor, dust, or any other conditions which might be disturbing to occupants or adjacent buildings.

- (i) Advertising displays
- (ii) Awnings, venetian blinds and window shades
- (iii) Brushes and brooms
- (iv) Bakeries, wholesale
- (v) Cosmetics, drugs and perfumes

## Automobile Uses

- (vi) Electrical equipment appliances
- (vii) Food processing, packaging and distribution
- (viii) Ice cream
- (ix) Jewelry
- (x) Medical and dental supplies
- (xi) Optical goods and equipment
- (x) Pattern making
- (xi) Scientific and precision instruments

(264) Products from finished materials, such as plastic, bone, cloth, cork, feathers, felt, fibre, paper, fur, glass, hair, horn, leather, precious or semi-precious stones, rubber, shell or yarn.

(275) Recreation places, including bowling alley, dance hall, gymnasium, skating rink, archery range, golf practice range, miniature golf course or other similar places of amusement or entertainment when operated for profit, but specifically excluding any off-track wagering location as defined and licensed pursuant to the Illinois Horse Racing Act (230 ILCS 5/1 et seq.) which establishments are expressly prohibited in the Village.

(286) Retail nursery sales

(297) Shell egg businesses, including handling, cartoning, and distribution.

(3028) Silver plating and repair shops.

(3129) Tool, die, and pattern making.

(32) ~~Used passenger automobile sales on an open lot or within a building.~~

(3330) Uses customarily incidental to any of the above uses, and accessory structures, when located on the same premises.

(341) Warehousing and storage rooms, provided that such warehousing and storage rooms are accessory to a retail principal use.

### **Section 5. That Section 28.609. is hereby amended to read as follows:**

#### **28.609. B-3 District - Special uses.**

The following uses are allowed in the B-3 General Services and Highway Business District as special uses:

(a) Any special uses of the B-2 General Retail Business District unless already allowed as permitted uses in the B-3 District.

(b) Attached single-family dwellings and multiple-family dwellings provided that the residential development has an unbroken street frontage of a least two hundred (200) feet and that it conforms to all requirements of the R-6 Residence District.

~~(c) Automobile Dealerships.~~

~~(d) Automobile Laundries.~~

~~(e) Automobile Repair.~~

~~-(e) Automobile repair and service shops, including automobile laundries, repair and rebuilding, and painting of automobiles.~~

~~(df) Garages, public, for storage, repair and servicing of automobiles and commercial vehicles including body repair and painting, but not including auto-wrecking yards.~~

(e) Stadiums, auditoriums and arenas.

### **Section 6. That Section 28.801. is hereby amended to read as follows:**

#### **28.801. O-R-M District - Permitted uses.**

The following uses are allowed in the O-R-M Office-Research-Manufacturing District as permitted uses:

(a) Office uses

## Automobile Uses

- (b) Any facility, the principal use of which is research and development of products.
- (c) Production, processing, assembly, cleaning, testing and repair limited to the following uses and products:
  - (1) Abrasive works
  - (2) Advertising displays, production of
  - (3) Art and needlework and hand weaving
  - (4) Artificial limb manufacture
  - (5) Awnings, venetian blinds
  - (6) Bakeries
  - (7) Batteries
  - (8) Bedding
  - (9) Beverages, nonalcoholic
  - (10) Bicycles
  - (11) Blacksmith shops
  - (12) Blueprinting, photostating and other duplicating establishments.
  - (13) Boat building and repair of pleasure craft
  - (14) Books - hand binding and tooling
  - (15) Boots and shoes
  - (16) Bottling works - beverage or creamery
  - (17) Brushes and brooms
  - (18) Camera and other photographic equipment, except film
  - (19) Candy manufacture
  - (20) Canneries
  - (21) Canvas and canvas products
  - (22) Carpentry and woodworking shops
  - (23) Carpet and rug cleaning
  - (24) Caskets and casket supplies
  - (25) Ceramic products such as pottery and small glazed tile
  - (26) Clothing and clothing products
  - (27) Cold storage plants
  - (28) Computer and related equipment
  - (29) Cosmetics and toiletries
  - (30) Cotton and woolen weaving
  - (31) Dairy products
  - (32) Dentures
  - (33) Drugs
  - (34) Dry cleaning plants
  - (35) Electric appliances
  - (36) Electric wire
  - (37) Electronic and scientific precision instruments
  - (38) Electroplating
  - (39) Food products, processing and combining of baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing.
  - (40) Frozen food lockers
  - (41) Fur goods
  - (42) Glass products, from previously manufactured glass
  - (43) Gymnasiums.
  - (44) Hair, felt and feather products (except washing, curling and dyeing)
  - (45) Hats, caps and millinery
  - (46) House trailers or mobile homes
  - (47) Ice, dry and natural

## Automobile Uses

- (48) Ink mixing and packaging and inked ribbons
- (49) Insecticides
- (50) Insulating materials
- (51) Jewelry
- (52) Laboratories, medical, dental, research, experimental and testing
- (53) Laundries
- (54) Leather products, including shoes and machine belting
- (55) Lithographing
- (56) Luggage
- (57) Machine shops for tool, die and pattern making
- (58) Machinery, farm - sales, repairing and overhauling
- (59) Machinery manufacture
- (60) Mail order houses
- (61) Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust-proofing and heat treatment.
- (62) Metal products fabrication and assembly
- (63) Metal stamping and extrusion
- (64) Monument works
- ~~(65) Motor vehicle repair, major~~
- ~~(66)~~ Musical instruments
- ~~(67)~~ Orthopedic and medical appliances
- ~~(68)~~ Paper products
- ~~(69)~~ Perfumes and perfumed soaps, compounding and packaging only
- ~~(70)~~ Pharmaceutical products - compounding, packaging, synthesis and manufacture
- ~~(71)~~ Plastic manufacture and processing
- ~~(72)~~ Pottery and ceramics manufacture
- ~~(73)~~ Precision instruments, such as optical, medical and drafting
- ~~(74)~~ Printing, lithographing, or publishing establishments for letter press, business cards, mimeographing and other similar custom services, newspaper publishing, including engraving and photo-engraving.
- ~~(75)~~ Products from finished materials - plastic, bone, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, precious and semi-precious stones, rubber, shell, or yarn.
- ~~(76)~~ Repair of household or office machinery or equipment
- ~~(77)~~ Rope, cord and twine manufacture
- ~~(78)~~ Rubber products, small and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps and atomizers.
- ~~(79)~~ Sheet metal shops
- ~~(80)~~ Silverware, plate and sterling
- ~~(81)~~ Sign painting
- ~~(82)~~ Soap and detergents, packaging only
- ~~(83)~~ Soldering and welding
- ~~(84)~~ Sporting and athletic equipment
- ~~(85)~~ Statuary, mannequins, figurines, and religious and church art goods, excluding foundry operations.
- ~~(86)~~ Textiles - spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, and cordage, but not including textile bleaching.
- ~~(87)~~ Tools and hardware
- ~~(88)~~ Toys
- ~~(89)~~ Truck repair garages
- ~~(90)~~ Umbrellas
- ~~(91)~~ Upholstering (bulk), including mattress manufacturing, rebuilding and renovating.

## Automobile Uses

- (921) Vehicles, children's - such as bicycles, scooters, wagons, baby carriages.
- (932) Watches
- (943) Wood products and woodworking
- (d) Warehousing, storage and distribution facilities, excluding motor freight terminals or self-storage facilities (mini- warehouses).
- (e) Retail and service uses, as follows:
  - (1) Banks and financial institutions, excluding drive-in type facilities.
  - (2) Day care centers. (See Section 28-1017.)
  - (3) Hotels
  - (4) Medical and dental clinics
  - (5) Restaurants with minimum seating capacity of one hundred and twenty-five (125).
- (f) Public utility and community service uses, including electric distribution substations, fire and police stations, telephone exchanges and similar uses.
- (g) Adult Entertainment Establishments. (See Section 28-1011.)
- (h) Telecommunications Towers. (See Section 28-1307.)
- (i) Uses incidental to permitted uses, as follows:
  - (1) Signs.
  - (2) Dwellings for watchmen, located on the premises where employed.
  - (3) Temporary buildings for construction purposes for a period not to exceed the duration of such construction.
  - (4) Incidental retail sales of products, parts, or service directly related to a permitted use.

### **Section 7. That Section 28.802. is hereby amended to read as follows:**

#### **28.802. O-R-M District - Special uses.**

The following uses are allowed in the O-R-M Office-Research-Manufacturing District as special uses:

- (a) Aircraft landing areas.
- (b) Automobile Repair.
- ~~(bc)~~ Automobile service stations. (See Section 28-1018.)
- ~~(ed)~~ Drive-in banking facilities.
- ~~(de)~~ Planned developments. (See Article XVI.)
- ~~(ef)~~ Railroad and motor freight terminal, railroad switching facilities.
- ~~(fg)~~ Recycling collection facilities. (See Section 28-1007.)
- ~~(gh)~~ Vocational and trade schools
- ~~(hi)~~ Any other proposed business, manufacturing, assembling, servicing or processing activity, if the Plan Commission finds:
  - (1) Such proposed activity is of the same general character as the uses permitted in Section 28-802;
  - (2) It is reasonably anticipated that such proposed activity will be in compliance with the environmental standards set forth in Article XX. The Plan Commission may in its discretion require that there be furnished favorable certification by a registered professional engineer approved by the Plan Commission covering any one or more of such environmental standards; and
  - (3) Such proposed activity will be in compliance with all applicable provisions of this Zoning Ordinance.

### **Section 8. That Section 28.902. is hereby amended to read as follows:**

#### **28.902. M-1 Districts - Permitted uses.**

The following uses are allowed in the M-1 Light Manufacturing District as permitted uses:

## Automobile Uses

(a) Uses permitted in the B-3 General Services and Highway Business District, which are not permitted in other business districts.

(b) Animal hospitals, pounds, and shelters

~~(c) Automobile sales and service~~

~~(d)~~ Banks and financial institutions

(e) Day care center. (See Section 28-1017.)

(f) Fuel and ice sales

(g) Gymnasiums

(h) Production, processing, cleaning, testing and repair limited to the following uses and products:

- (1) Advertising displays
- (2) Art and needlework and hand weaving
- (3) Artificial limb manufacture
- (4) Awnings, venetian blinds
- (5) Bakeries
- (6) Batteries
- (7) Beverages, non-alcoholic
- (8) Bicycles
- (9) Blacksmith shops
- (10) Blueprinting and photostating establishments
- (11) Boat building and repair of pleasure craft
- (12) Books - hand binding and tooling
- (13) Bottling works - beverage or creamery
- (14) Brushes and brooms
- (15) Camera and other photographic equipment, except film
- (16) Candy manufacture
- (17) Canvas and canvas products
- (18) Carpentry and woodworking shops
- (19) Carpet and rug cleaning
- (20) Caskets and casket supplies
- (21) Ceramic products - such as pottery and small glazed tile
- (22) Clothing manufacture
- (23) Cold storage plants
- (24) Cosmetics and toiletries
- (25) Dentures
- (26) Drugs
- (27) Dry cleaning establishments
- (28) Dwellings for watchmen, located on the premises where employed.
- (29) Electric appliances, such as lighting fixtures, irons, fans, toasters, and electric toys.
- (30) Food products, processing and combining of baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing.
- (31) Frozen food lockers
- (32) Fur goods, not including tanning or dyeing
- (33) Glass products, from previously manufactured glass
- (34) Hair, felt and feather products (except washing, curling and dyeing)
- (35) Hat bodies of fur and wool felt
- (36) House trailers or mobile homes
- (37) Ice, dry and natural
- (38) Ink mixing and packaging and inked ribbons
- (39) Insecticides
- (40) Jewelry

## Automobile Uses

- (41) Laboratories, medical, dental, research, experimental and testing
- (42) Laundries
- (43) Leather products, including shoes and machine belting
- (44) Luggage
- (45) Machine shops for tool, die and pattern making
- (46) Machinery, farm - sales, repairing and overhauling
- (47) Medical and dental clinics.
- (48) Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust-proofing and heat treatment.
- (49) Metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.
- (50) Monument works
- (51) ~~Motor vehicle repair, major~~
- (52) Musical instruments
- (53) Offices, business and professional
- (54) Orthopedic and medical appliances, such as artificial limbs, braces, supports and stretchers.
- (55) Paper products, small, such as envelopes and stationery, bags, boxes, tubes, and wallpaper printing.
- (56) Perfumes and perfumed soaps, compounding and packaging only.
- (57) Pharmaceutical products, compounding and packaging
- (58) Plastic manufacture and processing
- (59) Precision instruments, such as optical, medical and drafting
- (60) ~~Printing, lithographing, or publishing establishments for letter press, business cards, mimeographing and other similar custom services, newspaper publishing, including engraving and photo-engraving.~~
- (61) Products from finished materials - plastic, bone, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, precious and semi-precious stones, rubber, shell, or yarn.
- (62) public service facilities, including electric distribution substations, fire and police stations, telephone exchange and similar uses.
- (63) Repair of household or office machinery or equipment
- (64) Rubber products, small and synthetic treated fabrics, (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps and atomizers.
- (65) Sheet metal shops
- (66) Silverware, plate and sterling
- (67) Sign painting
- (68) Soap and detergents, packaging only
- (69) Soldering and welding
- (70) ~~Sporting and athletic equipment, such as balls, baskets, cues, gloves, bats, racquets and rods.~~
- (71) Statuary, mannequins, figurines, and religious and church art goods, excluding foundry operations.
- (72) Textiles - spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, and cordage, but not including textile bleaching.
- (73) Truck repair garages
- (74) Tools and hardware, such as bolts, nuts and screws, doorknobs, drills, hand tools and cutlery, hinges, house hardware, locks, non-ferrous metal castings, and plumbing appliances.
- (75) Toys
- (76) Umbrellas
- (77) Upholstering (bulk), including mattress manufacturing, rebuilding and renovating.
- (78) Vehicles, children's - such as bicycles, scooters, wagons, and baby carriages

## Automobile Uses

- (798) Watches
- (8079) Wood products such as furniture, boxes, crates, baskets, and pencils, and cooperage corks.
- (hi) Wholesale and warehousing, storage and distribution Facilities, excluding motor freight terminals or self-storage facilities (mini-warehouses).
- (ji) Public and community service uses
- (kj) Adult Entertainment Establishments. (See Section 28-1011.)
- (lk) Telecommunications Towers. (See Section 28-1307.)
- (ml) Uses incidental to permitted uses as follows:
  - (1) Signs.
  - (2) Incidental retail sales of products, parts or service directly related to a permitted use.
  - (3) Temporary buildings for construction purposes for a period not to exceed the duration of such construction.

### **Section 9. That Section 28.903. is hereby amended to read as follows:**

#### **28.903. M-1 Districts - Special Uses.**

The following uses are allowed in the M-1 Light Manufacturing District as special uses:

- (a) Aircraft landing areas.
- (b) Automobile Dealerships.
- (c) Automobile Laundries.
- (d) Automobile Repair.
- (be) Automobile Service Stations. (See Section 28-1018.)
- (ef) Banks and financial institution drive-in type facilities.
- (dg) Planned developments. (See Article XVI.)
- (eh) Railroad and motor freight terminal, railroad switching facilities.
- (fi) Recycling collection facilities. (See Section 28-1007.)
- (gj) Self-storage facilities, including mini-warehouses. (See Section 28-1010.)

### **Section 10. That Section 28.1019. is hereby amended to read as follows:**

#### **28.1019. Automobile Repair.**

- (a) ~~Major vehicle~~Automobile Repair and service shall be conducted wholly within a completely enclosed structure.
- (b) Except for customer vehicles waiting to be repaired, or waiting for pick up, there shall be no outside storage.
- (c) All ~~major a~~Automobile Repair uses shall be screened with a solid fence, not less than six (6) feet nor more than eight (8) feet in height.

### **Section 11. That Section 28.1409. is hereby amended to read as follows:**

#### **28.1409. Off-street loading spaces.**

- (a) *Location.* All required off-street loading spaces shall be located on the same zoning lot as the use served. No off-street loading space for vehicles over two (2) tons capacity shall be closer than fifty (50) feet to any property in a residence district unless completely enclosed by a building wall or uniformly painted solid fence or wall, or any combination thereof, not less than six (6) feet in height. No permitted or required off-street loading space shall be located within twenty-five (25) feet of the nearest point of intersection of any two (2) street rights-of-way. Uses for which off-street loading spaces are required herein but which are located in buildings of less gross floor area than the minimum prescribed for such required spaces, shall be provided with adequate receiving

Automobile Uses

facilities off any adjacent alley, service drive, or open space on the same lot which is accessible by motor vehicle.

(b) *Access.* Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements and subject to approval of the Director.

(c) *Surfacing.* All open off-street loading spaces shall be improved with a compacted stone base, not less than eight (8) inches thick, surfaced with not less than two (2) inches of asphaltic concrete or some comparable all-weather, dustless material. Plans and materials shall be approved by the Director.

(d) ~~Vehicle repair and service~~ *Automobile repair prohibited.* No vehicle repair work or service of any kind shall be permitted in conjunction with off-street loading spaces provided in any residence or business district.

(e) *Cannot be used to satisfy off-street parking requirements.* Space allocated to any off-street loading space shall not, while so allocated, be used to satisfy the space requirements for any off-street parking spaces or portions thereof.

(f) *Size.* Unless otherwise specified, a required off-street loading space shall be at least twelve (12) feet in width (measured perpendicular to the sides) and at least fifty-five (55) feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.

(g) *Central loading.* Central off-street loading spaces for a group of contiguous zoning lots may be substituted for loading berths on individual zoning lots, provided the following conditions are met:

(1) Each zoning lot served shall have direct access to the central loading area without crossing streets or alleys at grade;

(2) Total spaces provided shall meet the requirements based on the sum of the several types of uses served (area of types of use may be totaled before computing number of off-street loading spaces);

(3) No zoning lot served shall be more than five hundred (500) feet removed from the central loading area.

(4) The tunnel or ramp connecting the central loading area with the zoning lot served shall be at least seven (7) feet in width and have a vertical clearance of at least seven (7) feet.

**Section 12. That Section 28.1410. is hereby amended to read as follows:**

**28.1410. Number of off-street parking and off-street loading spaces required.**

(a) Off-street parking, and off-street loading and unloading facilities shall be provided in accordance with the following schedule:

CLASS A PARKING  
(Stall Size 9' x 18.5')

USE	NUMBER OF PARKING SPACES WHICH SHALL BE PROVIDED	OFF-STREET LOADING AND UNLOADING SPACES WHICH SHALL BE PROVIDED
CBD Re-Development Project	1.4 per dwelling unit with at least 1 parking space designated for each dwelling unit	None required
Single-family attached and detached, two-family and multi-family dwelling units	2 per dwelling unit	None required

Automobile Uses

USE	NUMBER OF PARKING SPACES WHICH SHALL BE PROVIDED	OFF-STREET LOADING AND UNLOADING SPACES WHICH SHALL BE PROVIDED
Senior citizen housing	.5 per bedroom except in the Concentrated Central Area, as defined in Article III herein, .3 per dwelling unit	None required
Sheltered care facilities	.5 per bed	1 plus 1 additional for each 100,000 sq. ft. of gross floor area
Motels, hotels, lodging houses	1 per lodging unit	1 for each structure over 20,000 sq. ft. of gross floor area
Commercial (except as specifically provided below)	1 per 300 sq. ft. of gross floor area	1 for every structure over 10,000 sq. ft. of gross floor area plus 1 for each additional 100,000 sq. ft. of gross floor area
Furniture, appliance stores, <del>motor vehicle sales</del> <u>Automobile Dealership, Automobile Laundry, Automobile Repair, machinery sales</u>	1 per 600 sq. ft. of gross floor area	1 plus 1 additional for each 25,000 sq. ft. of gross floor area
Churches, (except churches in existence as of January 14, 1991 located within 1,000 ft. of the Concentrated Business District) indoor theaters, auditoriums, and other places of assembly.	1 for every 3 persons permitted in main auditorium area according to capacity standards of building code	1 for each structure over 100,000 sq. ft. of gross floor area
Churches in existence as of January 14, 1991 and located within 1,000 ft. of the Concentrated Business District.	35% of the parking space requirements for churches generally as set forth in this section	None required
Funeral parlors	1 per every 100 sq. ft. of gross area	None required
Hospitals, rest homes, nursing homes, etc.	1.2 parking spaces per bed	1 plus 1 additional for each 100,000 sq. ft. of gross floor area
Medical offices, clinics or related medical services when located in a building for medical offices	1 per 100 sq. ft. of gross floor area for the first 5,000 sq. ft.; 1 per 200 sq. ft. of gross floor area for the next 20,000 sq. ft.; 1 per 400 sq. ft. of gross floor area for the remainder of the building	1 for each structure over 40,000 sq. ft. of gross floor area
Establishments dispensing food or beverages for consumption on the premises other than restaurants with lounges	1 per 100 sq. ft. of gross floor area, excluding areas exclusively devoted to permanent storage purposes (e.g. walk-in freezers, storage coolers or dry storage	1 for each structure over 10,000 sq. ft. of gross floor area

Automobile Uses

USE	NUMBER OF PARKING SPACES WHICH SHALL BE PROVIDED	OFF-STREET LOADING AND UNLOADING SPACES WHICH SHALL BE PROVIDED
	areas) the are not open to the general public.	
Restaurants with lounges	1 per 100 sq. ft. of gross floor area of the restaurant, excluding areas exclusively devoted to permanent storage purpose (e.g. walk-in freezers, storage coolers or dry storage areas) that are not open to the general public, plus 3 per 100 sq. ft. of gross floor area of the lounge	1 for each structure over 10,000 sq. ft. of gross floor area

CLASS B PARKING  
(Stall Size 8.5' x 18.5')

USE	NUMBER OF PARKING SPACES WHICH SHALL BE PROVIDED	OFF-STREET LOADING AND UNLOADING SPACES WHICH SHALL BE PROVIDED
Manufacturing	1 per 500 sq. ft. of floor area	1 for each structure plus 1 for each 60,000 sq. ft. of gross floor area over 40,000 sq. ft.
Warehousing	1 per 1,000 sq. ft. of floor area	1 for each structure plus 1 for each 60,000 sq. ft. of gross floor area over 40,000 sq. ft.
Parking lots, open and other than accessory for the storage of private passenger automobiles	Not applicable	Not applicable
Printing, lithographing, or publishing establishments for letter press, business cards, mimeographing and other similar custom services, newspaper publishing, including engraving and photo-engraving	1 per 850 sq.ft. of floor area	1 for each structure plus 1 for each 60,000 sq.ft. of gross floor area over 40,000 sq.ft.

CLASS A PARKING FOR LESS THAN 50 SPACES  
CLASS B PARKING FOR 50 OR MORE SPACES

USE	NUMBER OF PARKING SPACES WHICH SHALL BE PROVIDED	OFF-STREET LOADING AND UNLOADING SPACES WHICH SHALL BE PROVIDED

Automobile Uses

Offices, banks or public administration	1 per 400 sq. ft. of gross floor area	1 for each structure over 40,000 sq. ft. of gross floor area
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(b) In the event that the calculation of the number of off-street parking spaces required by this Article results in a requirement of a fractional space, any fraction shall be counted as one (1) parking space.

(c) Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided collectively is not less than the sum of the separate requirements for each such use and provided that all regulations governing location of accessory parking spaces in relation to the use served are adhered to. Further, no parking space or portion thereof shall serve as a required space for more than one use unless otherwise authorized by the Zoning Board of Appeals or Plan Commission as a variation in accordance with this Zoning Ordinance.

(d) When two (2) or more uses are located on the same zoning lot or within the same building, parking spaces equal in number to the sum of the separate requirements for each such use shall be provided. No parking spaces or portion thereof shall serve as a required space for more than one use unless otherwise authorized by the Plan Commission as a special use in accordance with this Zoning Ordinance.

(e) For uses not listed in the foregoing schedule of parking requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Zoning Board of Appeals or Plan Commission, and off-street loading spaces shall be provided in adequate number and size to serve such use as determined by the Zoning Board of Appeals or Plan Commission.

(f) The Concentrated Business District is exempt from the provisions of this section.

**Section 13.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 14.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk