



MANAGER'S REPORT FOR JUNE 28, 2013
GENERAL INFORMATION AND RESPONSES TO MAYOR & COMMISSIONER REQUESTS

Places to be this Week...

Village Council Meeting - The Village Council meeting will be held on **Tuesday, July 2 at 7 p.m.** in the Council Chambers at Village Hall.

Fourth of July Holiday - Village Hall will be closed on **Thursday, July 4.**

Future Calendar Reminders...

Village Council Meeting - The Village Council meeting will be held on **Tuesday, July 9 at 7 p.m.** in the Council Chambers at Village Hall.

Long-Range Plan - The second Long-Range Plan meeting will be held on **Tuesday, July 23 at 7 p.m.** in the Committee Room.

Zoning Ordinance Rewrite - The Village is in the process of conducting a comprehensive update of its zoning and subdivision regulations, implementation tools for the 2011 Comprehensive Plan and the main review tools for site planning and development in the Village. The Plan Commission reviewed proposed portions of the update at May 7 and June 3 meeting. The consultant prepared Module 2 draft for Plan Commission and staff review, which includes restrictions on allowable uses in all zoning districts as well as lot area and bulk restrictions for each district. Module 2 will be discussed at the Plan Commission meeting on July 1, 2013. The documents for the Plan Commission's review are attached.

ATTACHMENT

Module 2 Draft for Zoning Ordinance

DOWNERS GROVE ZONING ORDINANCE

Module 2.0

Residential Districts
Business and Employment Districts
Allowed Uses
Measurements

June 26, 2013

Module 2.0: Zoning District Framework¹

Module 2.0 of the draft zoning ordinance is presented in the following pages. This second piece of the Downers Grove zoning and subdivision regulations update includes a first draft of the existing zoning district regulations:

Article 2 Residential Districts

Article 3 Business and Employment Districts

Article 5 Allowed Uses

Article 14 Measurements

As you review this material, please keep in mind that it is an initial *draft*. Changes can and will be made as the provisions are adapted to best meet the needs of the village. It is also worth noting that graphics and illustrations will be added once the ordinance documents are closer to their final form.

Many of the provisions in this module, although heavily edited and reorganized, are very similar to those currently in place. Despite the similarities, however, there *are* substantive changes and new concepts presented in this draft. These proposed changes are identified through the use of footnotes and occasional underline (new/changed material) and ~~striketrough~~ (deleted material) text. The absence of footnotes and identified redline changes is an indication that the provisions do not constitute a substantive modification.

We look forward to your review and continued involvement in the ordinance update project.

¹ Since delivery of module 1, the numbering system used in the draft ordinance has been modified. Module 1 used hundred-level numbering (Articles 100 through 1500). This draft numbers the articles from 1 to 15.

Chapter 28 | Zoning

Article 1 Introductory Provisions.....	1-1
Article 2 Residential Districts.....	2-1
Article 3 Business and Employment Districts.....	3-1
Article 4 Overlay and Special Purpose Districts	4-1
Article 5 Allowed Uses	5-1
Article 6 Supplemental Use Regulations	6-1
Article 7 Parking	7-20
Article 8 Landscaping, Screening and Transitions.....	8-1
Article 9 Signs	9-1
Article 10 General Development Regulations	10-1
Article 11 Nonconformities.....	11-1
Article 12 Review and Approval Procedures	12-1
Article 13 Administration and Enforcement.....	13-1
Article 14 Measurements	14-1
Article 15 Definitions.....	15-1

Article 2 | Residential Districts

Sec. 2.010	The Districts	2-1
Sec. 2.020	Allowed Uses	2-1
Sec. 2.030	Lot and Building Regulations	2-1
Sec. 2.040	Generally Applicable Regulations.....	2-2

Sec. 2.010 The Districts

A. List

The village’s residential zoning districts are listed below. When this zoning ordinance refers to “residential” zoning districts or “R” districts, it is referring to these districts.

Table 2-1: Residential Zoning Districts

Map Symbol	District Name
R- 1	Residential Single-family 1
R- 2	Residential Single-family 2
R- 3	Residential Single-family 3
R- 4	Residential Single-family 4
R-5	Residential Two-family
R-5A	Residential Townhouse
R-6	Residential Multi-family

B. Description

Downers Grove’s residential zoning districts are primarily intended to create, maintain and promote a variety of housing opportunities for individual households and to maintain and promote the desired physical character of existing and developing neighborhoods. While the districts primarily accommodate residential uses, some nonresidential uses are also allowed.

Sec. 2.020 Allowed Uses

Principal uses are allowed in R districts in accordance with *Table 5-1* of [Sec. 5.010](#).

Sec. 2.030 Lot and Building Regulations

The lot and building regulations of *Table 2-2* apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning ordinance. General exceptions to lot and building regulations and rules for measuring compliance can be found in [Article 14](#). Additional regulations governing accessory uses and structures can be found in [Sec. 6.010](#).

Table 2-2: R District Lot and Building Regulations

Regulations	R-1	R-2	R-3	R-4	R-5	R-5A ⁴	R-6
Minimum District Area (square feet)	20,000	15,000	10,500	7,500	87,120	87,120	87,120
Minimum Lot Area (square feet)							
Detached house	20,000	15,000	10,500	7,500	7,500	7,500	7,500
Attached house	–	–	–	–	8,000 ⁵	8,000	10,500
Two-unit house	–	–	–	–	10,500	10,500	10,500

⁴ Should discuss possibility of allowing attached house development in R-5, thereby consolidating R-5 and R-5A.

⁵ This draft proposes allowing two-unit attached house projects in the R-5 district, something that’s not technically allowed by the current ordinance. The district already allow two-unit residential buildings (duplexes).

Article 2 | Residential Districts
Sec. 2.040 | Generally Applicable Regulations

Regulations	R-1	R-2	R-3	R-4	R-5	R-5A ⁴	R-6
Apartment/condo	–	–	–	–	–	–	10,500
Other buildings/uses ⁶	<u>20,000</u>	<u>15,000</u>	<u>10,500</u>	<u>7,500</u>	<u>10,500</u>	<u>10,500</u>	<u>10,500</u>
Minimum Lot Area per Dwelling Unit (square feet)							
Detached house	20,000	15,000	10,500	7,500	7,500	7,500	7,500
Attached house	–	–	–	–	<u>4,000</u>	4,000	<u>2,500</u> ⁷
Two-unit house	–	–	–	–	5,250	5,250	<u>5,250</u>
Apartment/condo	–	–	–	–	–	–	<u>1,000</u>
Other buildings/uses	–	–	–	–	–	–	–
Minimum Lot Width (feet)							
Detached house	100	85	75	50	50	50	50
Attached house	–	–	–	–	80	80	80
Two-unit house	–	–	–	–	80	80	80
Apartment/condo	–	–	–	–	–	–	80
Other buildings/uses	100	85	75	50	80	80	80
Minimum Street Frontage							
	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>
Minimum Building Setbacks							
Street (feet)	40	35	30	25	25	25	25
Side (interior) (% lot width/feet, whichever is greater)	[1]	10/7	10/6	10/5	10/5	10/5	10/ ⁸ 5[2]
Rear (feet)	20	20	20	20	20	20	20
Maximum Floor Area Ratio							
Residential	–	–	–	–	–	–	1.50
Nonresidential	0.60	0.60	0.60	0.60	0.80	0.80	1.50
Maximum Building Coverage (% of lot, principal + accessory)							
	32	32	32	32	32	32	40
Maximum Building Height (feet)⁹							
Overall (highest point)	35	35	<u>35</u> ¹⁰	<u>35</u>	35	35	35
Eave	25	25	<u>25</u>	<u>25</u>	25	25	–
Minimum Dwelling Unit Floor Area¹¹ (square feet)							
Detached house	1,200	1,200	950	950	950	950	950
Attached house	–	–	–	–	950	950	950
Two-unit house	–	–	–	–	950	950	950
Apartment/condo							
Studio or 1 bedroom	–	–	–	–	–	–	400
2 bedroom unit	–	–	–	–	–	–	620
3+ bedroom unit	–	–	–	–	–	–	750

Notes to Table 2-2

- [1] R-1 minimum side setback is 10% or lot width or 10 feet, whichever is *less*, with no side setback less than 7 feet.
- [2] Minimum interior side setback for apartment/condo or nonresidential building on lots abutting R-1 through R-5A districts is 20 feet, plus one foot of additional setback for each foot of building height above 20 feet.

Sec. 2.040 Generally Applicable Regulations

Uses and structures in residential zoning districts may be subject to other regulations and standards, including the following.

⁶ Lot area for nonresidential uses not expressly stated under current ordinance.
⁷ Current density standard is based on bedroom count: ranges from 1,000 to 3,000 square feet per unit.
⁸ This is a very slight change; currently, multi-family and nonresidential buildings require setback equal to 10% of lot width or 7 feet, whichever is less.
⁹ Proposed change. Currently, nonresidential buildings are not subject to height limits but are required to provide additional setbacks if buildings exceed residential height limits.
¹⁰ Height limit in R-3 and R-4 is currently 33 feet.
¹¹ Minimum unit size requirements should be considered for elimination.

- A. **Nonconformities**
See [Article 13](#).
- B. **Accessory Uses and Structures**
See [Sec. 6.010](#).
- C. **Parking**
See [Article 7](#).
- D. **Fences and Walls**
See [Sec. 10.030](#).
- E. **Signs**
See [Article 9](#).
- F. **Landscaping, Screening and Transitions**
See [Article 8](#).
- G. **Temporary Uses**
See [Sec. 6.140](#).
- H. **Outdoor Lighting**
See [Sec. 10.010](#).

Article 3 | Business and Employment Districts

Sec. 3.010	The Districts	3-1
Sec. 3.020	Allowed Uses	3-2
Sec. 3.030	Lot and Building Regulations	3-2
Sec. 3.040	Special Street Setback Requirements.....	3-3
Sec. 3.050	Generally Applicable Regulations.....	3-3

Sec. 3.010 The Districts

A. List

The village’s business and employment zoning districts are listed below. When this zoning ordinance refers to “business and employment” zoning districts or to “B,” “O” or “M” districts, respectively, it is referring to these districts.

Table 3-1: Business and Employment Zoning Districts¹²

Map Symbol	District Name
B-1	Limited Retail Business
B-2	General Retail Business
B-3	General Services and Highway Business
O-R	Office-Research
O-R-M	Office-Research-Manufacturing
M-1	Light Manufacturing
M-2	Restricted Manufacturing

B. Description

Downers Grove's business and employment zoning districts are generally intended to accommodate and promote retail, service, business and employment uses.

1. B-1, Limited Retail Business District

The B-1 district is primarily intended to accommodate small-scale retail and service businesses that serve residents of abutting neighborhoods. It is generally intended to be applied to sites with frontage on a ~~major~~ collector or higher-level street and in locations that can be safely accessed via motorized and nonmotorized transportation.

2. B-2, General Retail Business District

The B-2 district is primarily intended to accommodate retail and service businesses that serve a citywide or larger trade area. It is generally intended to be applied to sites ~~at the convergence of major traffic arteries~~ with frontage on at least one arterial street

3. B-3, General Services and Highway Business District

The B-3 district is primarily intended to accommodate very large retail and service establishments, business establishments that generate large volumes of automobile traffic, high-impact commercial and limited manufacturing activities.

¹² The existing downtown districts (DB and DT) are not included here. They may be incorporated into the special purpose district article (Q) or merged into this article at a later date.

4. O-R, Office-Research District

The O-R district is primarily intended to accommodate research & development activities in office-like settings.

5. O-R-M, Office Research and Manufacturing District

The O-R-M district is primarily intended to research & development and limited manufacturing, processing and assembly activities.

6. M-1, Light Manufacturing District

The M-1 district is primarily intended to accommodate office, research and employment uses, including very low-impact industrial activities.

7. M-2, Restricted Manufacturing District

The M-2 district is primarily intended to accommodate office, research and employment uses, including low-impact industrial activities.

Sec. 3.020 Allowed Uses

Principal uses are allowed in business and employment districts in accordance with *Table 5-1* of [Sec. 5.010](#).

Sec. 3.030 Lot and Building Regulations

The lot and building regulations of *Table 3-2* apply to all principal uses and structures in B, O and M districts, except as otherwise expressly stated in this zoning ordinance. General exceptions to lot and building regulations and rules for measuring compliance can be found in [Article 14](#). Additional regulations governing accessory uses and structures can be found in [Sec. 6.010](#).

Table 3-2: B, O and M District Lot and Building Regulations

Regulations	B-1	B-2	B-3	O-R	O-R-M	M-1	M-2 ¹³
Minimum District Area (acres)	2	4	4	10	5	6	6
Minimum Lot Area (square feet)	–	–	–	–	20,000	20,000	20,000
Minimum Lot Area Per Dwelling Unit (square feet)	Same as R6		–	–	–	–	–
Maximum Floor Area Ratio (FAR)	0.40 ¹⁴	0.75	0.75	0.75[2]	0.80/1.00[3]	1.00	1.00
Maximum Building Coverage (% of lot)	–	–	–	–	–	60	60
Building Setbacks (feet)							
Street (see also Sec. 3.040)	25	25	25	75[6] ¹⁵	35[7]	35[7]	35[7] ¹⁵
Side (interior)	–[4]	–[4]	–[4]	30[6]	10[8]	10[8]	20[7]9]
Rear (residential floors)	30	30	30	–	–	–	–
Rear (nonresidential floors)	–[5]	–[5]	–[5]	50[6]	10[8]	10[8]	20[7]9]
Min. Landscaped Open Space (% of lot)[10]	10	10	10	20	15	10[11]	10
Maximum Building Height (feet)	35	35	60	112	126/140[3]	35	35

Notes to Table 3-2

- [1] No min. district area required north of Ronald Reagan Memorial Tollway or to property zoned M-1 or M-2 on 10-25-1982.
- [2] Buildings with a floor area ratio (FAR) in excess of 0.50 are subject to the following: (1) required parking for floor area in excess of 0.50 FAR must be located underground or in parking garage and (2) at least 20% landscaped open space is required for buildings in excess of 0.50 FAR.
- [3] South of Ronald Reagan Memorial Tollway/North of Ronald Reagan Memorial Tollway.
- [4] On lots abutting R districts, minimum side setback of abutting R district must be provided, plus one foot of additional setback for each foot of building height above 20 feet.

¹³ Should discuss whether the two existing M districts could be consolidated into a single district.

¹⁴ Existing maximum floor area limit (10,000 sq. ft.) has been eliminated.

¹⁵ Existing ordinance includes a minimum 100-foot setback from residential, which has not included in this draft.

- [5] On lots abutting rear lot line of property in R district, a minimum 20-foot rear setback is required, plus one foot of setback per foot of building height above 20 feet. On lots abutting side lot line of property in R district, minimum side setback of abutting R district must be provided, plus one foot of additional setback per foot of building height above 20 feet.
- [6] Plus one foot of additional setback for foot of building height above 50 feet.
- [7] Plus one foot of additional setback for each 2 feet of building height above 35 feet.
- [8] On lots abutting property in R district, a minimum 30-foot setback is required, plus one foot of additional setback for each 2 feet of building height above 20 feet. Parking must be set back at least 15 feet from abutting R district.
- [9] Minimum 75-foot setback required abutting R district.
- [10] At least 50% of required landscaped open space must be located in street yard.
- [11] No minimum street yard landscaping required for properties abutting Ronald Reagan Memorial Tollway and frontage along west side of Thatcher Road.

Sec. 3.040 Special Street Setback Requirements

The following special street setback requirements are established to reflect existing neighborhood conditions, historical building patterns and other unique context issues. The special street setback requirements of this *Table 3-3* govern in the case of conflict with the lot and building regulations in *Table 3-2* of [Sec. 3.030](#).

Table 3-3: Special Street Setback Requirements in B, O and M District

Street Frontage or Area ^[1]	B-1	B-2	B-3	O-R	O-R-M	M-1	M-2
Douglas Road (between Rogers Street and Maple Ave.)	–	–	–	–	–	10	–
Fairview Concentrated Business District	8	8	8	–	–	–	–
Inverness Road, North Side (between Belmont Road and Janes Ave.)	–	–	–	–	–	25	–
Maple Avenue, South Side	–	–	–	–	10	10	–
Ogden Avenue (from ROW centerline)							
Principal and accessory buildings	75	75	75	–	75	75 ^[4]	–
Canopy	50 ^[2]	50 ^[2]	50 ^[2]	–	–	–	–
Other (e.g., parking, fences, light poles)	50	50	50 ^[3]	–	50	50 ^[4]	–
Rogers Street, South Side (between Prospect Ave. and Fairview Ave.)	–	–	–	–	–	10 ^[5]	–
Second Street, North Side (between Fairview Ave. and Wilcox Ave.)	50	–	–	–	–	–	–
Second Street (between Wilcox Ave. and Cumnor Road)	–	–	–	–	–	60	–
Warren Avenue, South Side (between Lee Street and Saratoga Ave.)	–	–	–	–	–	10 ^[5]	–

Notes to Table 3-3

- [1] All setbacks measured in feet from lot line unless otherwise expressly indicated.
- [2] Or 8 feet from lot line, whichever provides the greater setback. Vertical canopy supports subject to 58-foot minimum setback from ROW centerline.
- [3] Setback for parking and vehicle display reduced to 8 feet along non-Ogden (corner) street frontage.
- [4] Setback reduced to 8 feet along non-Ogden (corner) street frontage.
- [5] Applies only to lots that were classified for manufacturing uses as of January 1, 1950.

Sec. 3.050 Generally Applicable Regulations

Uses and development in business and employment zoning districts may be subject to other regulations and standards, including the following.

- A. Nonconformities**
See [Article 13](#).
- B. Accessory Uses and Structures**
See [Sec. 6.010](#).
- C. Parking**
See [Article 7](#).
- D. Fences and Walls**
See [Sec. 10.030](#).

- E. Signs**
See [Article 9](#).
- F. Landscaping, Screening and Transitions**
See [Article 8](#).
- G. Temporary Uses**
See [Sec. 6.140](#).
- H. Outdoor Lighting**
See [Sec. 10.010](#).

Article 5 | Allowed Uses

Sec. 5.010	Allowed Uses	5-1
Sec. 5.020	Use Categorization System	5-6
Sec. 5.030	Residential Use Category	5-7
Sec. 5.040	Public, Civic and Institutional Use Category	5-8
Sec. 5.050	Commercial Use Category	5-10
Sec. 5.060	Wholesale, Distribution & Storage Use Category	5-15
Sec. 5.070	Industrial Use Category	5-16
Sec. 5.080	Recycling Use Category	5-16
Sec. 5.090	Agricultural Use Category	5-17
Sec. 5.100	Other Use Category	5-17

Sec. 5.010 Allowed Uses

A. Use Table

Principal uses are allowed in base zoning districts in accordance *Table 5-1* (below).

B. Understanding the Use Table

1. Uses

Uses are listed in the first column of *Table 5-1*. See [Sec. 5.020](#) for an explanation of the use categorization system.

2. Permitted and Special Uses

- a. Uses identified with a "P" are permitted as-of-right in the subject zoning district.
- b. Uses identified with an "S" may be allowed in the subject zoning district if reviewed and approved in accordance with the special use procedures of [Sec. 12.040](#).
- c. Permitted and special uses are subject to compliance with identified supplemental regulations and all other applicable regulations of this zoning ordinance.

3. Prohibited Uses

Uses identified with an "-" are expressly prohibited. Uses that are not listed in the table and that cannot reasonably be interpreted to fall within one of the use categories described in [Sec. 5.020](#) are also prohibited.

4. Supplemental Regulations and Specific Limitations

The "supplemental regulations" column identifies additional regulations that apply to some uses. In addition, some uses may be subject to "specific limitations," which are identified by a bracketed number (e.g., "[1]"). Corresponding limitations are listed immediately following the table in [Sec. 5.010D](#). Compliance with supplemental regulations and specific limitations is required for permitted and special uses.

C. Accessory Uses

Allowed accessory uses, such as home occupations, are not identified in *Table 5-1*. Customary accessory uses are permitted in conjunction with allowed principal uses, subject to compliance with all applicable accessory use regulations of [Sec. 6.010](#).

Table 5-1: Allowed Uses¹⁶

USE CATEGORY	R-1	R-2	R-3	R-4	R-5	R-5A	R-6	B-1	B-2	B-3	¹⁷	O-R	O-R-M	M-1	M-2	Supplemental Regulations
Subcategory Specific use (See Sec. 5.020)																
P = use permitted as of right S = special use approval required – = not allowed																
RESIDENTIAL																
Household Living																
Detached house	P	P	P	P	P	P	P	–	–	–		–	–	–	–	
Attached house																
2-unit	–	–	–	–	<u>P</u>	<u>P</u>	<u>P</u>	–	–	–		–	–	–	–	
3+-unit	–	–	–	–	–	P	P	–	–	S ¹⁸		–	–	–	–	
Two-unit house	–	–	–	–	P	P	P	–	–	–		–	–	–	–	
Apartment/condo	–	–	–	–	–	–	P	P	P	S		–	–	–	–	
Manufactured housing unit (in mobile home park only)	S	S	S	S	S	S	S	–	–	–		–	–	–	–	Sec. 6.070
Mobile home park	S	S	S	S	S	S	S	–	–	–		–	–	–	–	Sec. 6.070
Group Living¹⁹ (except for the following uses)	S	S	S	S	S	S	S	–	–	–		–	–	–	–	
Group home, small (8-person max. occupancy)	P	P	P	P	P	P	P	–	–	–		–	–	–	–	Sec. 6.060
Group home, large (9 or more occupants)	S	S	S	S	S	S	S	–	–	–		–	–	–	–	Sec. 6.060
Nursing home	S	S	S	S	S	S	S	P	P	S		–	–	–	–	Sec. 6.080
PUBLIC, CIVIC AND INSTITUTIONAL																
Aircraft Landing Area	–	–	–	–	–	–	–	–	S	S		S	S	S	S	
College or University	S[1]	S[1]	S[1]	S[1]	S[1]	S[1]	S[1]	–	–	–		S	<u>S</u>	–	–	
Community Center	S	S	S	S	S	S	S	–	–	–		–	–	–	–	
Fraternal Organization	S[2]	S[2]	S[2]	S[2]	S[2]	S[2]	S[2]	P	P	P		–	–	–	–	
Governmental Facility	S[2]	S[2]	S[2]	S[2]	S[2]	S[2]	S[2]	P	P	P		–	–	–	–	
Hospital	S[3]	S[3]	S[3]	S[3]	S[3]	S[3]	S[3]	–	P	P		–	–	–	–	
<u>Natural Resource Preservation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Parks and Recreation	S	S	S	S	S	S	S	–	–	–		–	–	–	–	
Religious Assembly	S	S	S	S	S	S	S	<u>S</u>	P	P		P[7]	S[7]	–	–	Sec. 6.120
Safety Service ²⁰	S	S	S	S	S	S	S	–	P	P		–	P	P	P	

¹⁶ The permitted use table presented in this section is based on our interpretation of the current zoning ordinance except as indicated. Because of the significant changes in the way uses are categorized, we will be continuing to check the table for accuracy throughout the update project.

¹⁷ Columns reserved for downtown zoning districts. The use regulations for these districts may be incorporated into the special purpose district article or merged into this article at a later date.

¹⁸ Currently requires 200 feet street frontage. Requirement has not been carried over.

¹⁹ This is a change. The current ordinance lists nursing homes, sheltered care facilities, large group homes (9+), convents and monasteries as allowed special uses.

²⁰ Ordinance currently lists only fire stations.

Article 5 | Allowed Uses
 Sec. 5.010 | Allowed Uses

USE CATEGORY	R-1	R-2	R-3	R-4	R-5	R-5A	R-6	B-1	B-2	B-3	17	O-R	O-R-M	M-1	M-2	Supplemental Regulations
Subcategory Specific use (See Sec. 5.020)																
P = use permitted as of right S = special use approval required – = not allowed																
School, Public ²¹	P	P	P	P	P	P	P	–	–	–		–	–	–	–	
School, Private	S	S	S	S	S	S	S	–	–	–		–	–	–	–	
Utilities and Public Service Facility																
Minor	P	P	P	P	P	P	P	P	P	P		–	P	P	P	
Major	S	S	S	S	S	S	S	S	S	S		–	S	P	P	
Wireless Telecommunications																
Freestanding tower	S	S	S	S	S	S	S	S	S	S		P	P	P	P	Sec. 6.160
Building or tower-mounted antenna ²²	P	P	P	P	P	P	P	P	P	P		P	P	P	P	Sec. 6.160
COMMERCIAL																
Adult Entertainment Establishment	–	–	–	–	–	–	–	–	–	–		–	P	P	P	Sec. 6.020
Animal Service																
Boarding or shelter	–	–	–	–	–	–	–	–	S	P		–	–	P	P	
Grooming	–	–	–	–	–	–	–	P	P	P		–	–	P	P	
Veterinary care	–	–	–	–	–	–	–	–	P	P		–	–	P	P	Sec. 6.150
Assembly and Entertainment (except for the following uses)	–	–	–	–	–	–	–	–	–	P		–	–	–	–	
Auditorium	–	–	–	–	–	–	–	–	P	P		–	–	P	–	
Cinema	–	–	–	–	–	–	–	–	P	P		–	–	–	–	
Theater	–	–	–	–	–	–	–	–	P	P		–	–	–	–	
Commercial Service																
Building service	–	–	–	–	–	–	–	–	S	P		–	–	P	–	
Business support service	–	–	–	–	–	–	–	P	P	P		–	–	P	–	
Consumer maintenance and repair	–	–	–	–	–	–	–	P	P	P		–	–	P	–	
Personal improvement service	–	–	–	–	–	–	–	P	P	P		–	–	–	P	
Research service	–	–	–	–	–	–	–	–	–	P		P	P	P	P	
Day Care	–	–	–	–	S	S	S	P	P	P		P	P	P	P	Sec. 6.030
Eating and Drinking Establishment																
Restaurant	–	–	–	–	–	–	–	P	P	P		S[12]	P[8]	–	–	
Wine boutique	–	–	–	–	–	–	–	P	P	P		–	–	–	–	
Financial Service (except for the following uses)	–	–	–	–	–	–	–	–	P	P		P	P	P	–	
Funeral or Mortuary Service	S	S	S	S	S	S	S	S	S	S		–	–	–	–	Sec. 6.050

²¹ As recommended in the initial assessment report, a new public/institutional zoning district may be proposed as part of ordinance update.

²² Note sure if this is a change, but it is required by recent federal law.

Article 5 | Allowed Uses
 Sec. 5.010 | Allowed Uses

USE CATEGORY	R-1	R-2	R-3	R-4	R-5	R-5A	R-6	B-1	B-2	B-3	17	O-R	O-R-M	M-1	M-2	Supplemental Regulations
Subcategory Specific use (See Sec. 5.020)																
P = use permitted as of right S = special use approval required – = not allowed																
Lodging	–	–	–	–	–	–	–	–	P	P		–	P	–	–	
Office																
Business and professional office	S	S	S	S	S	S	S	P	P	P		P	P	P	P	Sec. 6.090
Medical, dental and health practitioner	–	–	–	–	–	–	S[4]	–	P	P		P	P	P	P	
Parking, Non-Accessory	–	–	–	–	–	–	–	–	S	S		S	S	S	S	
Retail Sales																
Convenience goods	–	–	–	–	–	–	–	P	P	P		–	–	–	–	
Consumer shopping goods	–	–	–	–	–	–	–	P	P	P		–	–	–	–	
Guns and firearm supplies ²³	–	–	–	–	–	–	–	P[13]	P[13]	P[13]		–	–	S	–	
Building supplies and equipment	–	–	–	–	–	–	–	P	P	P		–	–	–	–	
Self-service Storage Facility	–	–	–	–	–	–	–	–	–	–		–	–	S	S	Sec. 6.130
Studio, Instructional or Service	–	–	–	–	–	–	–	P	P	P		–	–	–	–	
Trade School	–	–	–	–	–	–	–	P	P	P		S	S	S	S	
Vehicle Sales and Service																
Commercial vehicle repair and maintenance	–	–	–	–	–	–	–	–	–	S		–	S	P	–	
Commercial vehicle sales and rentals	–	–	–	–	–	–	–	–	–	S		–	–	S	–	
Fueling station	–	–	–	–	–	–	–	–	S	S		–	S	S	–	Sec. 6.040
Personal vehicle repair and maintenance	–	–	–	–	–	–	–	–	S[10]	S		–	S	S	–	Sec. 6.100
Personal vehicle sales and rentals	–	–	–	–	–	–	–	–	S[10]	S		–	–	S	–	
Vehicle body and paint finishing shop	–	–	–	–	–	–	–	–	–	–		–	–	S	–	
WHOLESALE, DISTRIBUTION & STORAGE																
Equipment and Materials Storage, Outdoor	–	–	–	–	–	–	–	–	–	–		–	–	–	–	
Trucking and Transportation Terminals	–	–	–	–	–	–	–	–	–	S		–	S	P	P	
Warehouse	–	–	–	–	–	–	–	–	P	P		–	P	P	P	
Wholesale Sales and Distribution	–	–	–	–	–	–	–	–	P	P		–	P	P	P	
INDUSTRIAL																
Artisan Industrial	–	–	–	–	–	–	–	–	–	P		–	P	P	P	
Limited Industrial	–	–	–	–	–	–	–	–	–	P[11]		–	P	P	P	
General Industrial	–	–	–	–	–	–	–	–	–	–		–	P	P	P	
Intensive Industrial	–	–	–	–	–	–	–	–	–	–		–	–	–	S	
Junk or Salvage Yard	–	–	–	–	–	–	–	–	–	–		–	–	–	–	
RECYCLING																
Recyclable Material Drop-off Facility	–	–	–	–	–	–	–	S	S	<u>S</u>		–	S	S	S	Sec. 6.110

²³ This row is new; currently allowed as part of sporting goods store.

Article 5 | Allowed Uses
 Sec. 5.010 | Allowed Uses

USE CATEGORY	R-1	R-2	R-3	R-4	R-5	R-5A	R-6	B-1	B-2	B-3	¹⁷	O-R	O-R-M	M-1	M-2	Supplemental Regulations
Subcategory Specific use (See Sec. 5.020)																
P = use permitted as of right S = special use approval required – = not allowed																
Recyclable Material Processing	–	–	–	–	–	–	–	–	–	–		–	–	–	–	
AGRICULTURE																
Community Garden ²⁴	P	P	P	P	P	P	P	–	–	–		–	–	–	–	
OTHER																
Drive-in or Drive-through Facility	–	–	–	–	–	–	–	–	S	S		S[14]	S[14]	S[14]	–	

D. Specific Limitations

- [1] Requires minimum lot area of 40 acres. Maximum 25% building coverage.
- [2] Requires minimum lot area of 10 acres.
- [3] Requires minimum lot area of 25 acres. Maximum 25% building coverage.
- [4] Must be within 600 feet of a B district.
- [5] Requires special use approval if above one dwelling unit per 4,000 square feet of lot area.
- [6] Only use that were in existence on June 7, 2005.
- [7] Requires minimum lot area of 4 acres.
- [8] Requires minimum seating capacity of 125 persons.
- [9] Permitted as of right up to 3,000 sq. ft. (gross floor area); larger requires special use.
- [10] Must be in a completely enclosed building.
- [11] Maximum 10,000 sq. ft. (gross floor area).
- [12] Allowed only in building occupied by research service or office use.
- [13] Permitted only if ancillary to the following principal uses: sporting goods stores, uniform supply stores and public safety equipment stores.
- [14] Drive-through banks only.

²⁴ Currently referred to as “crop farming”

Sec. 5.020 Use Categorization System

This section establishes and describes the use categorization system used to classify principal uses in this zoning ordinance.

A. Use Categories

This zoning ordinance classifies principal land uses into 8 major groupings (described in [Sec. 5.030](#) through [Sec. 5.090](#)). These major groupings are referred to as “use categories.” The use categories are as follows:

1. Residential. See [Sec. 5.030](#).
2. Public, Civic and Institutional. See [Sec. 5.040](#).
3. Commercial. See [Sec. 5.050](#).
4. Wholesale, Distribution and Storage. See [Sec. 5.060](#).
5. Industrial. See [Sec. 5.070](#).
6. Recycling. See [Sec. 5.080](#).
7. Agricultural. See [Sec. 5.090](#).
8. Other. See [Sec. 5.100](#).

B. Use Subcategories

Each use category is further divided into more specific “subcategories.” Use subcategories classify principal land uses and activities based on common functional, product or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions.

C. Specific Use Types

Some use subcategories are further broken down to identify specific types of uses that are regulated differently than the subcategory as a whole.

D. Determination of Use Categories and Subcategories

1. The community development director is authorized to classify uses on the basis of the use category, subcategory and specific use type descriptions of this chapter.
2. When a use cannot be reasonably classified into a use category, subcategory or specific use type, or appears to fit into multiple categories, subcategories or specific use types, the community development director is authorized to determine the most similar and thus most appropriate use category, subcategory or specific use type based on the actual or projected characteristics of the principal use or activity in relationship to the use category, subcategory and specific use type descriptions provided in this section. In making such determinations, the community development director must consider:
 - a. the types of activities that will occur in conjunction with the use;
 - b. the types of equipment and processes to be used;
 - c. the existence, number and frequency of residents, customers or employees;
 - d. parking demands associated with the use; and
 - e. other factors deemed relevant to a use determination.

3. If a use can reasonably be classified in multiple categories, subcategories or specific use types, the community development director must categorize the use in the category, subcategory or specific use type that provides the most exact, narrowest and appropriate “fit.”
4. If the community development director is unable to determine the appropriate use category for a proposed use, the community development director is authorized to deny permits and certificates for establishment of the proposed use. This decision may be appealed to the zoning board of appeals in accordance with appeal procedures of [Sec. 12.090](#).

Sec. 5.030 Residential Use Category

This category includes uses that provide living accommodations for one or more persons. The residential use subcategories are as follows.

A. Household Living

Residential occupancy of a dwelling unit by a household. When dwelling units are rented, tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered a form of lodging. The following are household living specific use types:

1. Detached House

A detached house is a principal residential building occupied by one dwelling unit located on a single lot with private yards on all sides. Detached houses are not attached to and do not abut other dwelling units.

2. Attached House

An attached house is a dwelling unit that is attached to one or more dwelling units, each of which of which is located on its own lot with a common or abutting wall along the dwelling units’ shared lot lines. Each dwelling unit has its own external entrance.

3. Two-unit House

A two-unit is a residential building occupied by 2 dwelling units, both of which are located on a single lot. The dwelling units are attached and may be located on separate floors or side-by-side.²⁵

4. Apartment/condo

An apartment/condo building is a residential building on a single lot that is occupied by 3 or more dwelling units that share common walls and/or common floors/ceilings.

5. Manufactured Housing Unit

A manufactured housing unit is a residential building that complies with the *National Manufactured Housing Construction and Safety Standards Act of 1974* (42 U.S.C. §§5401, et seq.).

²⁵ This is a slight change to the existing definition, which does not allow units on separate floors...

6. Mobile Home Park

A mobile home park is a lot upon which manufactured housing units are available for lease or upon which spaces for manufactured housing units are available for lease. See also the supplemental regulations of [Sec. 6.070](#).

7. Caretaker/Security Dwelling

A single dwelling unit that is accessory to an allowed use in and that is occupied solely by an individual who is responsible for maintenance or security in association with the principal use of the property.

B. Group Living

Residential occupancy of a building or any portion of a building by a group other than a household. Group living uses typically provide communal kitchen/dining facilities. Examples of group living uses include group homes, convents, monasteries, nursing homes, assisted living facilities, retirement centers, homeless centers, shelters and halfway houses.

1. Group Home

A detached house shared by persons with disabilities who live together as a single house-keeping unit in a long-term, household-like environment in which staff persons provide care, education, and participation in community activities for the residents with a primary goal of enabling the resident to live as independently as possible. Group homes do not include pre-release, work-release, probationary, or other programs that serve as an alternative to incarceration.

2. Nursing Home

A "facility or "long-term care facility," as defined in 210 ILCS 45/1-113.

Sec. 5.040 Public, Civic and Institutional Use Category

This category includes public, quasi-public and private uses that provide unique services that are of benefit to the public at-large. The public, civic and institutional subcategories are as follows.

A. Aircraft Landing Area

Areas used or made available for the landing or takeoff of aircraft, including areas classified as a restricted landing areas by the Illinois Department of Transportation Division of Aeronautics, and including any areas that are used or suitable for use for structures or facilities incidental to aircraft services.

B. Cemetery²⁶

Land or structures used for burial or permanent storage of the dead or their cremated remains. Typical uses include cemeteries and mausoleums. Also includes pet cemeteries.

C. College or University

Institutions of higher learning that offer courses of general or specialized study and are authorized to grant academic degrees.

D. 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

²⁶ This use not included in current ordinance.

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 charitable organization. The authorization 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.

E. Fraternal Organization

The use of a building or lot by a not-for-profit organization that restricts access to its facility to bona fide, annual dues-paying members and their occasional guests and where the primary activity is a service not carried on as a business enterprise.

F. Governmental Facility

Uses related to the administration of local, state or federal government services or functions.

G. Hospital

Uses providing medical or surgical care to patients and offering inpatient (overnight) care.

H. Natural Resources Preservation

Undeveloped land left in a natural state for specific use as visual open space or environmental purposes. Typical uses include wildlife or nature preserves, arboretums and flood management projects.

I. Parks and Recreation

Recreational, social or multi-purpose uses associated with public parks and open spaces, including playgrounds, playfields, play courts, swimming pools, community centers and other facilities typically associated with public park and open space areas. Also includes public and private golf courses and country clubs.

J. Religious Assembly

Religious services involving public assembly that customarily occur in churches, synagogues, temples, mosques and other facilities used for religious worship.

K. Safety Service

Establishments that provide fire, police or life protection, together with the incidental storage and maintenance of necessary vehicles. Typical uses include fire stations and police stations.

L. School

Schools at the primary, elementary, junior high or high school level that provide basic, compulsory state-mandated education.

M. Utilities and Public Service Facility

1. Minor

- a.** Infrastructure services that need to be located in or close to the area where the service is provided. Minor utilities and public service facilities generally do not have regular employees at the site and typically have few if any impacts on surrounding areas. Typical uses include water and sewer pump stations; gas regulating stations;

underground electric distribution substations; electric transformers; water conveyance systems; stormwater facilities and conveyance systems; telephone switching equipment and emergency communication warning/broadcast facilities.

- b. The production, collection or distribution of renewable energy, water or other similar resources at a neighborhood, district or campus scale are classified as minor utilities and public service facilities. This includes distributed energy facilities that produce or distribute energy from renewable sources and neighborhood stormwater facilities.
- c. Energy production systems that generate energy from the byproducts of the principal use are considered accessory uses, including net metered installations and installations that generate power to sell at wholesale to the power grid.

2. Major

Infrastructure services that typically have substantial visual or operational impacts on nearby areas. Typical uses include but are not limited to water and wastewater treatment facilities, high-voltage electric substations, utility-scale power generation facilities (including wind, solar and other renewable and nonrenewable energy sources), sanitary landfills and utility-scale water storage facilities, such as water towers and reservoirs.

N. Wireless Telecommunications

Towers, antennas, equipment, equipment buildings and other facilities used in the provision of wireless communication services. The following are specific types of wireless telecommunications uses:

1. Freestanding Towers

A structure intended to support equipment that is used to transmit and/or receive telecommunications signals including monopoles and guyed and lattice construction steel structures.

2. Building or Tower-Mounted Antennas

The physical device that is attached to a freestanding tower, building or other structure, through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received.

Sec. 5.050 Commercial Use Category

The commercial use category includes uses that provide a business service or involve the selling, leasing or renting of merchandise to the general public. The commercial use subcategory area as follows.

A. Adult Entertainment Establishment

Adult entertainment establishments are defined in the village's adult use licensing ordinance (see [Chapter 8](#) of the municipal code).²⁷

B. Animal Service

Uses that provide goods and services for care of animals.

²⁷ This is different approach, but it should not result in substantive change. The current zoning ordinance contains an incomplete and inconsistent list of definitions.

- 1. Grooming**
Grooming of dogs, cats and similar small animals, including dog bathing and clipping salons and pet grooming shops.
 - 2. Boarding or Shelter**
Animal shelters, care services and kennel services for dogs, cats and small animals, including boarding kennels, pet resorts/hotels, pet day care, pet adoption centers, dog training centers and animal rescue shelters.
 - 3. Veterinary Care**
Animal hospitals and veterinary clinics.
- C. Assembly and Entertainment**
Uses that provide gathering places for participant or spectator recreation, entertainment or other assembly activities. Assembly and entertainment uses may provide incidental food or beverage service. Typical uses include arenas, billiard centers, video game arcades, auditoriums, bowling centers, cinemas, stadiums and theaters. All of the following are expressly excluded from the assembly and entertainment use subcategory and prohibited within the village:
- 1.** off-track wagering locations (as defined in 230 ILCS 5/1); and
 - 2.** hookah lounges.
- D. Broadcast or Recording Studio**
Uses that provide for audio or video production, recording or broadcasting.
- E. Commercial Service**
Uses that provide for consumer or business services and for the repair and maintenance of a wide variety of products.
- 1. Building Service**
Uses that provide maintenance and repair services for all structural and mechanical elements of structures, as well as the exterior spaces of a premise. Typical uses include contractor offices, janitorial, landscape maintenance, extermination, plumbing, electrical, HVAC, window cleaning and similar services.
 - 2. Business Support Service**
Uses that provide personnel services, printing, copying, photographic services or communication services to businesses or consumers. Typical uses include employment agencies, copy and print shops, caterers, telephone answering services and photo developing labs.
 - 3. Consumer Maintenance and Repair Service**
Uses that provide maintenance, cleaning and repair services for consumer goods on a site other than that of the customer (i.e., customers bring goods to the site of the repair/maintenance business). Typical uses include laundry and dry cleaning pick-up shops, tailors, taxidermists, dressmakers, shoe repair, picture framing shops, locksmiths, vacuum repair shops, electronics repair shops and similar establishments. Business that offer repair and maintenance service technicians who visit customers' homes or places of business are classified as a "building service."

4. Personal Improvement Service

Uses that provide a variety of services associated with personal grooming, instruction and maintenance of fitness, health and well-being. Typical uses include barbers, hair and nail salons, day spas, health clubs, yoga studios and martial arts studios. Businesses and individuals providing or purporting to offer fortune telling services, psychic services, or tattoos are expressly prohibited in the village and are not classified as personal improvement services. Businesses and individuals providing massage or massage therapy services are expressly prohibited in the village and are not classified as personal improvement services, except that massage as a therapeutic service may be provided as an ancillary service to the following principal uses: hair or nail salons, day spas, health clubs or medical, dental or health practitioner's offices.

5. Research Service

Uses engaged in scientific research and testing services leading to the development of new products and processes. Such uses resemble office buildings or campuses and do not involve the mass production, distribution or sale of products. Research services do not produce odors, dust, noise, vibration or other external impacts that are detectable beyond the property lines of the subject property.

F. Day Care

Uses providing care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. Examples include state-licensed child care centers, preschools, nursery schools, head start programs, after-school programs and adult day care facilities. Day care expressly includes state-accredited adult day care facilities and facilities for child care, as defined in the *Illinois Child Care Act*.

G. Eating and Drinking Establishments

1. Restaurant

Uses that prepare and serve food and beverages for on- or off-premise consumption as their principal business. Typical uses include cafés, restaurants, cafeterias, ice cream/yogurt shops, coffee shops and similar establishments, which may include accessory use bars that are customarily incidental and subordinate to the principal use as an eating establishment.

2. Wine Boutique

An establishment where the retail sale of wine, wine tastings and wine education seminars/classes are conducted on a regular basis and on-site consumption of wine and beer is allowed subject to provisions of the wine boutique license classification (see [Chapter 3](#) of the municipal code).

H. Financial Service

Uses related to the exchange, lending, borrowing and safe-keeping of money. Typical examples are banks, credit unions and consumer loan establishments. All of the following are expressly excluded from the financial service use subcategory and prohibited within the village:

1. pawnshops and pawn brokers (as defined in 205 ILCS 510 and in [Chapter 8](#) of the municipal code);
2. establishments that provide payday loans (as defined in 815 ILCS 122) and similar services; and

3. establishments primarily engaged in buying gold or other precious metals (e.g., cash-for-gold businesses).
- I. **Funeral and Mortuary Service**
Uses that provide services related to the death of a human, including funeral homes, mortuaries, crematoriums and similar uses. Also includes crematoriums for pets and domestic animals.
- J. **Lodging**
Uses that provide temporary lodging for less than 30 days where rents are charged by the day or by the week. Lodging uses sometimes provide food or entertainment, primarily to registered guests.
- K. **Office**
Uses in an enclosed building, customarily performed in an office, that focus on providing executive, management, administrative, professional or medical services. Specific use types include:
 1. **Business and Professional Office**
Office uses for companies and non-governmental organizations. Examples include corporate office, law offices, architectural firms, insurance companies and other executive, management or administrative offices for businesses and corporations.
 2. **Medical, Dental and Health Practitioner**
Office uses related to diagnosis and treatment of human patients' illnesses, injuries and physical maladies that can be performed in an office setting with no overnight care. Surgical, rehabilitation and other medical centers that do not involve overnight patient stays are included in this subcategory, as are medical and dental laboratories.
- L. **Parking, Non-Accessory**
Parking that is not provided to comply with minimum off-street parking requirements and that is not provided exclusively to serve occupants of or visitors to a particular use, but rather is available to the public at-large. A parking facility that provides both accessory and non-accessory parking will be classified as non-accessory parking if it leases 25% or more of its spaces to non-occupants of or persons other than visitors to a particular use.
- M. **Retail Sales**
Uses involving the sale, lease or rental of new or used goods to the ultimate consumer within an enclosed structure, unless otherwise specified.
 1. **Convenience Goods**
Retail sales uses that sell or otherwise provide (1) sundry goods; (2) products for personal grooming and for the day-to-day maintenance of personal health or (3) food or beverages for off-premise consumption, including grocery stores and similar uses that provide incidental and accessory food and beverage service as part of their primary retail sales business. Typical uses include drug stores, grocery and specialty food stores, wine or liquor stores, gift shops, newsstands and florists.
 2. **Consumer Shopping Goods**
Retail sales uses that sell or otherwise provide wearing apparel, fashion accessories, furniture, household appliances and similar consumer goods, large and small, functional

and decorative, for use, entertainment, comfort or aesthetics. Typical uses include clothing stores, department stores, appliance stores, TV and electronics stores, bike shops, book stores, costume rental stores, uniform supply stores, stationery stores, art galleries, hobby shops, furniture stores, pet stores and pet supply stores, shoe stores, antique shops, secondhand stores, record stores, toy stores, sporting goods stores, variety stores, video stores, musical instrument stores, office supplies and office furnishing stores and wig shops.

3. Building Supplies and Equipment

Retail sales uses that sell or otherwise provide goods to repair, maintain or visually enhance a structure or premises. Typical uses include hardware stores, home improvement stores, paint and wallpaper supply stores and garden supply stores.

N. Self-service Storage Facility

An enclosed use that provides separate, small-scale, self-service storage facilities leased or rented to individuals or small businesses. Facilities are designated to accommodate only interior access to storage lockers or drive-up access only from regular size passenger vehicles and two-axle non-commercial vehicles.

O. Studio, Instructional or Service

Uses in an enclosed building that focus on providing instruction or training in music, dance, drama, fine arts, language or similar activities. Also includes artist studios and photography studios. See also "personal improvement service" in the commercial services use category.

P. Trade School

Uses in an enclosed building that focus on teaching the skills needed to perform a particular job. Examples include schools of cosmetology, modeling academies, computer training facilities, vocational schools, administrative business training facilities and similar uses. Truck driving schools are classified as "trucking and transportation terminals" (wholesale, distribution and storage use category).

Q. Vehicle Sales and Service

Uses that provide for the sale, rental, maintenance or repair of new or used vehicles and vehicular equipment. The vehicle sales and service subcategory includes the following specific use types:

1. Commercial Vehicle Repair and Maintenance

Uses, excluding vehicle paint finishing shops, that repair, install or maintain the mechanical components or the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft or similar large vehicles and vehicular equipment. Includes truck stops and truck fueling facilities.

2. Commercial Vehicle Sales and Rentals

Uses that provide for the sale or rental of large trucks, large construction or agricultural equipment, aircraft, or similar large vehicles and vehicular equipment.

3. Fueling Station

Uses engaged in retail sales of personal or commercial vehicle fuels, including natural gas fueling stations and rapid vehicle charging stations and battery exchange facilities for electric vehicles.

4. Personal Vehicle Repair and Maintenance

Uses engaged in repairing, installing or maintaining the mechanical components of autos, small trucks or vans, motorcycles, motor homes or recreational vehicles including recreational boats. Also includes uses that wash, clean or otherwise protect the exterior or interior surfaces of these vehicles. Does not include vehicle body or paint finishing shops.

5. Personal Vehicle Sales and Rentals

Uses that provide for the sale or rental of new or used autos, small trucks or vans, trailers, motorcycles, motor homes or recreational vehicles including recreational watercraft. Typical examples include automobile dealers, auto malls, car rental agencies and moving equipment rental establishments (e.g., U-haul).

6. Vehicle Body and Paint Finishing Shop

Uses that primarily conduct vehicle body work and repairs or that apply paint to the exterior or interior surfaces of vehicles by spraying, dipping, flow-coating or other similar means.

Sec. 5.060 Wholesale, Distribution & Storage Use Category

This category includes uses that provide and distribute goods in large quantities, principally to retail sales, commercial services or industrial establishments. Long-term and short-term storage of supplies, equipment, commercial goods and personal items is included. The wholesale, distribution & storage subcategories are as follows.

A. Equipment and Materials Storage, Outdoor

Uses related to outdoor storage of equipment, products or materials, whether or not stored in containers.

B. Trucking and Transportation Terminals

Uses engaged in the dispatching and long-term or short-term storage of trucks, buses and other vehicles, including parcel service delivery vehicles, taxis and limousines. Minor repair and maintenance of vehicles stored on the premises is also included. Includes uses engaged in the moving of household or office furniture, appliances and equipment from one location to another, including the temporary on-site storage of those items.

C. Warehouse

Uses conducted within a completely enclosed building that are engaged in long-term and short-term storage of goods and that do not meet the definition of a "self-service storage facility" or a "trucking and transportation terminal."

D. Wholesale Sales and Distribution

Uses engaged in the wholesale sales, bulk storage and distribution of goods. Such uses may also include incidental retail sales and wholesale showrooms. This subcategory expressly includes the following uses: bottled gas and fuel oil sales, flea markets, ice distribution centers, monument sales, storage building sales, vending machine sales, auctioneers, frozen food lockers.

Sec. 5.070 Industrial Use Category

This category includes uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage and handling of these products and the materials from which they are produced. The industrial subcategories are:

A. Artisan Industrial

On-site production of goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations or storage. Typical uses include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts or very small-scale manufacturing uses that have no negative external impacts on surrounding properties.

B. Limited Industrial

Manufacturing and industrial uses that process, fabricate, assemble, treat or package finished parts or products without the use of explosive or petroleum materials. Uses in this subcategory do not involve the assembly of large equipment and machinery and have very limited external impacts in terms of noise, vibration, odor, hours of operation and truck and commercial vehicle traffic.

C. General Industrial

Manufacturing and industrial uses that process, fabricate, assemble or treat materials for the production of large equipment and machines as well as industrial uses that because of their scale or method of operation regularly produce odors, dust, noise, vibration, truck/commercial vehicle traffic or other external impacts that are detectable beyond the property lines of the subject property.

D. Intensive Industrial

Manufacturing and industrial uses that regularly use hazardous chemicals or procedures or produce hazardous byproducts, including the following: manufacturing of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. This subcategory also includes petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete plants and tanneries. Intensive industrial uses have high potential for external impacts on the surrounding area in terms of noise, vibration, odor, hours of operation and truck/commercial vehicle traffic.

E. Junk or Salvage Yard

An area or building where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled for reclamation, disposal or other like purposes, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles.

Sec. 5.080 Recycling Use Category

This category includes uses that collect, store or process recyclable material for the purpose of marketing or reusing the material in the manufacturing of new, reused or reconstituted products.

A. Recyclable Material Drop-off Facility

An establishment that accepts consumer recyclable commodities directly from the consuming party and stores them temporarily before transferring them to recyclable material processing facilities. Establishments that process recyclable material are classified as “recyclable material processing facilities.”

B. Recyclable Material Processing

Establishments that receive and process consumer recyclable commodities for subsequent use in the secondary market.

Sec. 5.090 Agricultural Use Category

This category includes uses such as gardens, farms and orchards that involve the raising and harvesting of food and non-food crops.

A. Community Garden

An area managed and maintained by a group of individuals to grow and harvest food crops or non-food crops (e.g., flowers) for personal or group consumption, for donation or for sale that is occasional and incidental to the growing and harvesting of food crops. A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group. Community gardens may be principal or accessory uses and may be located at grade (outdoors), on a roof or within a building. Community gardens do not include the raising of farm animals or livestock.

Sec. 5.100 Other Use Category

This category includes uses that do not fit the other use categories.

A. Drive-in or Drive-through Facility

Any use with drive-through windows or drive-through lanes or that otherwise offer service to the occupants of motor vehicles. Typical uses include drive-through restaurants, drive-through pharmacies and drive-in restaurants.

Article 14 | Measurements

Sec. 14.010	District Area.....	14-1
Sec. 14.020	Lot Area.....	14-1
Sec. 14.030	Lot Area per Unit	14-1
Sec. 14.040	Floor Area.....	14-1
Sec. 14.050	Floor Area Ratio.....	14-2
Sec. 14.060	Lot Width	14-2
Sec. 14.070	Lot Depth	14-2
Sec. 14.080	Building Coverage.....	14-2
Sec. 14.090	Street Frontage	14-2
Sec. 14.100	Setbacks.....	14-2
Sec. 14.110	Height	14-6

Sec. 14.010 District Area

District area is measured as the total contiguous land area contained within a mapped zoning district. When a district is directly across the street from or abuts a district of the same or a less restrictive classification, the area of the district directly across the street or abutting the property may be counted in determining whether minimum zoning district area requirements have been met.

Sec. 14.020 Lot Area

Lot area is measured as the total ground-level surface area contained within the lot lines of a lot.

Sec. 14.030 Lot Area per Unit

Lot area per unit is a measure of residential density. It governs the amount of lot area required for each dwelling unit on the subject lot. To determine the number of dwelling units allowed on a lot, divide the lot area by the minimum lot-area-per-unit requirement, and round any fractional result down to a whole number. If, for example, a minimum lot-area-per-unit requirement of 1,750 feet is applied to a 10,000 square foot lot, a maximum of 5 units would be allowed on that lot (5.71 rounded down to 5).

Sec. 14.040 Floor Area

The floor area of a building is measured as the sum of the gross horizontal areas of all floors of the subject building, measured from the exterior-interior faces of the exterior walls or from the center line of interior faces of walls between separate buildings. "Floor area" includes 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 7 feet 10 inches or more; interior balconies and mezzanines; enclosed porches; and floor area devoted to accessory uses. Space devoted to off-street parking or loading is not included in floor area calculations.⁶⁹

⁶⁹ The proposed change to "interior" wall measurement is meant to accommodate exterior insulation and super insulated building walls. The range of areas included in the existing floor area definition, which is used here, includes several areas not typically included (e.g., below-grade space, elevator shafts, equipment penthouses, and mechanical equipment rooms).

Sec. 14.050 Floor Area Ratio

The floor area ratio (FAR) of a building is the floor area of the building divided area of the lot upon which the building is located.

Sec. 14.060 Lot Width

Lot width is measured as the horizontal distance between the side lot lines of a lot measured along the required front setback.

Sec. 14.070 Lot Depth

Lot depth is measured as the horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or to the rear most point of the lot where there is no rear lot line.

Sec. 14.080 Building Coverage

Building coverage is measured as the area of the lot that is occupied by principal and accessory buildings and by structures with a surface area of more than 4 square feet and a height of 18 inches or more. All areas beneath a roof are counted for purposes of measuring building coverage.⁷⁰

Sec. 14.090 Street Frontage

Street frontage is measured between side lot lines of a lot along the lot line that abuts the street.

Sec. 14.100 Setbacks

A. Measurement

Setbacks are measured from the referenced lot line to the closest point of the building or structure.

1. Street setbacks are measured from all lot lines that abuts a street. On corner lots, street setbacks apply along both streets, provided that no street setback requirement may be imposed on a corner lot that would reduce the buildable width of the lot to less than 30 feet.⁷¹
2. Side (interior) setbacks are measured from all side lot line that do not abut a street.
3. Rear setbacks are measured from the rear lot line. On double-frontage lots, street setbacks apply along both opposing lot lines that abut the street.

B. Permitted Obstructions

Setbacks in all zoning districts must be unobstructed and unoccupied from the ground to the sky except as indicated in *Table 14-1*:

⁷⁰ This is a change. The existing ordinance seems to indicate that lot coverage includes all structures.

⁷¹ Rewritten provision should be checked against existing 28.1102.A. Is this the intent?

Table 14-1: Permitted Setback Obstructions⁷²

Obstruction/Projection	Permitted in these Setbacks			Minimum Setback/ Maximum Encroachment
	Street	Side	Rear	
<u>A/C units, generators, compressors, transformers, pool, rainwater harvesting and geothermal equipment (ground-mounted)</u> ⁷³	No	Yes	Yes	10 ft. min. setback in R-1 7 ft. min. setback in R-2 6 ft. min. in R-3, R-5, R-5A, R-6 5 ft. min. setback in all other districts
Air conditioner (window unit only)	Yes	Yes	Yes	No setback required
Antenna	No	Yes	Yes	
<u>Arbor, pergola or trellis</u>	No	Yes	Yes	5 ft. min. setback <u>in R-4 district</u> 6 ft. min. setback <u>in all other districts</u>
Architectural building features (e.g., sills, belt courses, cornices)	Yes	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft.
Awning, canopy <u>or solar shade architectural light shelf or solar shading device</u>	Yes	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft. (nonresidential districts - 2.5 ft. max. encroachment in front setback)
Balcony	No	No	Yes	10 ft. max. encroachment
<u>Basketball standards and backboards</u>	Yes	Yes	Yes	
Bay window (1st floor only; with or without foundation)	Yes	Yes	Yes	Front setback - 1.5 ft. max. encroachment Side setback - 1.5 ft. max. encroachment if setback is < 6 ft. or 2 ft. max. encroachment if setback is ≥ 6 ft. Rear setback - 2.5 ft. max. encroachment
Breezeway	No	No	Yes	10 ft. max. max. encroachment
Chimney	Yes	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft.
<u>Clothesline</u>	No	No	Yes	1 ft. min. setback
<u>Compost pile or container</u>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
<u>Deck or patio, uncovered and open-air (see also "porch," below)</u>	Yes	Yes	Yes	5 ft. max. encroachment in front 5 ft. min. setback <u>in side and rear</u>
<u>Dog house or dog run</u>	No	No	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
<u>Driveway</u>	Yes	Yes	Yes	1 ft. min. setback
Eaves and gutters	Yes	Yes	Yes	In front and rear - 2.5 ft. max. encroachment In side - 2 ft. max. encroachment
Fence	Yes	Yes	Yes	3 inch min. setback - <u>See also Sec. 10.030.</u>
Fire escape (open or lattice enclosed, fireproof outside stairways)	Yes	Yes	Yes	2 ft. max. encroachment
<u>Fireplace, fire pit, outdoor cooking/kitchen areas</u>	No	Yes	Yes	5 ft. min. setback <u>in R-4 district</u> 6 ft. min. setback <u>in all other districts</u>
Flag pole	Yes	Yes	Yes	Equal to the height of the pole; no max. encroachment of flag beyond lot line
Garage (detached)	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Garden features (e.g., cold frames, hoop houses, greenhouses, hoop houses) ⁷⁴	No	No	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
<u>Gazebo</u>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts

⁷² This table contains numerous proposed changes, which are intended to clarify existing practice and address common zoning issues. It should be viewed as a work in progress.

⁷³ Rainwater harvesting equipment is new.

⁷⁴ This is new.

Obstruction/Projection	Permitted in these Setbacks			Minimum Setback/ Maximum Encroachment
	Street	Side	Rear	
Parking, open	Yes	Yes	Yes	See [insert x-ref to parking location regulations]
Playground equipment & playhouses (excluding equipment located on public parks and playgrounds or on school or day care center playgrounds, tot lots)	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Porch, covered and open on at least 3 sides (see also "deck," above)	Yes	No	Yes	5 ft. max. encroachment in front and rear [insert x-ref to front porch regulations]
Shed or storage structure	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Sign	Yes	Yes	Yes	See Article 9.
Solar panel (building-mounted) ⁷⁵	No	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft.
Solar panel (ground-mounted) ⁷⁶	No	No	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Sport courts & accessory lighting	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Sports equipment	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Steps (for access to building or lot; maximum 4 feet above grade)	Yes	Yes	Yes	1 ft. min. setback
Swimming pool (in-ground & above-ground) & hot tubs	No	Yes	Yes	10 ft. min. setback in R-1 and R-2 districts 7 ft. min. setback in all other R districts
Walkway (covered)	No	No	No	In residential districts - principal building setbacks apply In nonresidential districts - no side or rear setback required
Wall	Yes	Yes	Yes	3 inch min. setback - See also Sec. 10.030.
Wall, retaining	Yes	Yes	Yes	1 ft. min. setback
Yard features (e.g., ornamental light standards, anchored lawn furniture and decorations, sundials, statues, bird baths, ponds, sculptures, etc.)	Yes	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Wheelchair lifts and ramps that meet federal, state and local accessibility standards ⁷⁷	Yes	Yes	yes	1 ft. min. setback
Window wells	Yes	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft.

C. Contextual Setbacks⁷⁸

When existing buildings on one or more abutting lots are closer to the street (front or street side) property line than the otherwise required street setback, additions to existing buildings or construction of new buildings on the subject lot may comply with the average street yard depth that exists on the nearest 2 lots on either side of the subject lot instead of complying with the zoning district’s minimum street setback requirement.

1. If one or more of the lots required to be included in the averaging calculation is vacant, that vacant lot will be deemed to have a street yard depth equal to the minimum street setback requirement of the subject zoning district.

⁷⁵ This is new.

⁷⁶ This is new.

⁷⁷ This is new.

⁷⁸ This is new.

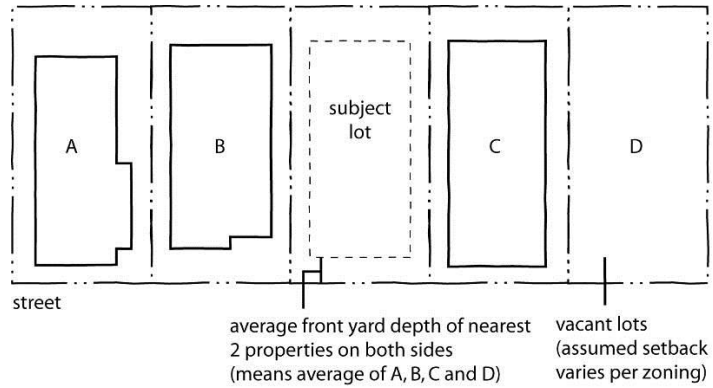


Illustration to be updated/replaced

2. Lots with frontage on a different street than the subject lot or that are separated from the subject lot by a street or alley may not be used in computing the average.

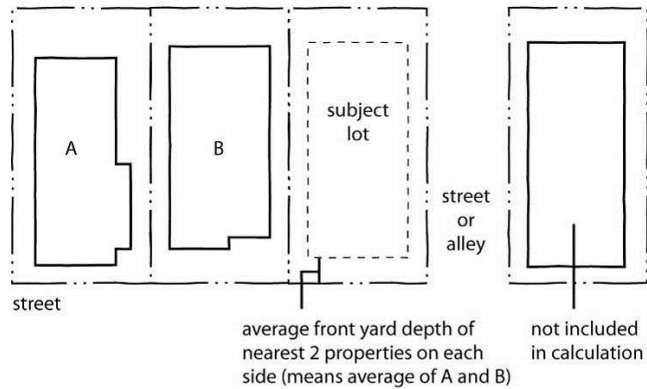


Illustration to be updated/replaced

3. When the subject lot is a corner lot, the average street yard depth will be computed on the basis of the nearest 2 lots with frontage on the same street as the subject lot.

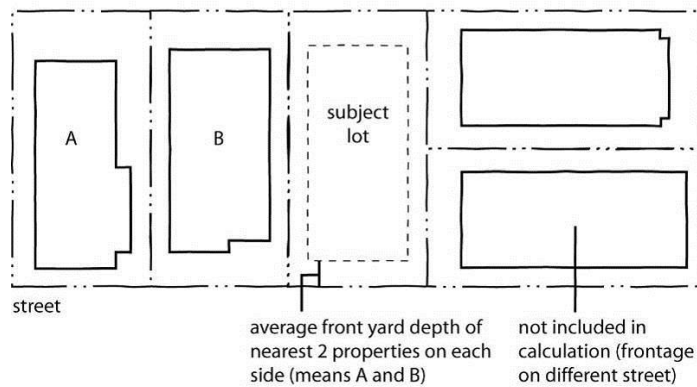


Illustration to be updated/replaced

4. When the subject lot abuts a corner lot with frontage on the same street, the average front yard depth will be computed on the basis of the abutting corner lot and the nearest 2 lots with frontage on the same street as the subject lot.

5. These contextual setback provisions may not be used to reduce the setback of a street-facing garage door to less than 20 feet.

Sec. 14.110 Height

A. Measurement

1. In the case of nonresidential buildings in nonresidential zoning districts and apartment/condo buildings in all districts, height is measured as the vertical distance from established 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 of principal roof structure for hip, gabled, and gambrel roofs.
2. In the case of all residential building types other than apartment/condos and nonresidential buildings in R zoning districts, building height is measured as the vertical distance from established grade at the front of the building to the highest point of any roof structure.
3. In the case of all other structures, height is measured as the vertical distance from established grade at the base of the structure to the highest point of the structure.
4. On lots with multiple street frontages, height must be measured from established grade of whichever street-facing building elevation or side of structure yields the greatest height measurement.

B. Exceptions

1. Lawfully established parapet walls, chimneys, elevators bulkheads, equipment penthouses, cooling towers, monuments, water towers, stacks, flag poles, stage towers, scenery lofts, ornamental towers, spires, and necessary mechanical appurtenances are exempt from zoning district height limits and are not included in building height measurements.
2. Building-mounted solar energy systems may extend up to 4 feet above the applicable maximum zoning district height limit, provided they do not extend more than 5 feet above the roof line.