

October 7, 2021

President and Board of Trustees
Village of Oak Park
123 Madison Street
Oak Park, Illinois 60302

**Re: Application of the Village of Oak Park for
Consideration of Amendments to the Village of
Oak Park Zoning Ordinance Regarding
Accessory Dwelling Units – PC 21-08**

Dear President and Board of Trustees:

In August of 2021, the Village of Oak Park, 123 Madison Street, Oak Park, Illinois 60302 (“Applicant”), submitted an application for consideration amendments to the Village of Oak Park Zoning Ordinance (“Zoning Ordinance”) with the Plan Commission (“Commission”). The Applicant requested that the Commission consider whether to amend the Zoning Ordinance with regard to accessory dwelling units as set forth in **EXHIBIT A** attached hereto and made a part hereof (together the “Amendments”).

Notice and Hearing.

On August 18, 2021 and on September 22, 2021, legal notice of the public hearing was published in *The Wednesday Journal*, a newspaper of general circulation within the Village of Oak Park.

Pursuant to legal notice, the Commission conducted a public hearing on the application on September 2, 2021 and October 7, 2021 at which time and place a quorum of the members of the Commission was present.

Having heard and considered the testimony and evidence at the public hearing, the Commission makes the following findings of fact:

FINDINGS OF FACT

1. The Applicant asked the Commission to review whether it is appropriate to make the Amendments to the Zoning Ordinance.

2. The Zoning Ordinance was adopted in its current form in September of 2017 and it has been amended several times since then.

3. The Commission heard testimony regarding the proposed Amendments.

4. Accessory dwelling units are not currently listed as a use in the Zoning Ordinance, though coach houses are.

Standards.

5. The following are standards for approval of text amendments in Subsection 14.1(E)(2) of the Zoning Ordinance:

a. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village.

b. The relative gain to the public, as compared to the hardship imposed upon the applicant.

c. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

d. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.

e. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.

f. The extent to which the proposed amendment creates nonconformities.

g. The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.

6. The Commission finds that the Amendments satisfy the standards in Subsection 14.1(E)(2), and that approval of the requested Amendments is appropriate.

7. Specifically, the Commission finds that making the Amendments to the Zoning Ordinance will promote the public health, safety, and welfare, will make the regulations in the Zoning Ordinance more closely aligned with the intent of the Zoning Ordinance and

Comprehensive Plan of the Village of Oak Park, and will further the land planning goals of the Village of Oak Park.

8. Coach houses have been allowed in the Village for several years, without incident.

9. There is a need in the Village for additional types of smaller residential dwellings, including accessory dwelling units within or around existing residential dwellings, such as residential dwelling units built as part of additions with separate entrances and detached accessory dwelling units.

10. The proposed Amendments would allow for additional types of accessory dwelling units to be established and operated in a reasonable manner that would provide additional housing opportunities in the Village.

RECOMMENDATION

Pursuant to the authority vested in it by the statutes of the State of Illinois and the ordinances of the Village of Oak Park, and based on the above findings, the testimony and the evidence presented at the public hearing, this Commission, sitting as a Zoning Commission, hereby recommends to the Village President and Board of Trustees with a vote of 5 – 3, that the application be GRANTED, and that the Amendments be made to the Zoning Ordinance be approved.

This report adopted by a 7 to 1 vote of
the Plan Commission, sitting as a Zoning
Commission, this 7th day of October, 2021.

EXHIBIT A

AMENDMENTS

The Amendments to the Zoning Ordinance are in the attached documents, with additions underlined and deletions struck through.

(attached)

ARTICLE 2. DEFINITIONS & RULES OF MEASUREMENT

2.1 RULES OF INTERPRETATION

2.2 GENERAL ABBREVIATIONS

2.3 DEFINITIONS

2.4 RULES OF MEASUREMENT

2.1 RULES OF INTERPRETATION

The terms in the text of this Ordinance must be interpreted in accordance with the following rules of construction:

- A. The singular includes the plural, and the plural the singular.
- B. The present tense includes the past and future tenses, and the future tense includes the present.
- C. The terms “must,” “shall,” and “will” are mandatory, while the word “may” is permissive.
- D. The terms “must not,” “will not,” “shall not,” “cannot,” and “may not” are prohibiting.
- E. Any gender includes all genders.
- F. Whenever a defined word or term appears in the text of this Code, its meaning is as set forth in the definition. Words not defined are interpreted in according to normal dictionary usage.

2.2 GENERAL ABBREVIATIONS

The following abbreviations may be used within this Ordinance:

- A. “BTL” is an abbreviation for “built-to line.”
- B. “BTZ” is an abbreviation for “built-to zone.”
- C. “DBH” is an abbreviation for “diameter at breast height.”
- D. “GFA” is an abbreviation for “gross floor area.”
- E. “ft” is an abbreviation for “feet.”
- F. “N/A” is an abbreviation for “not applicable.”
- G. “sq.ft.” is an abbreviation for “square feet.”
- H. “SF” is an abbreviation for “single-family - detached.”
- I. “2F” is an abbreviation for “two-family.”
- J. “TH” is an abbreviation for “townhouse.”
- K. “MF” is an abbreviation for “multi-family.”

2.3 DEFINITIONS

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

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

Accessory Building. A detached building located on the same lot as the principal building, that is incidental to the use of the principal building and is constructed with a permanent foundation.

Accessory Dwelling Unit (ADU). A residential living unit on the same parcel as a principal single-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take the various forms: a detached unit (coach house), an attached unit to the principal structure, or an interior unit that is part of a remodeled dwelling.

Accessory Structure. A structure located on the same lot as the principal building, which may be detached or attached, that is incidental to the use of the principal building and is not constructed with a permanent foundation.

Accessory Use. A use located on the same lot as the principal use and subordinate to the principal use of the land or structure thereon.

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

Adult Use. Adult use includes: 1) adult retail where the following are sold: publications, photographs, films, or other video reproductions, or visual representations that depict or describe specified sexual activities or specified anatomical areas, or devices or paraphernalia designed for use in connection with specified sexual activities; and 2) adult entertainment where a business features dancers, go-go dancers, exotic dancers or similar entertainers, or live entertainment, in which persons regularly appear in a state of nudity, or where live performances are characterized by the exposure of specified anatomical areas or by specified sexual activities. Adult use establishments specifically exclude minors, or minors are specifically prohibited by statute or ordinance, regardless of whether any such business is licensed to sell alcoholic beverages. Any adult use must be located a minimum of 1,000 feet from any residential use, place of worship, educational facility, or day care center.

Alley. A private or dedicated public way that affords only a secondary means of access to contiguous property and is less than 33 feet in width.

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

Animal Care Facility. A business which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, and pet boarding facilities, where animals are boarded during the day or for overnight stays.

Antique Shop. A retail establishment engaged in the sale of goods and merchandise, the majority of which are older than 50 years, have value as collectibles, and are not intended for everyday use or wear.

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

Art Gallery. A business engaged in the sale, loan and/or display of paintings, sculpture, photographs, video art, or other works of art. Art gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculpture, photographs, video art, or other works.

Art and Fitness Studio. A business where an art, type of art or activity is taught, studied, or practiced such as dance, martial arts, photography, music, painting, pilates, or yoga. An art and fitness studio also includes private exercise studios that are only open for private sessions with trainers and/or classes, but does not include health clubs.

Arbor. A freestanding structure to support vines or trained climbing plants.

Auction House. An establishment that offers for public sale goods, wares, and merchandise to the highest bidder.

Automatic Teller Machine, Exterior (ATM). An automated structure providing limited banking services without personal attendants.

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

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

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

Bed and Breakfast. A single-family residential dwelling where a resident/owner, who lives on the premises, provides lodging for a daily fee in guest rooms with no in-room cooking facilities and prepares meals for guests. A bed and

breakfast may include dining facilities. A bed and breakfast is a principal use of a single-family dwelling and does not include transient vacation rentals or any other type of short-term rental.

Berm. An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other similar purposes.

Blank Wall Area. Any portion of an exterior wall facing a street that does not contain doors or windows, columns, pilasters or other articulation representing a projection or recess of at least six inches, or a significant change in building materials or texture of building materials, which is calculated horizontally along the building façade.

Block. Defined in Section 2.4.

Blockface. Defined in Section 2.4.

Blue Roof. A roof designed to store water and discharge rainfall.

Body Modification Establishment. A business that offers tattooing services, body piercing, and/or non-medical body modification. Body modification establishment does not include an establishment that offers only ear piercing as an ancillary service.

Brewpub. A restaurant-based establishment where beer is manufactured and stored on the licensed premises and sold at retail from storage tanks to non-licensees, and sold in packages to importing distributors, distributors, and non-licensees in accordance with the brewpub license. The brewing capacity is limited to less than 6,000 barrels per year. (See “micro-brewery” for brewing capacity in excess of 6,000 barrels per year.)

Broadcasting Facility – TV/Radio. A facility engaged in broadcasting and information relay services for radio and television signals. A broadcasting facility may or may not include antennas to broadcast the signal.

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

Build-to Line. Defined in Section 2.4

Build-to Percentage. Defined in Section 2.4

Build-to Zone. Defined in Section 2.4

Buildable Area. The space remaining on a lot after the minimum setback and maximum building coverage requirements of this Ordinance are met.

Building. Any structure built for the enclosure, protection, shelter, or support of persons, animals, or property of any kind and which is permanently affixed to the ground. The term building does not include fences.

Building Code. The Building Code of the Village of Oak Park.

Building Coverage. Defined in Section 2.4.

Building Height. Defined in Section 2.4.

Building Line. Defined in Section 2.4

Bulk. A term used to describe the size and relationships of structures as to area, height, coverage, and shape, location of exterior walls in relation to lot lines, the centerline of streets, other walls of the same structure and to other structures, and to all open spaces relating to the structure.

Business. An occupation, employment, or enterprise that occupies time, attention, labor and materials, where merchandise is exhibited or sold, or where services are offered.

Business Service Center. An establishment that provides support services to businesses and the public that includes services such as delivery and/or receipt of packages, copying of documents, including self-service copy machines, computer access for a fee, faxing, and sales of office supplies.

Car Wash. A business for the washing and cleaning of passenger vehicles, recreational vehicles or other light duty equipment, whether automatic, by hand, or self-service.

Carport. An open-sided roofed vehicle shelter, usually formed by extension of the roof from the side of a building, but may be freestanding.

Children's Home. A residential facility that provides both long-term residence for and short-term care and services to children up to 18 years of age, who have experienced abuse, neglect, violence, abandonment, and/or are in need of supervised care. A children's home includes counseling for children within the facility and for parents and children not residing at the facility, and offices for the administration of the facility and its associated programs. It may also include day care services as an ancillary function. Children's homes must be appropriately licensed by the Illinois Department of Children and Family Services.

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

Coach House. An additional dwelling unit located within a detached garage on the upper floor that is associated with, and incidental to, the principal single-family dwelling on the same lot. A coach house includes separate cooking and sanitary facilities, with its own means of ingress and egress.

Coldframe Structure. A transparent roofed enclosure constructed low to the ground used to protect plants from excessively cold or wet weather. It functions similar to a greenhouse to help extend the growing season.

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

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

Community Garden. The cultivation of fruits, flowers, vegetables, or ornamental plants by one or more person or family. Community gardens do not include the keeping of any animals, bees, or aquaculture, or the use of heavy machinery.

Community Residence. A residence licensed, certified, or accredited for specialized residential care home by the appropriate state or federal agencies, that functions as a single housekeeping unit for the housing of unrelated persons with functional disabilities who share responsibilities, meals, recreation, social activities, and other aspects of residential living. The use matrix in Table 8-1 distinguishes sizes of community residents by number of residents; this number includes any caretakers that live on-site.

Consignment Shop. An establishment where personal items, such as clothes, jewelry, or artifacts, or small furniture are resold through a broker for the owner at an agreed-upon price.

Contiguous. See "abut."

Contractor Shop. An establishment where a building trade or building craft is conducted within a fully enclosed structure.

Craft Brew Lounge. An establishment that serves craft beer. Craft beer is defined as a beer from a craft brewery that: 1) produces less than 15,000 barrels of beer annually or 465,000 gallons; and 2) produces a significant volume of either malt beers or beers that use adjuncts to enhance, rather than to lighten, flavor.

Craft Grower. A facility as defined in the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1 *et seq.*, as amended.

Cross-Access. A vehicular and/or pedestrian connection between abutting properties in different ownership that connects the two sites and allows vehicles and/or pedestrians to travel between sites without the having to exit to the street.

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

Cutoff. The point at which all light rays emitted by a lamp, light source or luminaire are generally eliminated (cutoff) at a specific angle above the ground, acknowledging that some light trespass may occur.

Day. Day means business day. A timeframe in days is computed by excluding the first day and including the last, unless the last day is Saturday, Sunday, or a holiday (as defined or fixed in any statute now or hereafter in force in Illinois) and so it will also be excluded. If the day succeeding a Saturday, Sunday, or holiday is also a Saturday, Sunday, or holiday then such succeeding day is also excluded.

Day Care Center. A state licensed facility operated by any person, group of persons, agency, association or organization, where care, protection, and supervision is provided for children or well, ambulatory, or semi-ambulatory (non-bedridden) adults for less than 24 hours per day.

Day Care Home. A state licensed facility operated in a dwelling where a permanent occupant of the dwelling provides for the care, protection, and supervision of a maximum of eight clients, at any one time, apart from their parents or legal guardian, for less than 24 hours per day. Clients are defined as children under 12 and include the permanent occupant's natural, foster, or adopted children.

Deck. A roofless outdoor space built as an aboveground platform projecting from the wall of a structure and connected by structural supports at grade or by the structure.

Design Studio with Retail. A commercial establishment from where professional home decorating and similar services are provided that includes the on-site retail sale of home furnishings and similar items to the general public. If a design studio does not offer home furnishings and similar items for sale, it is considered an office use.

Diameter Breast Height (DBH). Defined in Section 2.4.

District. Land area of the Village where certain uniform regulations and requirements, or various combinations thereof, apply under the provisions of this Ordinance.

Drip Line. A vertical line extending from the outmost edge of the tree canopy or shrub branch to the ground.

Drive-Through Facility. A portion of a business where business is transacted directly with customers via a service window that allows customers to remain in their vehicle.

Driveway. An approved vehicle access point leading from public right-of-way to the subject property.

Dwelling. A structure, or portion thereof, designed or used exclusively for human habitation, including single-family dwellings (detached and attached), two-family dwellings, townhouse dwellings, and multi-family dwellings, but excluding mobile homes and hotels/motels.

Dwelling – Above the Ground Floor. Dwelling units located above ground-floor non-residential uses or located behind ground-floor non-residential uses. In the case of dwelling units located behind ground-floor non-residential uses, the residential uses cannot be located along the primary street frontage.

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

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

Dwelling – Two-Family. A structure containing two dwelling units, each with a separate entrance.

Dwelling – Townhouse. A structure consisting of three or more dwelling units, which are connected by party walls. A townhouse is designed with no other dwelling or portion of other dwelling, directly above or below, where each unit has a separate exterior entrance and direct ground level access to the outdoors with no opening between units. A townhouse dwelling does not include two-family or multi-family dwellings. A townhouse is also referred to as single-family attached dwelling. A townhouse dwelling refers to the design of a structure and not the type of ownership of the individual units.

Dwelling Unit. One or more rooms, including individualized bathroom and kitchen facilities, which are arranged, designed, or used as living quarters for a household.

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

Educational Facility – Primary or Secondary. A public, private, or parochial facility that offers instruction at the pre-school, elementary, junior high, and/or high school levels.

Educational Facility – University. A facility for post-secondary higher learning that grants associate or bachelor

degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. Educational facilities – university include ancillary uses such as dormitories, cafeterias, restaurants, retail sales of educational supplies, and similar uses.

Educational Facility – Vocational. A facility that offers instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a driving school or school for *general educational development*. Educational facility – vocational also applies to privately operated schools that do not offer a complete educational curriculum.

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

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

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

Exterior Stairwell. One or more flights of stairs, and the necessary landings and platforms connecting them, to form a continuous passage from the entryway of a floor or level to another, located on the exterior of a principle building.

Farmers' Market. A temporary use of land and/or structures for the sale of a variety of fresh fruits and vegetables, and other locally produced farm and food products directly to consumers from two or more farmers or vendors that have taken such items on consignment for retail sale.

Fence. A structure used as a boundary, screen, separation, means of privacy, protection or confinement, and is constructed of wood, plastic, metal, masonry, and similar materials and is used as a barrier and/or boundary.

Fence - Open. A fence that has, over its entirety, 50% or more of the superficial surface consisting of regularly distributed openings.

Fence - Solid. A fence that has, over its entirety, no distributed openings. A shadowbox design fence is considered a solid fence. A chain link fence with slats is not considered a solid fence.

Financial Institution. A bank, savings and loan, credit union, or mortgage office. Financial institutions do not include currency exchanges and pay day loan establishments that exchange common currencies, sell money orders, issue cashiers checks, and cash checks as its principal business activity, or provide loans to individuals in exchange for receiving personal checks or the original title to the borrower's motor vehicle as collateral respectively.

Flood or Spot Light. Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

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

Garage. A structure, either attached or detached, used for the parking and storage of motor vehicles by a resident.

Gas Station. A business where fuel for vehicles are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. This may also include ancillary retail uses, one automatic car wash facility (one stall), and solar and/or electric charging stations.

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

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

Government Office. Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public. Government offices do not include public safety or public works facilities.

Grade. Defined in Section 2.4.

Grading. The reshaping of natural land contours, using natural land materials such as soil, gravel, sand, black dirt, etc., for the purpose of eliminating erosion or sedimentation problems, creating or improving surface drainage, providing for the natural aesthetic contouring of property, or to accommodate a building plan by making minor changes in land elevation.

Green Roof. An assembly of interacting components designed to waterproof and normally insulate a building's top surface that includes, by design, vegetation and related landscaping elements.

Greenhouse/Nursery. A business where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are grown and sold, and may include gardening and landscape supplies and products, such as hardware, garden tools and utensils, and paving stone and bricks.

Greenhouse (Accessory). A structure constructed chiefly of glass, glasslike or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers or other tender plants.

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

Ground Floor. The story closest to and above grade along the street.

Health Club. An establishment that provides health and fitness facilities such as running, jogging, aerobics, weight lifting, court sports, and swimming, and may include ancillary facilities such as locker rooms, showers, massage rooms, saunas, sales of related health equipment and clothing, juice bars, and other related uses.

Heavy Retail and Rental. Retail and/or rental establishments that typically have permanent outdoor storage areas, and/or partially enclosed structures including, but not limited to, large-scale home improvement centers, industrial supply stores, and lumberyards. Heavy retail and rental establishments may include ancillary service uses, such as equipment repair, as part of the principal retail and rental use.

Hedge. A row of closely planted shrubs, bushes, or any kind of plant forming a boundary.

Helipad. An area of land or portion of a structure used for the landing and take-off of helicopters with no facilities for service or permanent basing of such aircraft.

Home Occupation. Any occupation or profession conducted within a dwelling unit and its permitted accessory structures that is clearly incidental and secondary to the use of such buildings.

Hospital. Facilities for primary health services and medical or surgical care to people, primarily in-patients, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or educational facilities. Hospital includes, but is not limited to, sanitariums and any other medical facility where intensive medical treatment, including in-patient residential care, is provided.

Hotel/Motel. A facility that provides sleeping accommodations for a fee and customary lodging services. Related ancillary uses include, but are not be limited to, conference and meeting rooms, restaurants, and recreational facilities for the use of guests.

House Museum. A dwelling converted from its original principal use as a dwelling unit to a permanent, staffed institution dedicated to the collection, preservation, study, display, and educational use of objects, and which is open to the public on a regular and limited schedule, is owned and operated as a nonprofit organization, and has a board of trustees or directors to oversee its operation and management and to ensure that the institution is true to its purpose.

Illumination System. The totality of the equipment installed to provide exterior lighting on a developed property. "Illumination system" includes all structures, canopy, pole, and ground-mounted luminaires, including all wiring, circuitry, and other devices installed to create exterior lighting.

Impervious Surface Coverage. Defined in Section 2.4.

Industrial - Light. The manufacturing from previously prepared materials of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, provided all industrial activities are contained entirely within a building and noise, odor, smoke, heat, glare, and vibration resulting from the industrial activity are confined entirely within the building. A light industrial use may also include a showroom and ancillary sales of products related to the items manufactured or stored on-site.

Industrial Design. A business where the form, usability, physical ergonomics, marketing, brand development and sales of various products are researched and developed. An industrial design establishment may create prototypes of products, but may not manufacture products for direct sale and distribution from the premises.

Intensity of Use. Square feet of gross floor area, number of dwelling units, number of employees, or other factor used as a basis for requiring off-street parking or loading facilities.

Lamp. The component of a luminaire that produces the actual light.

Lamp Wattage. The amount of power of a lamp expressed in watts.

Light Fixture. The assembly that houses the lamp or lamps, which may include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Light Trespass. The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Lighting. Defined in Section 2.4.

Live Performance Venue. A facility for the presentation of live performances, including musical acts, theatrical plays or acts, stand-up comedy, magic, dance clubs, and disc jockey performances using vinyl records, compact discs, computers, or digital music players. A live performance venue does not include any adult entertainment.

Live/Work Dwelling. A structure combining a dwelling unit with a non-residential use permitted in the zoning district where the structure is located that is principally used by one or more of the residents. A live/work dwelling may also include the combination of a dwelling unit with arts-related activities, such as painting, photography, sculpture, music and film, principally used by one or more of the residents. Live/work dwellings are subject to the standards for the individual uses contained within this Ordinance. Any area used for commercial space in a live/work dwelling cannot be converted to residential living space if the commercial component is no longer operating.

Loading Berth. A space within a loading facility exclusive of driveways, aisles, maneuvering areas, ramps, columns, landscape, and structures for the temporary parking of a commercial delivery vehicle while loading or unloading goods or materials.

Lot Area. Defined in Section 2.4.

Lot Line. Defined in Section 2.4.

Lot Line, Corner. Defined in Section 2.4.

Lot Line, Front. Defined in Section 2.4.

Lot Line, Interior. Defined in Section 2.4.

Lot Line, Rear. Defined in Section 2.4.

Lot Line, Street. Any lot line that abuts a public right-of-way, excluding alleys.

Lot of Record. A lot which is a part of a subdivision, the plat of which has been recorded in the Office of the Cook County Recorder of Deeds, or a parcel of land which was lawfully recorded prior to the adoption and enactment of this Ordinance.

Lot Width. Defined in Section 2.4.

Lumen. A unit of luminous flux. One footcandle is one lumen per square foot. For the purpose of this Ordinance, the lumen value is the initial lumen output rating of a lamp.

Luminaire. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

Luminaire, Cutoff Type. A luminaire containing elements such as shields, reflectors, or refractor panels that direct and cutoff a direct view of the light source at a cutoff angle.

Massage Service Establishment. An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is offered by a licensed massage therapist as required by the State of Illinois. For the purposes of this definition, the following medical practices are not considered a massage service establishment, but are part of a medical/dental clinic per this Ordinance: massage treatment administered by licensed medical practitioners, licensed physical therapists,

chiropractors, acupuncturist or other holistic medicine, or similar professional medical person licensed by the state. A massage service establishment does not include ancillary services provided as part of a health club, school, or full-service spa or salon.

Medical/Dental Clinic. A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical clinics also include alternative medicine clinics, such as acupuncture and holistic therapies, methadone clinics, and physical therapy offices for physical rehabilitation.

Medical Marijuana Dispensary. A facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation (State of Illinois) to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients. Medical use cannabis means the acquisition, administration, delivery, possession, transfer, transportation, or use of cannabis to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

Micro-Brewery. A facility for the production and packaging of malt beverages of alcoholic content for wholesale distribution, with a capacity of less than 15,000 barrels per year and may include a tap room. A tap room allows customers to taste samples of products manufactured on site and purchase related sales items. Sales of alcohols manufactured outside of the facility are prohibited. A separate liquor license is required for sales of alcohols manufactured on-site. (See "light industrial" for capacity in excess of 15,000 barrels per year.)

Micro-Distillery. A facility for the production and packaging of alcoholic beverages in quantities not to exceed 25,000 gallons per year and may include a tasting room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. Sales of alcohols manufactured outside of the facility are prohibited. A separate liquor license is required for sales of alcohols manufactured on-site. (See "light industrial" for capacity in excess of 25,000 gallons per year.)

Micro-Winery. A facility for the production and packaging of any alcoholic beverages obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, in quantities not to exceed 25,000 gallons per year and may include a tasting room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. A separate liquor license is required for sales of alcohols manufactured on-site. (See "light industrial" for capacity in excess of 25,000 gallons per year.)

Motor Vehicle. Any passenger vehicle, motorcycle, recreational vehicle, truck, truck-trailer, or semi-trailer propelled or drawn by mechanical power.

Multi-Tenant Retail Center. A group of three or more commercial establishments that is planned, owned, and/or managed as a single property. The two main configurations of multi-tenant retail centers are large shopping centers/malls and strip centers.

Off-Street Parking. The storage space for a motor vehicle on premises other than streets or rights-of-way.

Office. A business that engages in the processing, manipulation or application of business information or professional expertise. Such an office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor engaged in the repair of products or retail services. An office does not include financial institution, government office, or industrial design. An office also does not include a business that provides employment services for temporary employment of semi-skilled and unskilled workers where potential workers meet on-site for assignment.

Open Space. That portion of land and/or water not devoted to structures, parking or loading areas, driveways, or any principal or accessory use.

Outdoor Dining. A seating area that is located outdoors and contiguous to a restaurant or bar, typically in addition to an indoor seating area. Outdoor dining areas are also permitted on rooftops, when determined by the Village to be structurally sound for such use.

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

Owner. A titleholder of record, or if title is held in trust, the beneficiary of the trust or the person or persons who have acquired any interest in the property by contract or purchase or otherwise.

Parapet. The extension of a false front or wall above a roof-line.

Park/Playground. A noncommercial, public facility that serves the recreational needs of residents and visitors. Park/playground includes, but is not limited to, playgrounds, ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, skateboard parks, passive recreation areas, and park district field houses, which include public indoor recreation facilities run by the Park District of Oak Park. Parks/playgrounds may also be associated with schools.

Parking Lot. An open, hard-surfaced area, other than a street or public way, used for the storage of operable passenger motor vehicles, whether for compensation or at no charge. With the exception of Village-owned parking lots, all parking lots must be accessory to a principal use.

Parking Structure. A structure of one or more levels or floors used for the parking or storage of operable passenger motor vehicles, whether for compensation or at no charge. With the exception of Village-owned parking structures, all parking structures must be accessory to a principal use.

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

Patio. A hard surface designed and intended for recreational use by people and not used as a sidewalk or parking space.

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

Person. For the purposes of this Ordinance, any individual, corporation, association, firm, partnership, or joint venture.

Personal Service Establishment. A business that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, dry cleaners, and tailors. Personal service establishments do not include currency exchanges and pay day loan establishments that exchange common currencies, sell money orders, issue cashiers checks, and cash checks as its principal business activity, or provide loans to individuals in exchange for receiving personal checks or the original title to the borrower's motor vehicle as collateral respectively.

Place of Worship. A building, together with accessory structures and uses, where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may also include ancillary day care facilities and/or classrooms for weekly religious instruction.

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

Porch – Enclosed. A porch enclosed by walls, screens, lattice or other material on more than two sides. A screened-in porch is considered an enclosed porch.

Porch – Unenclosed. A porch that is open on two or more sides.

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

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

Property Line. The lines bounding a lot.

Public Safety Facility. A facility operated by and for the use of public safety agencies, such as the fire department and police departments, including the dispatch, storage, and maintenance of police and fire vehicles.

Public Works Facility. A facility operated by the municipal public works department to provide Village services, including dispatch, storage, and maintenance of municipal vehicles.

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.

Real Estate Project Sales Office/Model Unit. A residential unit temporarily used for display purposes as an example of dwelling units available for sale or rental in a residential development and/or sales or rental offices for dwellings within the development.

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

Recreation, Indoor. A facility for spectator and participatory uses conducted within an enclosed building, such as sports courts, bowling alleys, tumbling centers, skating centers, roller rinks, movie theaters, pool halls, and sporting exhibitions. An indoor recreation facility may include ancillary uses, such as restaurants, for the use of patrons. Indoor recreation facilities do not include public indoor recreation facilities that are run by the Park District of Oak Park and live performance venues.

Recreation, Outdoor. A facility for spectator and participatory uses conducted outdoors or within partially enclosed structures, such as sports courts, batting cages, mini-golf, and sporting exhibitions. An outdoor recreation facility may include ancillary uses, such as restaurants, for the use of patrons. Outdoor recreation facilities do not include live performance venues.

Recreational Vehicle. Any vehicle or boat designed for temporary living quarters, recreation, or temporary human habitation and not used as a commercial or personal vehicle, including, but not limited to, the following: boat/watercraft, camper trailer, motorized trailer, off-the-road vehicle, racing car or cycle, travel trailer, and truck camper.

Research and Development (R&D). A facility where research and development is conducted in industries that include, but are not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication, and information technology, electronics and instrumentation, and computer hardware and software. Research and development does not involve the manufacture, fabrication, processing, or sale of products.

Residential Care Facility. A group care facility licensed by the state for 24 hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing homes, assisted living, hospices, and continuum of care facilities.

Restaurant. An establishment where food and/or beverages are provided to the public, which may be offered for on-premises consumption by seated patrons, delivery, carry-out, or a combination of such. If the establishment serves alcoholic beverages, a full selection of food must also be prepared for primarily on-premise consumption by seated patrons. Live entertainment may be provided as an ancillary use to a restaurant.

Retail Cannabis Establishment. A “dispensary” or “craft grower” as defined in the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1 *et seq.*, as amended, or a “dispensing organization” as defined in Illinois Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 *et seq.*, as amended.

Retail Goods Establishment. A commercial enterprise that provides physical goods, products or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. A retail goods establishment does not include auction houses, antique shops, consignment shops, or secondhand goods dealer, each of which are defined separately.

Retreat House. The use of a single-family dwelling for study, meditation, or instructional purposes that provides programming and facilities, generally including food and lodging, for a group retreat.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

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

Secondhand Goods Dealer. A retail establishment engaging in the sale of previously used merchandise, such as clothing, household furnishings or appliances, or sports and recreational equipment. A secondhand goods dealer does not include a pawn shop, as defined in the Municipal Code (Article 4B. Pawnbrokers).

Self-Service Storage Facility. A facility for the storage of personal property where individual renters control and access individual storage spaces. Ancillary retail sales of related items, such as moving supplies, and offices may also be included. Self-storage facilities do not include any outdoor storage.

Setback. Defined in Section 2.4.

Setback, Front. Defined in Section 2.4.

Setback, Interior Side. Defined in Section 2.4.

Setback, Corner Side. Defined in Section 2.4.

Setback, Rear. Defined in Section 2.4.

Setback, Reverse Corner Side. Defined in Section 2.4.

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

Sidewalk. An improved surface, the principal purpose of which is a pedestrian walkway.

Sight Triangle. Defined in Section 2.4.

Significant Tree. A tree that is 12 inches or more caliper measured six inches above the ground and evergreen trees ten feet or more in height.

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

Specialty Food Service. A business that specializes in the production and/or sale of specialty food products, such as a bakery, meat market, coffee roasters, catering business, or fishmonger, and may offer areas for accessory retail sales of or restaurants that serve the products processed on-site. Specialty food service also includes preparation, processing, canning or packaging of food products where all processing is completely enclosed and there are no outside impacts.

Stacking Space. A space specifically designed and designated as a waiting area for vehicles patronizing a drive-through facility or service bay.

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

Storage Yard (Outdoor). The storage of material outdoors as a principal use of the lot for more than 24 hours.

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

Street Frontage. That portion of the building that abuts the street. In the RR District, the street frontage is the required or allowed setback line (i.e. the "build-to" line). The street frontage requirement is expressed as a percentage of lot width.

Structure. Anything constructed or erected on the ground or attached to something having a permanent location on the ground including but not limited to buildings, fences, signs, sheds, or similar uses.

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

Temporary Educational Day Camp – Remote Learning. A facility which offers on a temporary basis the use of a designated space primarily for remote educational learning opportunities on behalf of local public, private and parochial primary and secondary institutions, including associated after school child care for groups of children up to 18 years of age.

Temporary Mobile Food Sales. A truck or trailer used for the preparation and service of food served from the vehicle.

Temporary Outdoor Entertainment/Promotional Event. A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows, carnivals/circuses, temporary worship services, and others.

Temporary Outdoor Sales. Temporary uses, which may include temporary structures, where goods are sold, such as consignment auctions, arts and crafts fairs, flea markets, rummage sales, temporary vehicle sales, and holiday sales, such as Christmas tree lots and pumpkin sales lots. This temporary use category does not include outdoor sales related to a retail goods establishment where such goods are part of the establishment's regular items offered for purchase.

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

Temporary Pop-Up Business. Temporary use of a storefront or other commercial space for a non-residential use, such as retail, restaurant, or art galleries.

Temporary Structure. Any structure that is not permanently located, placed, or affixed in the place where it is or where it is intended to be placed.

Tour House. The use of a private, owner-occupied, principal-use dwelling unit, which possesses special architectural and/or historical significance, for tours by members of the public during limited hours and days of the week, conducted by the resident or owner of the dwelling unit for a fee. For the purposes of this definition, a house qualifies as "owner-occupied" and an owner qualifies as a "resident or owner" only if the owner of the house resides in the house as the owner's principal place of residence. Also, for purposes of this definition, tours are considered as "conducted by the resident or owner" if such tours are conducted by: the resident or owner(s); any person who volunteers to conduct tours on behalf of the resident or owner without remuneration; or any person who is paid as an employee of the resident or owner to conduct tours on behalf of the resident or owner.

Transparency. The total area of clear glass within windows and doors, which is typically expressed as a percentage of the total facade by story.

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

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

Utility. Facilities that produce and/or transmit basic services, such as electricity, gas, sewer, or water, including large-scale developments such as electric or gas generation plants, electrical substations, high voltage transmission lines, and water towers and tanks. Utilities do not include public works facilities.

Vehicle Dealership. An establishment that sells or leases new or used automobiles and recreational vehicles. A vehicle dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the types of vehicles sold or leased by the dealership.

Vehicle Dealership-Fully Enclosed-Small. An establishment that sells or leases new or used automobiles, motorcycles and/or recreation vehicles in an area no greater than 5,000 square feet nor less than 2,000 square feet. An inventory of new or used vehicles for sale or for lease may be maintained on-site, but without on-site facilities for vehicle repair or service.

Vehicle Operations Facility. A facility for the dispatch, storage, and maintenance of emergency medical care vehicles, taxicabs, school buses, and livery vehicles. Motor vehicle operations facility does not include a public works or public safety facility, where vehicles for fire, police or other municipal departments are dispatched, stored, and/or maintained.

Vehicle Rental. An establishment that rents automobiles and vans, including incidental parking and servicing of rental vehicles. A motor vehicle rental establishment may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

Vehicle Repair - Major. A business that provides services in engine rebuilding, major reconditioning of worn or damaged motor vehicles, motorcycles, all-terrain vehicles (ATV), recreational vehicles and trailers, towing and collision service, including body, frame or fender straightening or repair, and painting of motor vehicles, and may include minor auto repair services.

Vehicle Repair - Minor. A business the provides services in minor repairs to motor vehicles, motorcycles, all-terrain vehicles (ATV) vehicles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, replacement tires, realigning and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like.

Village. The Village of Oak Park.

Village Code. The Oak Park Village Code.

Wall. A constructed solid barrier of concrete, stone, brick, tile, or similar type of material that closes, marks, or borders a field, yard, or lot, and that limits visibility and restricts the flow of air and light.

Warehouse and Distribution. An enclosed facility for the storage and distribution of manufactured products, supplies, and/or equipment.

White Roof. A roof designed to deliver high solar reflectance, reducing heat transfer to the building and the ability to radiate absorbed, or non-reflected solar energy.

Wholesale Establishment. A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

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

1. **Antenna.** A specific device, the surface of which is used to transmit and/or receive radio-frequency signals, microwave signals, or other signals transmitted to or from other antennas. This does not include satellite dish antenna.
2. **Tower.** A structure designed and constructed to support one or more wireless telecommunications antenna and including all appurtenant devices attached to it. Wireless telecommunications tower is inclusive of accompanying facilities, which are un-staffed structures used to house and protect the equipment necessary for processing telecommunications signals.

Work Lounge. A shared office establishment that includes a first floor use for the presentation of non-amplified music, theatrical plays, stand-up comedy, magic shows, and spoken word poetry performances, as well as events and group activities, such as salon-style discussions with authors, scholars and community members, trivia nights, murder-mystery events, birthday parties, anniversary parties, corporate off-site meetings and book club meetings and shall also include the sale of alcoholic liquors for consumption on the premises.

Yard. Defined in Section 2.4.

Yard, Front. Defined in Section 2.4.

Yard, Interior Side. Defined in Section 2.4.

Yard, Corner Side. Defined in Section 2.4.

Yard, Rear. Defined in Section 2.4.

Yard, Reverse Corner Side. Defined in Section 2.4.

Zoning Administrator. The Village Planner, or his/her designee including the Zoning Officer, is the Zoning Administrator. A decision by the Zoning Administrator may only be rendered once.

Zoning Lot. A lot or combination of lots within a single block, which is designated by its owner or developer to be used, developed, or built upon as a unit. A zoning lot may or may not coincide with a lot of record.

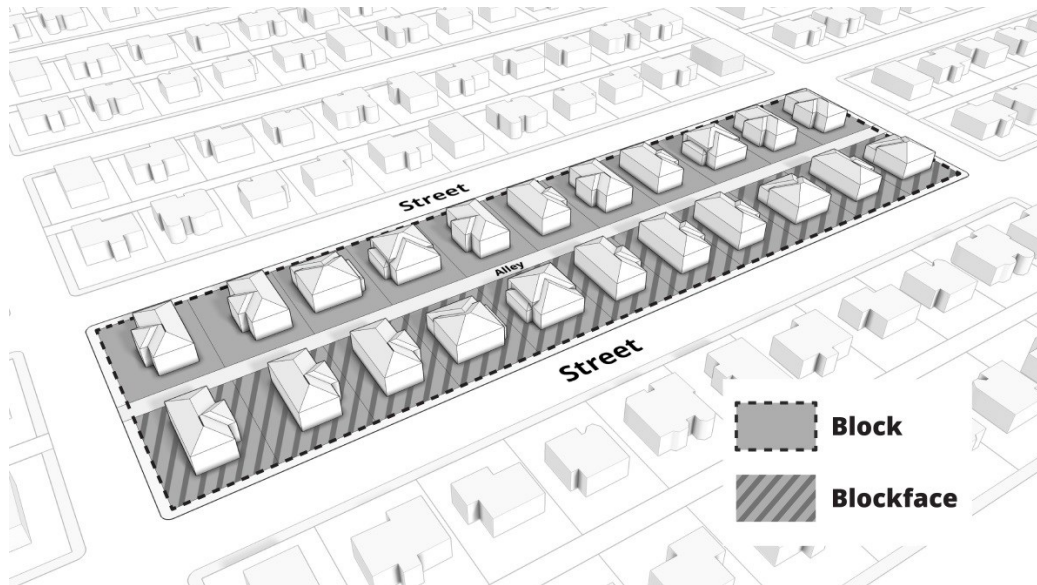
2.4 RULES OF MEASUREMENT

This section provides the rules of measurement for the dimensional standards and locational characteristics within the Ordinance.

A. Block and Blockface

1. A block is a tract of land bounded by streets, or a combination of streets and public parks, cemeteries, railroad rights-of-way, or municipal boundary lines.
2. Blockface is measured as that portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets, or between an intersecting street and a public park, cemetery, railroad right-of-way, or municipal boundary line.

BLOCK AND BLOCKFACE

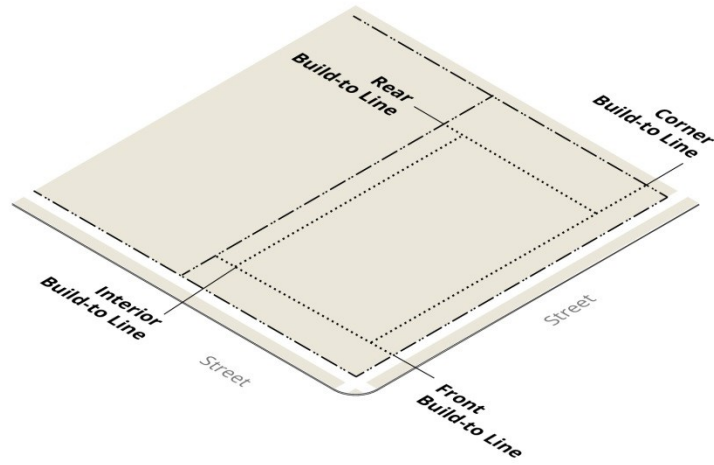


B. Build-To Dimensions

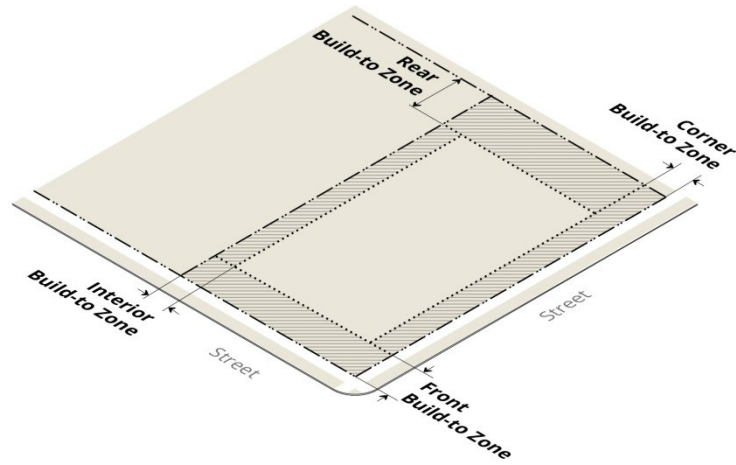
Certain dimensional requirements with the district require structures to be constructed at a build-to dimension. A build-to requirement is a boundary or alignment, parallel to a lot line, where a structure must be placed. There are three types of build-to dimensions:

1. A build-to line (BTL) is a set building line on a lot, measured parallel from the applicable lot line, where the structure must be located.
2. A build-to zone (BTZ) is the area on a lot, measured parallel from the applicable lot line, where a structure must locate within the minimum and maximum range of setback provided.
3. A build-to percentage specifies the percentage of the building facade that must be located within a build-to line or build-to zone. Facade articulation, such as window or wall recesses and projections, do not count against the required build-to percentage.

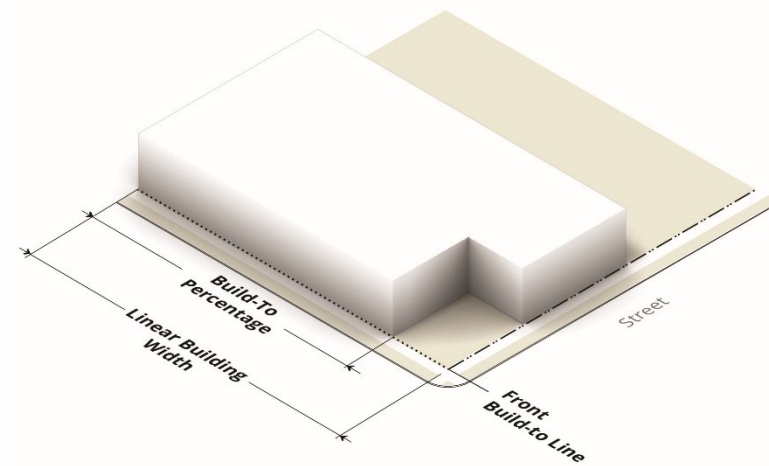
BUILD-TO LINE (BTL)



BUILD-TO ZONE



BUILD-TO PERCENTAGE



C. Building Coverage

The building coverage of a lot is the area of a lot occupied by the principal and accessory buildings. Building coverage is calculated as the percentage of principal and accessory building footprint area to the total area of the lot.

D. Building Height

1. Maximum Building Height

Maximum building height is measured as the vertical distance from the adjacent average grade, or equivalent, opposite the center of the front of a building to:

- a. The top of a flat roof, including structures designed with a decorative mansard roof concealing a flat roof.
- b. The deck line of a gambrel or mansard roof.
- c. The midpoint height between the eaves and the ridge in the case of a pitched roof.

The top of the dormer cannot be higher than the top of the roof.

MAXIMUM BUILDING HEIGHT



2. Minimum Building Height

Minimum building height is measured as the vertical distance from the adjacent average grade, or equivalent, to the top of a front or corner side façade, which includes parapet walls.

3. Height Encroachments

The following structures or parts thereof are exempt from the height limitations of the districts if they are 25% or less of the total floor area of the roof footprint:

- a. Public utility poles, towers, and wires.
- b. Water tanks and standpipes.
- c. Building appurtenances such as chimneys, parapet walls, skylights, steeples, flag poles, smokestacks, cooling towers, elevator bulkheads, fire towers, monuments, water towers, stacks, stage towers, or scenery lofts, tanks, ornamental towers and spires, roof gardens, recreational facilities, necessary mechanical appurtenances, or penthouses to house mechanical appurtenances.

4. Roof Types

For the purposes of building height measurement, roof types are defined as follows:

a. Flat Roof

A roof that is not pitched and where the surface of the roof is generally parallel to the ground. A mono-pitched roof, also called a shed roof, is a single-sloping roof surface, and is also considered a flat roof.

b. Mansard or Gambrel Roof

A two-sided roof with two slopes on each side. The upper slope is positioned at a shallow angle, while the lower slope is steep. A gambrel roof has vertical gable ends, while a mansard roof is hipped at the four corners of the building.

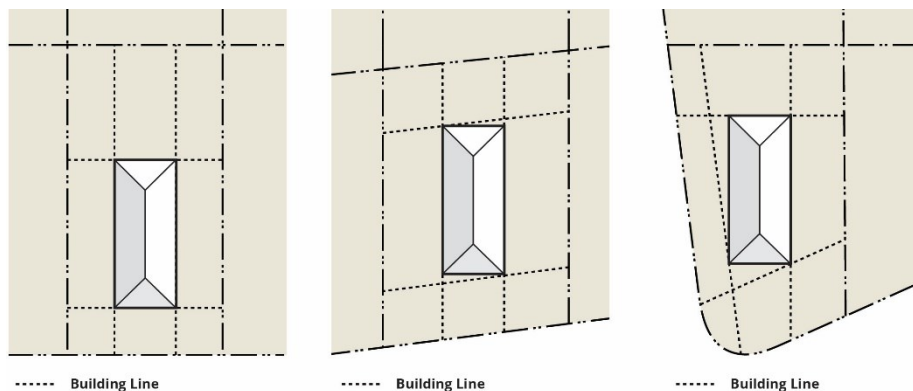
c. Pitched Roof

A gable or hip roof having a slope or pitch of at least one foot rise for each four feet of horizontal distance in the direction of the slope or pitch of the roof. A hipped roof is sloped in two pairs of directions compared to the one pair of direction for a gable roof.

E. Building Line

A line established at the building facade of a structure between lot lines. For the purposes of establishing a building line, the building facade does not include permitted encroachments or architectural features, such as bay windows, eaves, and steps and stoops. For irregular lots where the lot lines are not parallel, the building line is established as a line from the point of the structure closest to the lot line, drawn parallel to the applicable lot line.

BUILDING LINE



F. Caliper

The diameter of the trunk of a tree in inches at a point measured six inches above the ground.

G. Diameter at Breast Height (DBH)

The diameter of the trunk of a tree measured in inches at a point 4.5 feet above ground level. This point of measurement is used for mature and established trees.

H. Fraction

In terms of calculation of Ordinance requirements for required vehicle, bicycle, and loading spaces and for required plantings for landscape, any fraction is rounded up to nearest whole number.

I. Grade

Grade is measured as the average level of the finished surface of the ground adjacent to the exterior walls of the structure.

J. Gross Floor Area (GFA)

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

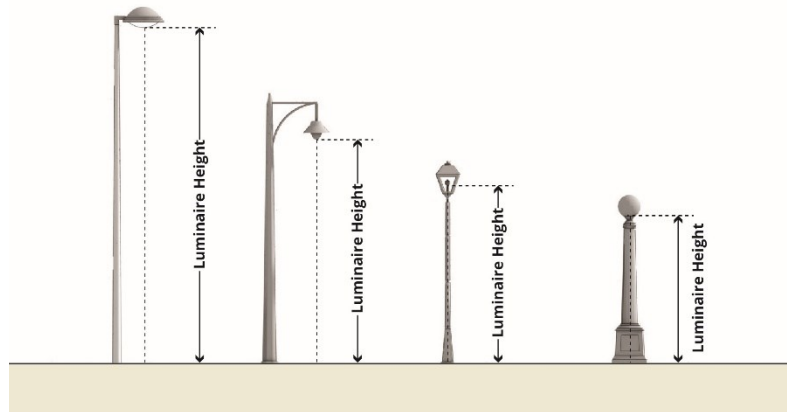
K. Impervious Surface Coverage

1. Impervious surface coverage is a measure of intensity of land use that represents the portion of a site that is occupied by structures, pavement, and other impervious surfaces that do not allow for the absorption of water.
2. Impervious surface coverage is calculated as the percentage of all impervious surface area of the total area of the lot.
3. If permeable pavers are used, such paving is not included in the calculation of impervious surface for up to 20% of total paved surface used in the coverage calculation, provided acceptable installation techniques are applied as determined by the Village
4. The following impervious surface coverage bonus is allotted if green roofs are installed:
 - a. Any green roof with a minimum of three inches and a maximum of six inches of growing media and a slope of zero to 12% may be used as an impervious surface bonus on a 2:1 basis. For example, every two square feet of green roof counts as one square foot when calculating impervious surface.
 - b. Any green roof with a minimum of three inches and a maximum of six inches of growing media and a slope greater than 12% may be used as an impervious surface bonus on a 3:1 basis. For example, every three square feet of green roof counts as one square foot when calculating impervious surface.
 - c. In order to be eligible, all green roofs must be designed by a licensed landscape architect or equivalent licensed design professional, and constructed and maintained in accordance with the International Code Council's (ICC) "Green Construction Code," "ANSI/SPRI VF-1 External Fire Design Standard for Vegetative Roofs" (January 2010) and "ANSI RP12 Wind Uplift Design Standard for Green Roofs" (July 2010), as amended from time to time.
 - d. In order to maintain credit, all green roofs must be watered, weeded, and otherwise maintained in accordance with industry best practices.

L. Lighting**1. Luminaire Height**

The height of a luminaire is measured as the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

LUMINAIRE HEIGHT



2. Footcandle

- a. A footcandle (FC) is a unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one standard candle.
- b. Footcandle is measured utilizing a direct reading, portable light meter mounted in a horizontal position.

M. Lot

1. Interior lot is a lot other than a corner, reverse corner, or through lot, typically bounded by two interior side lot lines.
2. Corner lot is a lot situated at the junction of, and abutting on, two or more intersecting streets.
3. Reverse corner lot is a corner lot where the side lot line adjoining a street is substantially a continuation of the front lot line of the first lot to its rear.
4. Through lot is a lot that has frontage on two non-intersecting streets creating two front lot lines.

LOT TYPES



N. Lot Area

The total area of a lot calculated as the total area bounded by the front, side, and rear lot lines.

O. Lot Line

A lot line is the property boundary line of any lot. Lot lines are located as follows:

1. Front Lot Line

- a. The front lot line of an interior lot is the lot line that abuts a street, located parallel to an alley.
- b. The front lot line of a corner lot is the shortest street lot line of a corner lot abutting a street.
- c. A front lot line for a through lot is established as follows:
 - i. Where a front lot line has been previously established, that street lot line is designated as the front lot line.
 - ii. Where a front line has not been previously established, one of the two street lot lines will be designated by the Zoning Administrator as the front lot line.
 - iii. For the purposes of this section, previously established means one or more structures along the same blockface have established front entrances along the same street lot line.

2. Interior Side Lot Line

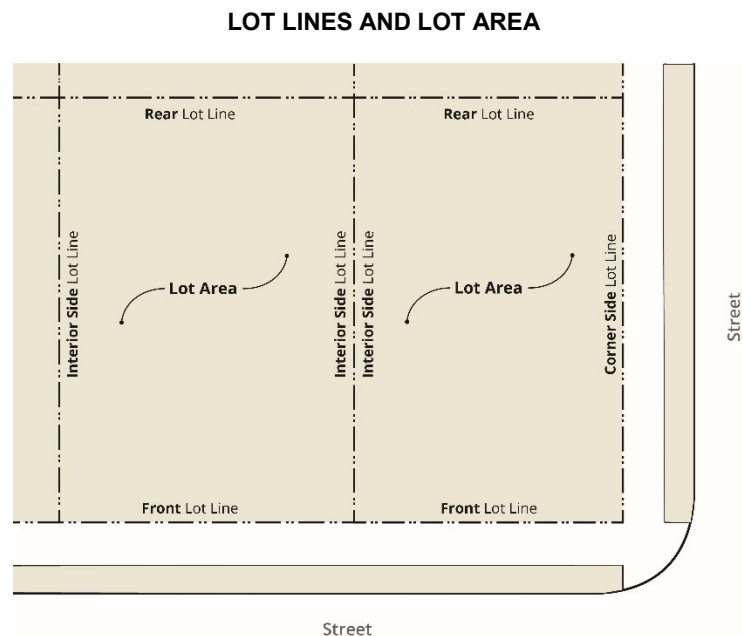
The interior side lot line is a lot line not abutting a street that is not a rear lot line.

3. Corner Side Lot Line

The lot line that is perpendicular or approximately perpendicular to the front lot line, which is the longer street abutting lot line of a corner lot.

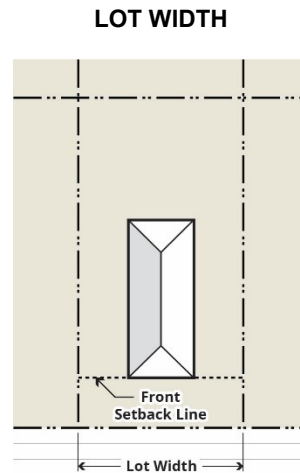
4. Rear Lot Line

The rear lot line is that lot line which is opposite and most distant from and is, or most nearly is, parallel to the front lot line.



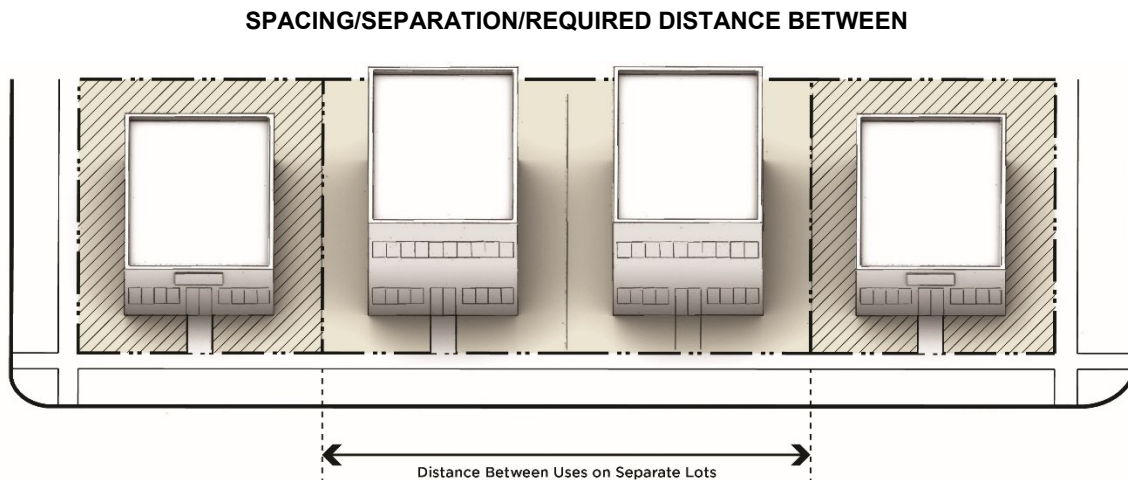
P. Lot Width

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



Q. Spacing/Separation/Required Distance Between

When the Ordinance requires separation between uses, such separation is measured between the closest lot lines of the two lots.



R. Sight Triangle

A sight triangle is measured as defined in Article 11, Chapter 15 and Section 8, Article 1, Chapter 25 of the Village Code.

S. Yards and Setbacks

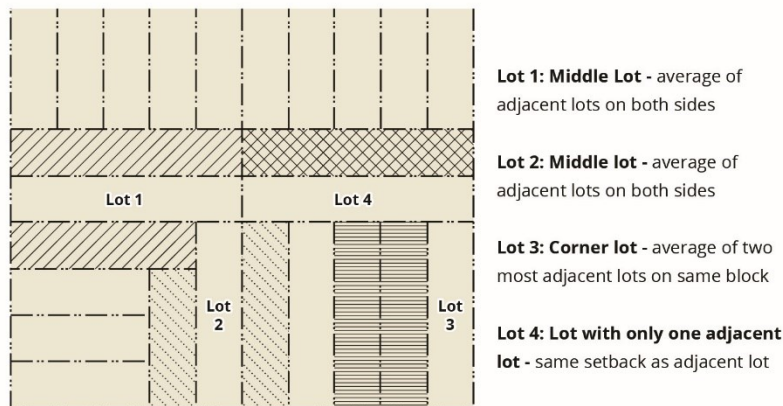
A yard is the open space area between a principal building and the adjoining lot line. A required setback may be equal to or lesser than a yard and is the required minimum distance a principal building must be located from a lot line, which is unoccupied and unobstructed by any portion of a principal building or accessory structure, unless permitted by this Ordinance. A setback extends along a lot line for the minimum depth specified by the zoning district in which such lot is located.

1. Front Yard and Setback

a. A front yard is located between a principal building and the front lot line. A front setback is the required minimum distance per the zoning district that a principal building must be located from the front lot line. The front yard and setback extends the full width of the lot between side lot lines measured perpendicular to the front lot line.

b. In the residential districts, where front yard averaging is permitted, the average front setback of the adjacent lots on either side of a lot may be used to establish the required front setback. Averaging is based on the two adjacent lots on either side or, in the case of a corner lot, the next two adjacent lots. In the case of a lot configuration where only one lot is available for averaging, the required front setback is that of the adjacent lot.

FRONT YARD AVERAGING



2. Interior Side Yard and Setback

An interior side yard is located between a principal building and the interior side lot line. An interior side setback is the required minimum distance per the zoning district that a principal building must be located from the interior side lot line. The interior side yard and setback extends along the interior side lot line between the front and rear yards, measured perpendicular to the interior side lot line.

3. Corner Side Yard and Setback

A corner side yard is located between a principal building and the corner side lot line. A corner side setback is the required minimum distance per the zoning district that a principal building must be located from the corner side lot line. The corner side yard and setback extends along the corner side lot line between the front yard and the rear lot line, measured perpendicular to the corner side lot line.

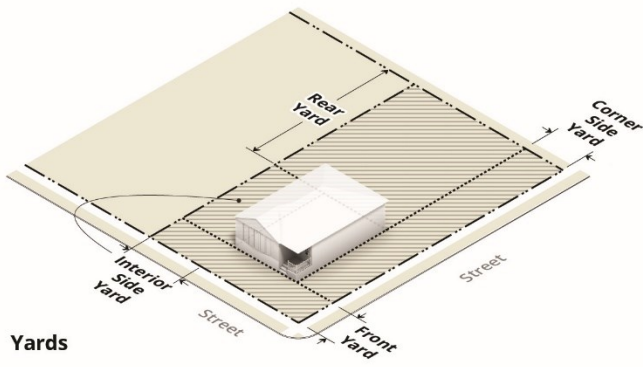
4. Rear Yard and Setback

A rear yard is located between a principal building and the rear lot line. A rear setback is the required minimum distance per the zoning district that a principal building must be located from the rear lot line. The rear yard and setback extends between interior side lot lines, measured perpendicular to the rear lot line. In the case of a corner lot, the rear yard and setback extends between the interior side lot line to the required corner side setback, measured perpendicular to the rear lot line.

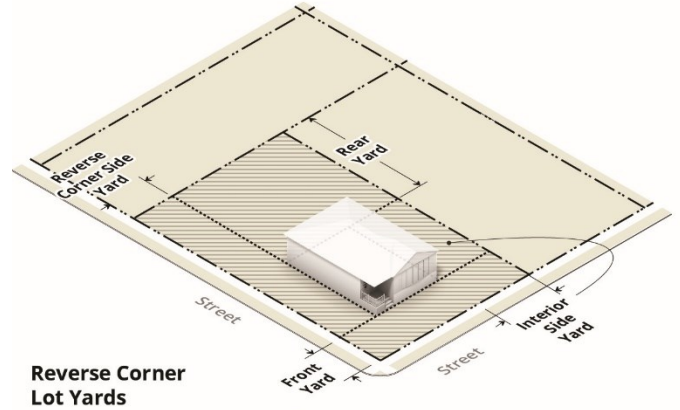
5. Reverse Corner Side Yard and Setback

A reverse corner side yard is located between a principal building and the corner side lot line, where the corner side lot line adjoining a street is substantially a continuation of the front lot line of the first lot to its rear. A reverse corner side setback is the required minimum distance per the zoning district that a principal building must be located from corner side lot line. The reverse corner side yard and setback extends along the corner side lot line between the front yard and the rear lot line, measured perpendicular to the corner side lot line.

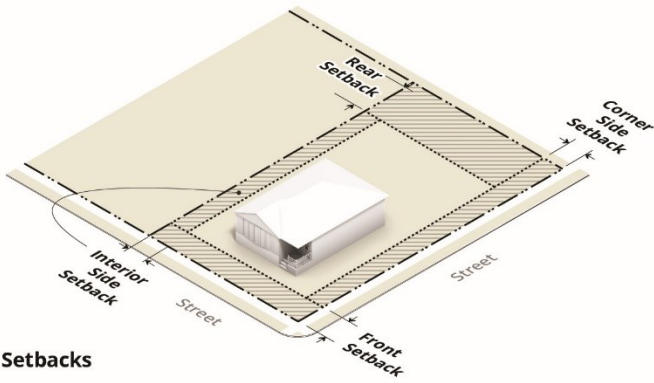
YARDS AND SETBACKS



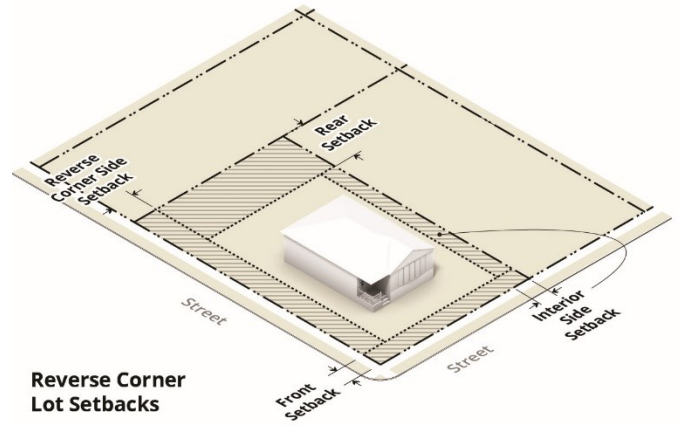
Yards



Reverse Corner Lot Yards



Setbacks



Reverse Corner Lot Setbacks

ARTICLE 9. SITE DEVELOPMENT STANDARDS

- 9.1 GENERAL REQUIREMENTS
- 9.2 EXTERIOR LIGHTING
- 9.3 ACCESSORY STRUCTURES AND USES
- 9.4 PERMITTED ENCROACHMENTS
- 9.5 ENVIRONMENTAL PERFORMANCE STANDARDS

9.1 GENERAL REQUIREMENTS

A. Number of Structures on a Lot

In R-1 through R-5 Districts, there must be no more than one principal building per lot. This does not include permitted accessory structures including permitted coach houses. This also does not apply to educational facilities or places of worship. In all other districts, more than one principal building is permitted on a lot, provided that it complies with all dimensional standards of the district.

B. All Activities within an Enclosed Structure

Within all districts, all activities must be conducted entirely within an enclosed structure, with the exception of the following uses and activities:

1. Parking lots, principal and ancillary.
2. Park/playground and similar open space uses.
3. Establishments with a permitted outdoor component that is integral to their function, including, but not limited to, outdoor recreation, outdoor storage yards, heavy retail and rental, heavy service, outdoor dining, car washes, animal care facilities, and similar businesses as determined by the Zoning Administrator.
4. Permitted outdoor storage, and outdoor sales and display areas.
5. Permitted outdoor temporary uses.

C. Applicability of Required Setbacks

No lot may be reduced in area so that the setbacks are less than required by this Ordinance. The required setbacks for a lot cannot be considered a setback for any other lot. No principal building or accessory structure may be located in a required setback unless specifically permitted by this Ordinance or a variation is approved.

D. Applicability of Dimensional Requirements

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

E. Sight Triangle

All structures, including a closed fence or wall, and plantings must not violate the required sight triangle.

9.2 EXTERIOR LIGHTING

A. Lighting Plan Required

1. A lighting plan is required for all non-residential uses, and multi-family dwellings. Single-family, two-family, and townhouse dwellings are exempt from a required lighting plan but are subject to applicable lighting requirements.
2. A lighting plan must include the following:
 - a. A plan showing all light pole locations, building-mounted lights, bollard lights, and all other lighting.
 - b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
 - c. Pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.

- d. Elevations of the site including all structures and luminaires sufficient to determine the total cut off angle of all luminaires and their relationship to abutting parcels.
- e. Photometric plans that show the footcandle measurement at all lot lines.
- f. Other information and data reasonably necessary to evaluate the required lighting plan.

B. Maximum Lighting Regulations

1. The maximum allowable footcandle at any lot line is one footcandle.
2. When additional security lighting is required for security reasons in excess of the footcandle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through design review.
3. No glare onto adjacent properties is permitted.

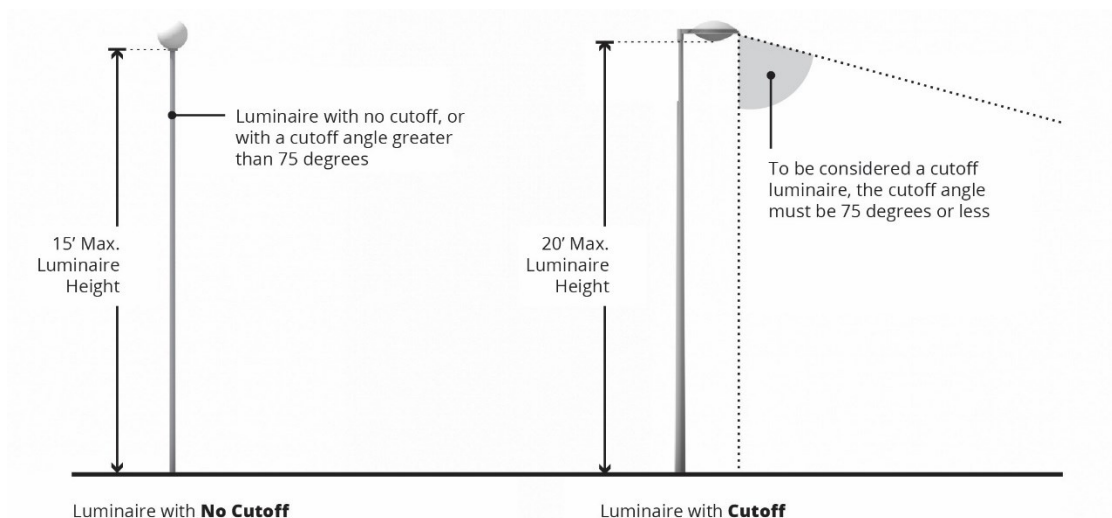
C. Luminaire with Cut Off Standards

1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.
2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is 20 feet.
3. A cut off luminaire must be designed to completely shield the light source from an observer three and one-half feet above the ground at any point along an abutting lot line.

D. Luminaire with No Cut Off Standards

1. A luminaire is considered to have no cut off if it is unshielded or has a cut off angle greater than 75 degrees.
2. The maximum permitted total height of a luminaire with no cut off is 15 feet.

LUMINAIRE DESIGN



E. Exceptions to Lighting Standards

1. Luminaires used for public roadway illumination are exempt from the requirements of this section.
2. All temporary emergency lighting required by public safety agencies, other emergency services, or construction are exempt from the requirements of this section.
3. In the OS and I Districts, lighting for outdoor recreation fields is permitted to the maximum building height of the district. A taller height may be allowed through special use approval. However, any existing lighting for outdoor recreation fields, in any district, as of the effective date of this Ordinance, is deemed conforming at its current height and may be repaired and replaced. Any conditions imposed as part of the special use approval for such lighting remain in effect and any changes to such conditions must be approved as a special use.
4. Certain temporary uses may be unable to meet the requirements of this section. When such temporary uses are allowed, approval of all lighting is required as part of the temporary use permit.

F. Prohibited Lighting

1. Flickering or flashing lights are prohibited.
2. Searchlights, laser source lights, or any similar high intensity lights are prohibited.

9.3 ACCESSORY STRUCTURES AND USES

All accessory structures and uses are subject to the requirements of this section and the permitted encroachment requirements of Section 9.4. Additional accessory structures not regulated in this section may be regulated in Section 9.4.

A. General Regulations for Accessory Structures

All accessory structures are subject to the following regulations, in addition to any other specific regulations within this section.

1. No accessory structure may be constructed prior to construction of the principal building to which it is accessory.
2. A building permit may be required for the construction of an accessory structure, per the Village Building Code.
3. Only those accessory structures permitted by this section, **except for accessory dwelling units with separate entrances attached to single family dwellings**, and Section 9.4 are permitted in required setbacks, as stated in the district standards. Certain accessory structures may also be prohibited in certain yards.
 - a. The use of the term “yard” refers to the area between the applicable building line and lot line. The distinction is made because certain principal buildings may not be built at required district setback lines, thereby creating a yard larger than the minimum setback dimension.
 - b. If a structure is permitted within a yard, it is permitted within the required setback subject to additional limitations.
 - c. Where there is no structure to determine yard location, yards are the same as the minimum district setback dimensions and the accessory structure is permitted in the buildable area.
4. The maximum height of any detached accessory structure is 20 feet, unless otherwise permitted or restricted by this Ordinance.
5. Detached accessory structures, including those listed in this section and Section 9.4, must be setback as follows, unless otherwise permitted or restricted by this Ordinance:

- a. One foot from any interior side lot line and two and one half (2.5) feet from the opposite interior side lot line.
 - b. No closer to the front or corner side lot line than the front building façade line, unless specifically allowed by this Ordinance.
 - c. No closer than four feet from any rear lot line, unless there is no access on the rear side, in which case no closer than one foot from the rear lot line.
6. Detached accessory structures are limited to 20% coverage of the lot in total. Detached accessory structures are included in and must comply with all maximum impervious surface and building coverage requirements.
7. The footprint of a detached accessory structure cannot exceed the footprint of the principal building.

B. Accessory Dwelling Units

Accessory dwelling units as defined herein are subject to the following requirements:

- 1. **Either the single-family dwelling or the accessory dwelling unit must be owner-occupied.**
- 2. **Only one accessory dwelling unit is allowed per zoning lot.**
- 3. **No additional parking is required for an accessory dwelling unit.**
- 4. **All accessory dwelling units must meet all applicable building codes.**
- 5. **Detached Accessory Dwelling Unit – Coach House.**
 - a. **Coach houses are permitted on a zoning lot used for a single-family dwelling.**
 - b. **A coach house must be located in a detached garage on the upper floor, above parking spaces located on the ground level. A detached garage with a coach house is subject to all standards of item N below, applicable to detached garages.**
 - c. **Only one dwelling unit may be located in a coach house.**
 - d. **New coach houses built after the effective date of this Ordinance must comply with the following:**
 - 1). **New coach houses must be designed to relate to the design of the single-family dwelling.**
 - 2). **New coach houses cannot exceed the height of the single-family dwelling.**
 - 3). **If located within a historic preservation district, the Historic Preservation Commission review process shall apply.**
- 6. **Detached Accessory Dwelling Unit – Ground Floor.**
 - a. **A ground-floor dwelling unit may be either a converted parking garage or a detached accessory dwelling unit on a zoning lot used for a single-family dwelling.**
 - b. **A detached dwelling unit must be less than 1,000 square feet of livable space and/or smaller than the single-family dwelling.**
 - c. **A detached dwelling unit must be located in the rear or side of a single-family dwelling and meet the dimensional requirements for an accessory structure in this section. Detached dwelling units in a side yard must be set back a minimum of five feet from the front building facade line and three feet from the interior side lot line.**
 - d. **New detached dwelling units built after the effective date of this Ordinance must comply with the following:**
 - 1). **New detached accessory dwelling units must be designed to relate to the design of the principal single-family dwelling.**

2). New detached accessory dwelling units cannot exceed the height of the single-family dwelling.

3). If located within a historic preservation district, the Historic Preservation Commission review process shall apply.

7. Attached Accessory Dwelling Units – Additions with separate entrances.

- a. Attached dwelling units are permitted on a zoning lot used for a single-family dwelling.
- b. An attached dwelling unit must be less than 1,000 square feet of livable space and/or smaller than the principal single-family dwelling.
- c. An attached dwelling unit must be located in the rear or side of a single-family dwelling and meet the dimensional requirements as a single-family dwelling found in Table 4-1: Residential Districts Dimensional Standards.
- d. An attached dwelling unit must have its own separate entrance from the single-family dwelling.
- e. Additions built after the effective date of this Ordinance must comply with the following:
 - 1). New additions must be designed to relate to the design of the single-family dwelling.
 - 2). If located within a historic preservation district, the Historic Preservation Commission review process shall apply.

BC. Awnings and Canopies (Non-Residential Uses)

Awnings and canopies for non-residential uses are subject to the following standards. Awnings and sunshades for residential uses are controlled by the provisions of Section 9.4.

1. Permitted Awnings and Canopies

- a. Awnings must be straight sheds or canopies.
- b. Awnings or canopies must be made of glass, steel, canvas, and other natural fabric.
- c. Awnings are permitted along the first floor only.
- d. Individual awnings or canopies are permitted for each storefront bay.
- e. The front extended edge should be compatible in height to others in the same block, but must maintain a minimum vertical clearance of seven feet above grade.
- f. Awnings must be constructed to discourage harborage of birds. Structural elements must be primed and painted, anodized, or powder-coated with electrostatic paint.
- g. Canopies may be supported by cables or chains affixed to the building, or supported by brackets affixed to the wall but no lower than seven feet above grade.

2. Prohibited Awnings and Canopies

- a. Slatted metal, vinyl, plastic, and other synthetic materials are prohibited.
- b. Bubbledome and arches on quarter vaults awnings and canopies are prohibited.
- c. Back-lit and internally illuminated awnings are prohibited.
- d. Use of continuous awnings or canopies across multiple storefront bays should be avoided.

CD. Amateur (HAM) Radio Equipment

1. Towers that solely support amateur (HAM) radio equipment and conform to all applicable performance criteria set forth in Section 9.5 are permitted in the rear yard only, and must be located ten feet from any lot line and any principal building. Towers are limited to the maximum building height of the applicable district plus an additional five feet, unless a taller tower is technically necessary to engage successfully in amateur radio communications and a special use approval is obtained.
2. Antennas may also be building-mounted and are limited to a maximum height of five feet above the structure, unless a taller antenna is technically necessary to engage successfully in amateur radio communications and special use approval is obtained.
3. Every effort must be made to install towers or antennas in locations that are not readily visible from adjacent residential lots or from the public right-of-way, excluding alleys.
4. An antenna or tower that is proposed to exceed the height limitations is a special use. The operator must provide evidence that a taller tower and/or antenna is technically necessary to engage successfully in amateur radio communications. In addition, the applicant must provide evidence that the tower and/or antenna will not prove a hazard and that it conforms to all applicable performance criteria of Section 9.5. As part of the application, the applicant must submit a plan showing the proposed location of the tower or antenna, as well as its relation to the principal building and accessory structures.
5. Any such antennas and/or towers owned and operated by the Village are exempt from these requirements.

DE. Apiary

Apiaries must comply with Chapter 20, Article 11 of the Village Code.

EF. Automatic Teller Machines (ATM)

Automatic teller machines (ATM) are not permitted as freestanding outdoor facilities. ATMs must be accessory to a non-residential use. Any ATMs located outdoors must be accessory to, and physically part of, a building occupied by a financial institution or in an approved drive-up facility located on the same lot as the financial institution. ATMs may be accessible by automobile as part of a financial institution, provided there are no pedestrian and vehicular conflicts resulting from the placement of the ATM.

FG. Book Exchange Box

1. Book exchange boxes are permitted in front or side corner yard only and must be located a minimum of one foot from any lot line, measured from the base of the book exchange box.
2. No book exchange box may be located so that it impedes pedestrian access or circulation, obstructs parking areas, or creates an unsafe condition. Boxes cannot obstruct the sight triangle.
3. Boxes are prohibited in the public right-of-way.
4. Each box must be designed and constructed in such a manner that its contents are protected from the elements. All media must be fully contained within a weatherproof enclosure that is integral with the structure that comprises the book exchange box.
5. Boxes are limited to a maximum height of 60 inches to the highest point on the structure, and a maximum width and depth of three feet.
6. Foundations comprised of concrete, masonry pavers, or other similar movable materials are permitted.
7. No more than one book exchange box is permitted per lot.

GH. Breezeway

Breezeways connecting a detached garage to the principal building are permitted provided that all vertical sides are no more than 25% enclosed at all times. Breezeways or canopies are not considered part of a principal building.

HI. Carport

1. A carport is permitted in the interior side or rear yard only.
2. The total length of a carport is limited to 20 feet. The height of a carport is limited to 10 feet.

3. A carport must be entirely open on at least two sides except for the necessary supporting columns and customary architectural features.
4. A carport must be constructed as a permanent structure. Temporary tent structures are not considered carports.

IJ. Chicken Coops

The keeping of chickens must comply with (*reference needed*) of the Municipal Code. In addition, chicken coops must comply with the following:

1. Chicken coops are permitted in the rear yard only.
2. No hens may be kept or raised within a dwelling.
3. The chicken coop must provide a minimum of three square feet per hen.
4. The chicken coop must be located upon an impermeable surface that prevents waste run-off.

JK. Coldframe Structures

1. Coldframe structures up to three feet in height are permitted in the interior side and rear yards.
2. Coldframe structures over three feet in height are permitted in the rear yard only.
3. Coldframe structures are limited to a maximum square footage of 60 square feet and a maximum height of six feet. When part of a community garden use, coldframe structures are permitted a maximum square footage of 120 square feet.

~~K. Coach House~~

- ~~1. Coach houses are permitted on a lot used for a single-family dwelling that is a minimum of 6,500 square feet in lot area.~~
- ~~2. A coach house must be located in a detached garage on the upper floor, above parking spaces located on the ground level. A detached garage with a coach house is subject to all standards of item N below, applicable to detached garages.~~
- ~~3. No more than one coach house is allowed per lot and only one dwelling unit may be located in a coach house.~~
- ~~4. No additional parking is required for a coach house.~~
- ~~5. New coach houses built after the effective date of this Ordinance must comply with the following:~~
 - ~~a. New coach houses must be designed to relate to the design of the principal building.~~
 - ~~b. New coach houses cannot exceed the height of the principal building.~~

L. Fences and Walls

1. Fences for Residential Uses and H District

- a. For interior lots, fences located within 35 feet of a front lot line or closer to the front lot line than the existing building, whichever is less, must be open fences and cannot exceed five feet in height.
- b. For corner lots, fences located within 35 feet of the intersection of two intersecting street lines or closer to the intersection point than the existing building, whichever is less, must meet the following requirements:
 - i. Fences must be open fences and cannot exceed five feet in height.
 - ii. In addition, when boards are used as the surface material for such fences, the boards cannot exceed five inches in width and three-quarters of an inch in thickness, and must be installed vertically to form a

flat and at least 50% open surface with no less than three and one-half inches of fence open space between each board.

c. Fences located more than 35 feet from a front lot line or behind the front of an existing building and less than 15 feet from a corner side lot line cannot exceed six feet, in height, with the exception of fences authorized by Item e below.

d. Fences located more than 35 feet from a front lot line or behind the front of an existing building and less than ten feet from a interior side lot line cannot exceed six feet in height, with the exception of fences authorized by Item e below. However, if a letter of consent by the owner of record of the adjacent property is filed with the Zoning Administrator, a fence may be erected to seven feet in height.

e. Fences located less than ten feet from a rear lot line and parallel to such lot line cannot exceed eight feet in height.

f. Fences for townhouse developments are subject to the following additional regulations:

i. Fences located along any front lot line of a townhouse development that are less than ten feet from the front lot line and parallel to such lot line is permitted up to eight feet in height without an open fence requirement, when such fence separates a street and a yard located along the front lot line, where the yard functions as a private yard for the townhouse unit.

ii. The materials used for the construction of a fence along the front lot line of a townhouse development must complement the development and require the specific approval of the Village through the fence permit process.

iii. Fences separating such individual townhouse yards from each another cannot exceed seven feet in height.

2. Fences for Non-Residential Uses

a. Fences located within 35 feet of a front lot line or closer to the front lot line than the existing building, whichever is less, must be open fences and cannot exceed five feet in height. However, open wire fencing and fences of wrought iron, steel or aluminum are permitted to a height of eight feet.

b. Fences located more than 35 feet from a front lot line cannot exceed eight feet in height.

3. General Requirements for All Fences

a. The height of a fence includes all gates and appurtenances.

b. If an open wire fence is erected, it is preferred that the fence, including gates and appurtenances, be coated with black or brown vinyl coating. Chain link and open wire fencing is prohibited in the front yard and in any portion of the corner side yard that is forward of the front building line.

c. If a fence of a greater height and/or is required to be a solid fence by any other section of this Ordinance or other Village ordinance, then such fence is permitted.

d. All fences must be maintained in a non-deteriorated and rust-free condition. Posts must be set and maintained vertically.

e. Barbed wire fences are prohibited.

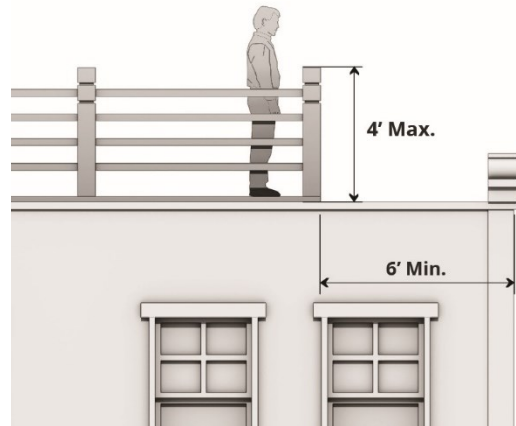
f. No spikes, nails, or any kind of pointed instrument may be installed on any railing, fence, guard, or other barrier or protection.

g. Electrical fences or any kind of electrically charged fence are prohibited.

M. Flat Roof Features

1. Accessory rooftop features of a flat roof, such as rooftop decks, rooftop gardens, and stormwater detention systems are permitted below the parapet of any flat roof building, and are excluded from the calculation of maximum building height.
2. Rooftop decks or patios must be set back six feet from all building edges.
3. Rooftop decks or patios must have a guardrail that is minimum of 30% open and a maximum of four feet in height as measured from the surface of the roof deck or patio.

ROOFTOP DECK DESIGN



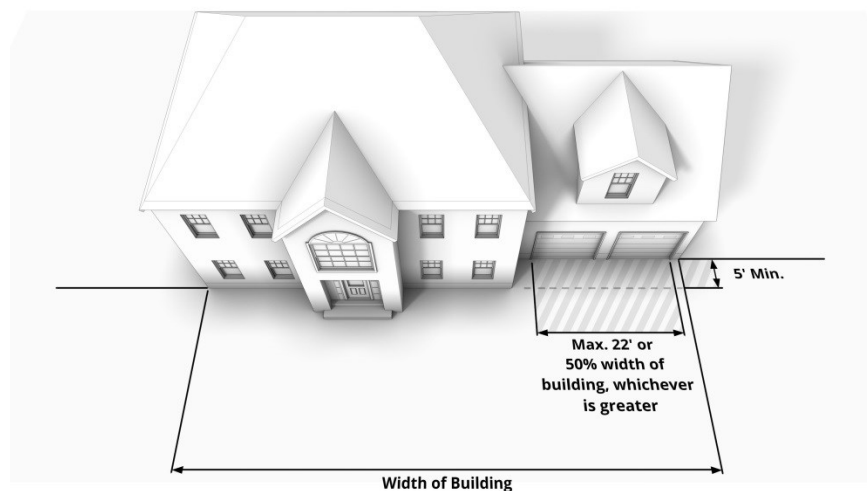
N. Garage

The following standards apply to residential garages, with the exception of multi-family dwellings.

1. Attached Garages

- a. Front-loaded attached garages are limited to 50% of the width of the front building facade line or 22 feet, whichever is greater. Garage width is measure between garage doors; in the case of garages designed with multiple garage doors, the distance is measure between the edge of the outmost doors.
- b. Attached garages must be set back a minimum of five feet from the front building wall, which excludes any architectural elements, such as bay windows or unenclosed porches.

ATTACHED GARAGE DESIGN



2. Detached Garages

- a. One detached garage is permitted per lot.

b. Detached garages are permitted in the rear and interior side yards. Detached garages must be set back a minimum of five feet from the front building facade line. No setback is required from any side or rear building façade line.

c. If a lot abuts a public alley that provides adequate access to a street, a detached garage must be constructed so that access is from the public alley.

O. Home Occupation

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

2. A member or members of the immediate family occupying the dwelling and no more than one person who is not a resident member of the immediate family may be in the home at any given time to work in connection with the home occupation.

3. Home occupations of an office or service-related businesses are limited to one client at a time per home occupation in the structure. For purposes of this section, client means one or more persons meeting with for the office or service-related business home occupation.

4. No alteration of the principal building may be made that changes the residential character of that dwelling. Displays or activities that indicate from the exterior that the structure is being used, in part, for any purpose other than that of a residence are prohibited.

5. If the home occupation is conducted entirely within the principal building, no home occupation may occupy more than 25% of the total heated floor area of the dwelling unit in which it is located.

6. If the residents of a principal building also maintain a coach house for their personal use, a home occupation is limited to no more than 25% of the combined total heated floor areas of the principal building and the coach house. The home occupation may occupy the entire coach house as long as the total floor area of the home occupation in the couch house does not exceed 25% of the combined total heated floor area of the principal building and the coach house.

7. If a coach house is occupied as an independent second residence located on the same zoning lot as the principal building, then a home occupation conducted by residents of the coach house cannot occupy more than 25% of the total heated floor area of the coach house.

8. No commodities can be sold or services rendered that require receipt or delivery of merchandise, goods, or equipment other than by a passenger motor vehicle or by parcel or letter carrier mail services using vehicles typically employed in residential deliveries.

9. The home occupation and all related activity, including storage, must be conducted completely within the principal building or a permitted accessory structure.

10. No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive, or other restricted materials may be used or stored on the site. There must be no perceptible noise, odor, smoke, electrical interference, vibration, or other nuisance emanating from the structure where the home occupation is located in excess of that normally associated with residential use.

11. Any home occupation that involves internal or external alterations, or involves construction features or the use of electrical or mechanical equipment that would change the required fire rating of the structure, is prohibited.

12. The home occupation cannot create greater vehicular or pedestrian traffic than normal for a residential area. The home-based business and any related activity must not create any traffic hazards or nuisances in public rights-of-way.

13. Use or storage of tractor trailers, semi trucks, or heavy equipment, such as construction equipment used in a commercial business, is prohibited. Day care homes are not considered a home occupation and are regulated separately by this Code.

14. The following activities are prohibited as home occupations:

- a. Repair and service of any vehicles or any heavy machinery is prohibited as a home occupation.
- b. Rental services, where any materials for rent are stored on-site and customers visit the residence to pick-up and return the product
- c. Animal care facilities
- d. Barbershops, beauty salons, nail salons
- e. Funeral homes
- f. Large-scale manufacturing
- g. Medical/dental clinics
- h. Restaurant
- i. Social club or meeting hall

P. Mechanical Equipment

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

1. Ground-Mounted Equipment

- a. Mechanical equipment is permitted in the interior side or rear yard only.
- b. For multi-family and non-residential uses, ground-mounted mechanical equipment must be screened from view by a decorative wall or solid fence that is compatible with the architecture and landscaping of a development site. The wall or fence must be of a height equal to or greater than the height of the mechanical equipment being screened.

2. Roof-Mounted Equipment

- a. For structures four or more stories in height, all roof equipment must be set back from the edge of the roof a minimum distance of one foot for every two feet by which the equipment extends above the roof.
- b. For structures less than four stories in height and for any building where roof equipment cannot meet the setback requirement of item a above, there must be either a parapet wall to screen the equipment or the equipment must be housed in solid building material that is architecturally integrated with the structure.

3. Wall-Mounted Equipment

- a. Wall-mounted mechanical equipment is not permitted on the front façade of the building or any façade of the building visible from a public street.
- b. For multi-family and non-residential uses, wall-mounted mechanical equipment that protrudes more than twelve inches from the outer building wall must be screened from view by structural features that are compatible with the architecture of the subject building.
- c. Wall-mounted mechanical equipment that protrudes less than twelve inches must be designed to blend with the primary color and architectural design of the subject building.
- d. These requirements do not apply to window air conditioning units.

Q. Outdoor Sales and Display (Ancillary)

These regulations apply only to outdoor sales and display located on the lot. Outdoor sales and display located on the public right-of-way must meet the requirements of (*reference needed*) of the Village Code.

- 1. Retail goods establishments in the non-residential districts are permitted to have accessory outdoor sales and display of merchandise. Such merchandise must be customarily sold on the premises.

2. All outdoor display of merchandise must be located immediately adjacent to the storefront and not in drive aisles, loading zones, fire lanes, or parking lots.
3. No item of merchandise may be placed within three feet of either side of an active door, or within ten feet directly in front of an active door.
4. A minimum clear width for pedestrian traffic of five feet is provided and maintained along the sidewalk.
5. No merchandise is to be displayed, stored, or otherwise left outdoors during non-operating hours of business.

R. Outdoor Storage (Ancillary)

The following uses are permitted outdoor storage: greenhouse/nursery – retail, including the growing of plants in the open, heavy retail and rental, heavy service, vehicle dealerships, vehicle rentals, vehicle operations facility, and vehicle repair/service - minor or major. The Zoning Administrator can also render an interpretation that a use not listed in this section would typically have outdoor storage and permit such use to include outdoor storage on the site. These uses are permitted ancillary outdoor storage in accordance with the following provisions:

1. No outdoor storage is permitted in any public right-of-way or located so that it obstructs pedestrian or vehicular traffic. Outdoor storage is prohibited in a required setback and in the front yard.
2. All manufacturing, assembly, repair, or work activity must take place inside an enclosed building.
3. No required parking area may be used as outdoor storage.

S. Refuse and Recycling Containers

Refuse and recycling container regulations apply only to new construction of multi-family dwellings and non-residential uses as of the effective date of this Ordinance.

1. Refuse and recycling containers are prohibited in the front or corner side yard. No dumpsters may be located on any public street.
2. All refuse and recycling containers must be fully enclosed on three sides by a solid fence, wall, or wall extension of the principal building a minimum of six feet and a maximum of eight feet in height. The wall or wall extension must be constructed as an integral part of the building's architectural design.
3. The enclosure must be gated. Such gate must be solid and a minimum of five feet and a maximum of eight feet in height. Such construction requires a building permit. This requirement does not apply to refuse containers located adjacent to an alley.
4. The gate must be maintained in good working order and must remain locked except when refuse/recycling pick-ups occur. The gate must be architecturally compatible with other buildings and structures on the site.

T. Satellite Dish Antennas

1. General Requirements

- a. Satellite dish antennas must be permanently installed on a building, in the ground, or on a foundation, and cannot be mounted on a portable or movable structure.
- b. Subject to operational requirements, the dish color must be of a neutral color, such as white or grey. No additional signs or advertising is permitted on the satellite dish itself, aside from the logos of the satellite dish service provider and/or dish manufacturer.
- c. Antennas no longer in use must be immediately removed.
- d. Every effort must be made to install satellite dish antennas in locations that are not readily visible from neighboring properties or from the public right-of-way. When located along the front building façade, a report must be submitted to the Zoning Administrator stipulating that the location on such façade is necessary for reception.

2. Additional Standards for Large Satellite Dish Antennas

Large satellite dish antennas, which are greater than one meter (3.28 feet) in diameter, are subject to the general requirements above as well as the following requirements:

- a. Large satellite dish antenna are permitted only in the rear or interior side yard, and must be set back a distance from all lot lines that is at least equal to the height of the dish, but in no case less than five feet from any lot line.
- b. Roof-mounting is permitted only if the satellite dish antenna is entirely screened from public view along the right-of-way by an architectural feature.
- c. A large satellite dish antenna must be located and screened so that it cannot be readily seen from public rights-of-way or adjacent properties. Screening includes solid fences, plant materials, and/or earth berms located to conceal the antenna and its support structure. Plants must be a minimum of five feet tall at the time of installation.

U. Solar Panels

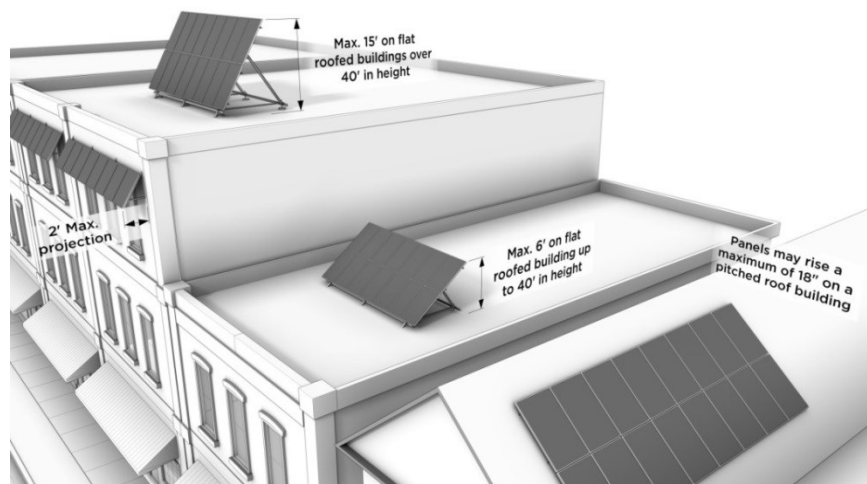
1. General Requirements

- a. A solar panel may be building-mounted or freestanding.
- b. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.
- c. Solar panels to be installed within a historic district must meet the Architectural Review Guidelines of the Historic Preservation Commission.

2. Building-Mounted Systems

- a. A building-mounted system may be mounted on the roof or wall of a principal building or accessory structure.
- b. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches.
- c. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure. Roof-mounted solar energy systems are excluded from the calculation of building height.
- d. Wall-mounted solar panels may project up to two feet from a building façade and must be integrated into the structure as an architectural feature.

BUILDING-MOUNTED SOLAR PANELS



3. Freestanding Systems

- a. A freestanding system is prohibited in the front or corner side yard.
- b. The maximum height of a freestanding system is eight feet.

4. Co-Location

Solar panels may be co-located on structures such as wireless communication towers and light poles.

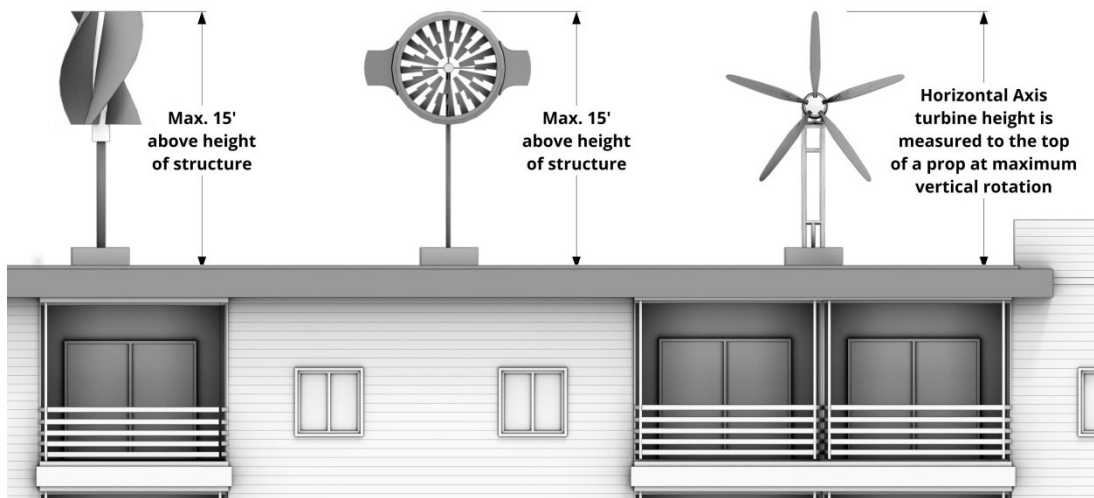
V. Tour House and House Museum

1. Tour houses and house museums are allowed as an accessory use in the residential districts as a special use. No permit may be issued for this special use unless the applicant is licensed by the Village to operate a tour house within the Village. For purposes of this section, the license is deemed to have been issued if approval of the license is given by the Village, contingent upon the issuance of the special use permit. No permit issued for this special use is transferable to a subsequent owner of the property or any other party.
2. No tour house may be located less than 500 feet from a house museum or another tour house. Special use approval is required to waive or reduce this spacing requirement and such waiver or reduction must find that reduced or waived spacing would not alter the residential character of the neighbor or have an adverse impact on surrounding properties.
3. No tour house may be open to the public more than six days per week, and no tour house may be open to the public earlier than 10 A.M. or later than 5 P.M. on any given day. The applicant must submit a plan that describes the activities of the proposed use, including the number of annual tours and the distribution of those tours throughout the days and weeks of the year.
4. No ancillary commercial operations or retail sales are permitted. However, souvenirs and mementos which portray a likeness of the tour house or some portion thereof, or convey information specifically related to the tour house as its primary content, may be sold within the tour house by the resident or owner of the tour house. A token souvenir, such as a postcard or poster, may be offered without charge by the resident or owner of a tour house to each member of the public touring the tour house. The maximum floor area within the tour house devoted to the sale of such souvenirs and mementos must be no greater than 50 square feet.
5. No food service to members of the public touring a tour house is permitted.
6. No more than 20% of the floor area of any house so designated as a house museum may be used for any purpose other than museum space accessible to the public. For the purposes of this definition, the basement and unfinished attic space of any house museum is not included either in the calculation of the total floor space of the house museum or in the calculation of the 20% of the floor space which is eligible for use for any purpose other than museum space accessible to the public.

W. Wind Turbines

1. Wind turbines may be designed as either vertical or horizontal axis turbines, or designs that combine elements of the different types of turbines.
2. Wind turbines are subject to the following height restrictions:
 - a. The maximum height of any ground-mounted wind turbine is the maximum height allowed in the district. A taller height may be allowed by special use.
 - b. The maximum height of any wind turbine mounted upon a structure is 15 feet above the height of such structure.
 - c. Maximum height is the total height of the turbine system as measured from the base of the tower. For vertical axis turbines, the maximum vertical height of the turbine blades is measured as the length of a prop at maximum vertical rotation.
 - d. No portion of exposed turbine blades (vertical access wind turbine) may be within 20 feet of the ground. Unexposed turbine blades (horizontal access wind turbine) may be within 10 feet of the ground.

WIND TURBINE DESIGN



3. Ground-mounted wind turbines are permitted only in the rear yard. No part of the wind system structure, including guy wire anchors, may be located closer than 10 feet to any lot line. The tower must be set back from all lot lines equal to the height of the system. No principal buildings may be located within this area.
4. All wind turbines must be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the wind energy system.
5. Wind turbines to be installed within a historic district must meet the Architectural Review Guidelines of the Historic Preservation Commission.

9.4 PERMITTED ENCROACHMENTS

An encroachment is the extension or placement of an accessory structure or architectural feature into a required setback. Permitted encroachments are indicated in Table 9-1: Permitted Encroachments into Required Setbacks.

- A. Section 9.3 contains regulations on additional accessory structures and architectural features not listed in Table 9-1, which may include additional permissions or restrictions for their permitted encroachment into required setbacks.
- B. Unless constructed concurrently with the principal building, accessory structures or architectural features require a building permit, unless exempted by this section.
- C. Unless otherwise indicated, all accessory structures and architectural features must meet the requirements for general accessory structures.
- D. When an attached or detached accessory structure or architectural feature regulated by Table 9-1 is permitted to locate in a required setback, it also indicates permission to locate in the corresponding yard.
- E. When an attached or detached accessory structure or architectural feature regulated by Table 9-1 is prohibited from encroaching in a required setback, the structure or architectural feature may be located in the corresponding yard beyond the required setback line unless specifically prohibited by the table.
- F. The RR District may have additional controls on permitted encroachments contained within the provisions of Section 5.4, which supersede the permissions of this Article in the case of conflict.

Table 9-1: Permitted Encroachments Into Required Setbacks Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Accessibility Ramp	Y	Y	Y	Y
Air Conditioner Ground Unit <i>Min. of 1' from interior or rear lot line</i>	N	N	Y	Y
Air Conditioner Window Unit <i>Max. projection of 18" from building wall</i> <i>No building permit required</i>	Y	Y	Y	Y
Arbor <i>No building permit required</i>	Y	Y	Y	Y
Awning or Sunshade (Residential Uses) <i>Max. of 18" into front, interior side, or corner side setback</i> <i>Max. of 5' into rear setback</i>	Y	Y	Y	Y
Balcony or Balustrade <i>Max. of 6' into front, interior side, or corner side setback</i> <i>Max. of 8' into rear setback</i> <i>Min. of 4' from any lot line</i> <i>Min. vertical clearance of 8'</i>	Y	Y	Y	Y
Bay Window <i>Max. of 5' into any setback</i> <i>Min of 2' from any lot line</i>	Y	Y	Y	Y
Canopy: Building Entrance (Residential Uses) <i>Max. of 5' into any setback</i> <i>Max. 15' width or no more than 3' extension on either doorway side, whichever is less</i>	Y	Y	Y	Y
Chimney <i>Max. of 18" into setback</i>	Y	Y	Y	Y
Deck or Terrace <i>Max. of 5' into front, corner side, or interior side setback</i> <i>Max. of 8' into rear setback</i> <i>Max. height of 5' above grade</i>	Y	Y	Y	Y
Dog House <i>Prohibited in front or corner side yard</i> <i>No building permit required</i>	N	N	N	Y
Eaves <i>Max. of 4' into setback</i>	Y	Y	Y	Y
Exterior Stairwell <i>Max. of 5' into rear or interior side setback</i> <i>Prohibited in front yard</i> <i>Min. of 1' from rear or interior lot line</i>	N	N	Y	Y
Fire Escape and Window Well <i>Max. of 3' into setback</i>	Y	Y	Y	Y
Gazebo or Pergola <i>Min. of 1' from rear or interior lot line</i> <i>Prohibited in front yard</i>	N	N	Y	Y
Greenhouse <i>Min. of 5' from any lot line</i> <i>Prohibited in front and corner side yard</i>	N	N	Y	Y
Personal Recreation Game Court <i>Prohibited in front and corner side yard</i> <i>Min. of 5' from any lot line</i>	N	N	N	Y
Playground Equipment <i>Prohibited in front and corner side yard</i> <i>Min. of 5' from any lot line</i>	N	N	N	Y
Porch - Unenclosed <i>Max. of 5' into front, interior side, or corner side setback</i> <i>Max. of 8' into rear setback</i> <i>Enclosed porches are considered part of the principal structure</i>	Y	Y	Y	Y

Table 9-1: Permitted Encroachments Into Required Setbacks Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Shed <i>Prohibited in front yard</i> <i>No building permit required for sheds without a permanent foundation</i>	N	N	Y	Y
Sidewalk <i>No min. setback from lot lines</i>	Y	Y	Y	Y
Sills, belt course, cornices, and ornamental features <i>Max. of 3' into setback</i>	Y	Y	Y	Y
Stoop <i>Max. of 3' into setback</i>	Y	Y	Y	Y

9.5 ENVIRONMENTAL PERFORMANCE STANDARDS

All uses must comply with the performance standards established in this section unless any federal, state, or local law, ordinance, or regulation establishes a more restrictive standard, in which case, the more restrictive standard applies.

A. Noise

No activity or use must be conducted in a manner that generates a level of sound as measured on another property greater than that allowed by federal, state, and local regulations, as amended from time to time. These limits do not apply to construction noises, noises emanating from safety signals or warning devices, noises not directly under the control of the owner or occupant of the property, and transient noises from moving sources, such as motor vehicles, railroads, and aircraft.

B. Glare and Heat

Any activity or the operation of any use that produces glare or heat must be conducted so that no glare or heat from the activity or operation is detectable at any point off the lot on which the use is located. Flickering or intense sources of light must be controlled or shielded so as not to cause a nuisance across lot lines.

C. Vibration

No earthborne vibration from the operation of any use may be detectable at any point off the lot on which the use is located.

D. Dust and Air Pollution

Dust and other types of air pollution, borne by the wind from sources, such as storage areas, yards, roads, conveying equipment and the like, within lot boundaries, must be kept to a minimum by appropriate landscape, screening, sheltering, paving, fencing, wetting, collecting, or other acceptable means.

F. Discharge and Disposal of Radioactive and Hazardous Waste

The discharge of fluid and the disposal of solid radioactive and hazardous waste materials must comply with applicable federal, state, and local laws, and regulations governing such materials or waste. Radioactive and hazardous material waste must be transported, stored, and used in conformance with all applicable federal, state, and local laws.

G. Electromagnetic Interference

Electromagnetic interference from any operation of any use must not adversely affect the operation of any equipment located off the lot on which such interference originates.

H. Odors

Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the public health and welfare, or which interferes unreasonably with the comfort of the public, must be removed, stopped, or modified so as to remove the odor.

I. Fire and Explosion Hazards

Materials that present potential fire and explosion hazards must be transported, stored, and used only in conformance with all applicable federal, state, and local regulations.