



**PLAN COMMISSION / ZONING BOARD OF APPEALS
AGENDA**

**Thursday, February 10, 2022
6:30 P.M.**

**Frankfort Village Hall
432 W. Nebraska Street (Board Room)**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes of January 27, 2022**
- 4. Election of Officers – Acting Chair**
- 5. Public Hearing: Village of Frankfort Zoning Ordinance Text Amendment**
Public Hearing Request: Consideration of proposed revisions to the Village of Frankfort Zoning Ordinance regarding accessory structures. (*Christopher Gruba*)
- 6. Public Hearing: Village of Frankfort Zoning Ordinance Text Amendment**
Public Hearing Request: Village of Frankfort Zoning Ordinance Text Amendments – Indoor Recreation, Indoor Entertainment, Outdoor Recreation, Outdoor Entertainment (*Mike Schwarz*)
- 7. Public Comments**
- 8. Village Board & Committee Updates**
- 9. Other Business**
- 10. Attendance Confirmation (February 24, 2022)**
- 11. Adjournment**

All applicants are advised to be present when the meeting is called to order. Agenda items are generally reviewed in the order shown on the agenda, however, the Plan Commission/Zoning Board of Appeals reserves the right to amend the agenda and consider items in a different order. The Commission may adjourn its meeting to another day prior to consideration of all agenda items. All persons interested in providing public testimony are encouraged to do so. If you wish to provide public testimony, please come forward to the podium and state your name for the record and address your comments and questions to the Chairperson.



**MINUTES
MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
JANUARY 27, 2022–VILLAGE ADMINISTRATION BUILDING
432 W. NEBRASKA STREET**

Call to Order: Chair Rigoni called the meeting to order at 6:30 P.M.

Commissioners Present: Chair Maura Rigoni, Dan Knieriem, Will Markunas, Nichole Schaeffer and Ken Guevara

Commissioners Absent: David Hogan (Lisa Hogan no longer serving)

Staff Present: Senior Planner Christopher Gruba and Community and Economic Development Department Director Michael Schwarz

Elected Officials Present: Trustee Petrow, Trustee Borrelli

A. Approval of the Minutes from January 13, 2022

Motion (#1): Approval of the minutes, as presented, from January 13, 2022

Motion by: Markunas

Seconded by: Schaeffer

Approved: (4 to 0, Guevara abstained)

B. Workshop: 330 Oregon Street – Thomas Residence

Chair Rigoni introduced the workshop. The applicants, Sarah and Ryan Thomas, are requesting four (4) variances for a tear-down and rebuild of the house located at 330 Oregon Street.

Gruba presented the case. Summarized, he stated:

- Four variances would be required for the project as submitted:
 1. Front yard setback for the primary structure at 20'8" instead of the required 30';
 2. Detached garage side yard setback at 4' instead of the required 10';
 3. Detached garage rear yard setback at 4' instead of the required 10';
 4. Driveway width approximately 5' wider than the width of the garage.
The Ordinance requires that driveways within 20' of the garage to be no

wider than the width of the garage.

- No variance is being requested for 1st floor building materials, which is unusual for a new home construction in the downtown area. The 1st floor will be entirely wrapped with white face brick. The 2nd floor will be mostly constructed of LP smart siding (a wood composite) and the roof will be mostly shingled, with a smaller portion being metal.
- Gruba provided a GIS map of all parcels along the south side of Oregon Street, noting the lot area and width of each. Also illustrated were the existing front yard setbacks for all of the existing homes, in order to compare how the proposed home would align with other homes on the street. He noted that the average front setback along the south side of Oregon Street is 30', although this number is slightly skewed because the house at 282 Oregon is set back approximately 59' due to a drainage ditch.
- The lot is 100' wide and 165' deep, which exceeds the minimum 100' wide by 150' deep requirements for the R-2 zone district.
- As proposed, the house and garage amount to a lot coverage of 19.8%, whereas 20% is permitted.
- The proposed house measures 32'9" tall, whereas 35' tall is permitted.
- In 2014, a variance was granted to create the undersized parcel at 254 Oregon Street, measuring 65' wide and 165' deep resulting in a ¼-acre lot. In 2020, three (3) variances were granted for this property to allow a house and detached garage to be constructed. The variances were to allow a lot coverage of 23.17% lot coverage whereas 20% is permitted and allow a 5' side yard setback and 7.5' rear yard setback for the detached garage, whereas 10' is required for both property lines.

During Commissioner discussion:

- Chair Rigoni invited the applicants to the podium. Ryan and Sarah Thomas approached the podium and stated that they did not have any information to add to the staff report.
- Commissioner Knieriem asked if the garage was a 2-car or 3-car garage. The applicants responded that it was a 3-car garage. He asked if there is any reason for the driveway width variance. The applicants responded that the driveway was widened to provide pedestrian access to a side door on the garage. He asked why they wanted a detached garage. The applicants responded that they looked at an option of an attached garage but decided that a detached garage would provide for better use of the yard and because the Downtown Frankfort Residential Design Guidelines recommend detached garages. He asked why they want a front yard setback. The applicants responded that they felt it would make better use of the property.
- Commissioner Markunas stated that his questions were answered.
- Chair Rigoni asked if a tree survey was done. Ryan Thomas stated that he did consult with a tree expert and several trees will need to be removed. Sarah Thomas stated that they will try to save some trees. Chair Rigoni commented that having a 3-car garage is a concern for her because it causes the need for

two of the variances. She asked what is unique about the property that would necessitate the variance requests for the garage side and rear setbacks. Rigoni noted that it would make sense if the garage were set back as proposed if it meant saving certain trees on the lot, but that doesn't appear to be the case.

- Commissioner Schaeffer stated that her questions were answered.
- Commissioner Guevara asked how the applicants would envision the garage if it was attached. Discussion ensued among the Chair and the applicants regarding other houses nearby that have attached garages.
- Chair Rigoni asked the Commissioners if they could have a dialogue about the front yard setback.
- Commissioner Markunas stated that he would like to see the house set back slightly to be more consistent with the neighboring houses along the south side of Oregon Street. He asked the other commissioners if the intent of the front yard setback is to have a consistent streetscape. The response from the Chair was yes. He asked if the applicants could move the house an additional 5 feet back (to 25' 8") from the front property line. The applicants stated that they would need to make some changes to the front porch.
- Chair Rigoni stated that she is struggling with approving a front yard setback variance for a lot that is larger than the minimum lot size and does not appear to have any unique characteristics.
- Commissioner Knieriem asked if the garage location is presently staked. Sarah Thomas responded that it is not. Commissioner Knieriem asked if they could stake out both a 2-car and a 3-car garage which would be helpful for his decision. The applicants responded in the affirmative.
- Commissioner Markunas suggested that the driveway along the side of the garage be removed and changed to paver bricks to avoid the variance for the driveway width.
- Chair Rigoni asked the applicants if they were seeking a materials variance and they responded they were not. It will have white brick on the 1st floor elevation.
- Chair Rigoni asked if anyone was present in the audience who would like to comment.
- Lara Tokarz, a neighbor directly to the west (145 S. Locust Street) stated that she has a concern about the 4' setbacks for the garage due to an existing oak tree located on her property. She noted that the root system of the oak would be damaged and may likely kill the tree. She also stated a concern about drainage if a detached garage goes back there. Currently, her rear yard gets very wet and does not drain well after a heavy rain or snowfall and was concerned that the construction of a driveway and garage as proposed would exacerbate the problem. The Commission and staff noted that all new home construction projects require a grading plan prepared by a civil engineer to ensure proper drainage on subject property, which is reviewed by the Building Department.
- Chair Rigoni summarized that the house should be pushed back to be more in line with the other houses along Oregon Street, that the detached garage should be setback per the Zoning Ordinance, and that the portion of the driveway

adjacent to the garage should be removed to comply with the driveway width requirement.

- Sarah Thomas asked what happens next if they make changes to their plans. Chair Rigoni responded.
- Senior Planner Chris Gruba stated that potential future public hearing dates are February 24th or March 10th, depending on when revisions are submitted to staff.

C. Workshop: Text Amendment – Accessory Structures

Chair Rigoni introduced the case, noting that this is the 3rd workshop held by the Plan Commission regarding accessory structures.

Gruba presented the case. He noted that the first two workshops were dedicated primarily to discussing sports courts, but that the current workshop would be focused more on all other accessory structures. Summarized, he reviewed the separate topics for accessory structures individually and the Commissioners provided responses to each topic:

Pergolas, Cabanas, Trellises, Arbors, and Gazebos:

- There was consensus to increase the maximum square footage from 144 SF to 250 SF.
- There was consensus to maintain the minimum 10' side and rear yard setbacks.
- There was consensus to maintain the 15' maximum height limitation.
- There was consensus to maintain that these accessory structure count toward both the lot coverage and impervious lot coverage regulations.
- There was consensus to maintain a minimum 10' separation distance between accessory structures and also from the primary structure (house).

Sheds:

- There was consensus to maintain the 144 square foot maximum area for sheds and this would also apply to child playhouses, outdoor fireplaces/stoves, greenhouses, laundry drying equipment and trash enclosures.
- There was consensus to maintain the minimum 10' side and rear yard setbacks.
- There was consensus to maintain the 15' maximum height limitation.
- There was consensus to maintain that sheds located only within manufactured home parks may be up to 225 square feet in size.
- There was consensus to maintain that these accessory structures count toward both the lot coverage and impervious lot coverage of the site.

Detached Garages (vehicles):

- There was consensus to adopt the proposed provision that detached garages cannot exceed the size of the footprint of the house.
- There was consensus that detached garages only within manufactured home parks cannot exceed 600 square feet.
- There was consensus that detached garages are subject to lot coverage and

impervious lot coverage regulations.

- There was consensus to maintain that only 1 detached garage shall be permitted per property.
- There was consensus to maintain that detached garage architecture must be “similar and compatible” with the primary structure (house).
- There was consensus to maintain that 4-car garages must be side-loaded.

Decks, Terraces, and Patios:

- There was consensus to maintain that these accessory structures may encroach into any required yard but shall maintain a 10’ setback from any property line.
- There was consensus to maintain that these accessory structures do NOT count toward lot coverage.
- There was consensus to maintain that these accessory structures DO count toward impervious lot coverage.
- There was consensus to add language such that if attached decks, terraces or patios are equipped with a roof, that they then become part of the primary structure and shall abide by the required setbacks and regulations for primary structures.
- There was consensus that if *detached* decks, terraces or patios are equipped with a roof, that they would be treated the same as a gazebo, pergola or cabana, which may be up to 250 square feet in size.

Mechanical Equipment (A/C, generators, pool equipment, etc.):

- There was consensus that the Ordinance shall remain silent regarding maximum size of these structures.
- Some discussion ensued regarding the side yard placement of a/c units in the downtown versus in other areas with conventional subdivisions. Chair Rigoni was concerned that if the Zoning Ordinance was amended to require a 10’ side yard setback, consistent with other accessory structures, that it may lead to many future variance requests. Commissioner Knieriem did not want to see variance applications for A/C units. Commissioner Schaeffer did not want to memorialize setback regulations for these structures, especially within the downtown due to its unique nature. Commissioner Knieriem stated that A/C units will likely not be placed any further than 1’ from the house. Commissioner Markunas asked if Gruba could invite someone from Building or Administration to address this issue at the future public hearing. Commissioner Guevara stated that most residential side yards provide enough room for these structures. Commissioner Knieriem stated that for residential requests, the PC/ZBA usually does not see the location of A/C units. It may be helpful to start seeing these illustrated on the site plans. Gruba agreed.

Pole Barns, Silos, and Other Farm Structures:

- There was consensus to add language that such structures shall only be permitted in the A-G zone district.
- There was consensus to add language that such accessory structures shall meet the setbacks required for primary structures in the A-G zone district (75’ from

front, 100' from side & rear). This reflects how staff has currently been enforcing the standards for these structures.

- There was consensus that such accessory structures shall be limited to 35' in height, which is the maximum height permitted for primary structures within the A-G zone district.
- There was consensus that such accessory structures shall count toward lot coverage and impervious lot coverage regulations.

Area Measurement:

- There was consensus to add language that all structures with walls be measured from exterior walls, to reflect staff's current interpretation.
- There was consensus to add language that all structures with posts be measured from the outside edges of the posts, to reflect staff's current interpretation.
- There was consensus to add language that all structures with an impervious pad, such as a child's playhouse, count toward impervious lot coverage, and measured at the base of the pad.

Height Measurement:

- Gruba noted that the current definition of "building height" is overly complicated and confusing and that this language should be cleaned up to reflect how staff has been interpreting the language.
- Chair Rigoni expressed agreement that the definition could change but only if it remains consistent with how staff is presently interpreting it.
- Gruba stated that it would be helpful if someone from the Building Department would be available at the public hearing to confirm how they have been interpreting building height. Planning staff does review building height as well, but there are many building permit applications that only require Building staff review.

General Regulations:

- The Commission recommended against adding a requirement that the total combined area of all accessory structures not exceed the area of the footprint of the primary structure (house). They felt that the 20% lot coverage maximum for most instances should provide enough safeguard against overcrowding on the lot.
- There was consensus adding language that accessory structures shall only be permitted within side and rear yards, except for the A-G zone district.

Other:

- There was consensus that any accessory structures not mentioned in the Ordinance shall abide by the requirements for sheds (144 SF max, 10' side and rear setbacks, etc.)
- There was consensus to maintain the regulation that driveways may not exceed the width of the garage when within 20' of the garage.
- There was consensus that regulations should not be added for balconies regarding setbacks or maximum size.

- There was consensus that flagpoles be set back at least 5' from any property line. Currently, flagpoles may be set on top of property lines for a 0' setback.

The Commission returned to the topic of sport courts to summarize the regulations proposed at the previous two workshops:

- Sports courts 650 square feet and under would be permitted by-right, but subject to specific regulations. Sports courts over 650 square feet would require a special use permit and be subject to specific regulations.
- Only one (1) sports court would be permitted per lot.
- Sports courts may only be located in the rear yard only.
- Sports courts must be set back at least 10' from side and rear property lines.
- Sports courts shall count toward the maximum impervious lot coverage regulation but shall not count toward the general lot coverage requirement pertaining to above-ground structures such as sheds and houses.
- Sports courts must be screened in the same manner as is currently required for a swimming pool.
- Sports courts shall not be illuminated.
- Sports courts shall only have one goal (basketball or otherwise).
- No appurtenances shall be over 15' tall.
- There was consensus that there should not be an overall maximum size stated in the regulations, but rather a maximum size would be determined as part of the special use permit request if over 650 square feet.
- There was discussion regarding temporary accessory structures such as hockey rinks and there was consensus that potential regulations are not being proposed at this time.

Trustee Petrow approached the podium and thanked the PC/ZBA for all the work that staff and the Commission did on this issue.

D. Workshop: Text Amendment – Indoor/Outdoor Recreation and Entertainment

Chair Rigoni introduced the case.

Schwarz presented the text amendment. Summarized, he stated:

- Staff has received instruction from Administration to amend the Zoning Ordinance regarding indoor recreation and entertainment and outdoor recreation and entertainment. He noted that several new categories would be created in the Table of Permitted & Special Uses and reviewed the individual uses proposed within each category.
- Commissioner Knieriem (?) asked if a trampoline facility could be added to “indoor entertainment”. He also asked if an “American Ninja” type obstacle course could be added as well.
- Chair Rigoni wanted to make sure that the existing “Indoor civic, cultural, religious and institutional” use which includes museums, would not conflict with any of the proposed new use categories. Schwarz responded that he will review this further to make sure that there is no conflict or overlap.

- Chair Rigoni suggested that “movie theater” also be checked for any conflict or overlap.
- A Commissioner suggested that “bowling alley” be added to the list of activities under “indoor recreation”.

Schwarz noted that both text amendments have been scheduled for public hearings at the February 10th Plan Commission meeting.

E. Public Comments - None

F. Village Board & Committee Updates

Schwarz noted that the variance requests for sports courts for 7403 Mayfield Drive and 22960 Hankins Court were tabled by the Village Board at its January 18th meeting to March 7th.

G. Other Business – None

H. Attendance Confirmation (February 10, 2022)

Chair Rigoni asked the Commissioners to notify staff if they will not be in attendance.

Motion (#2): Adjournment 8:15 P.M.

Motion by: Markunas Seconded by: Schaeffer

Unanimously approved by voice vote.

Approved February 10, 2022

As Presented _____ As Amended _____

_____/s/Maura Rigoni, Chair

_____ s/ Secretary

Memo

To: Plan Commission
From: Christopher Gruba, Senior Planner
Date: February 10, 2022
Re: Public Hearing: Text Amendment - Accessory Structures

Plan Commission workshops were held on December 9th, January 13th, and January 27th, regarding the proposed Zoning Ordinance text amendments for accessory structures. During these three meetings, the Commission discussed sports courts and then accessory structures in general. The Plan Commission feedback received during these three workshops have been incorporated into the draft text amendment language.

Staff is seeking a recommendation for approval of the proposed text amendments, which will then move forward to the Village Board for final action & codification.

Attachments:

1. **Basic** Summary of Changes (PowerPoint presentation)
2. Full List of Changes
3. Accessory Structure Variance History 2021
4. Accessory Structure Regulations Research
5. Draft Zoning Ordinance language for accessory structures (clean version, no strikeouts, with the affected sections highlighted in yellow).

Accessory Structures

Basic Summary of Changes

1

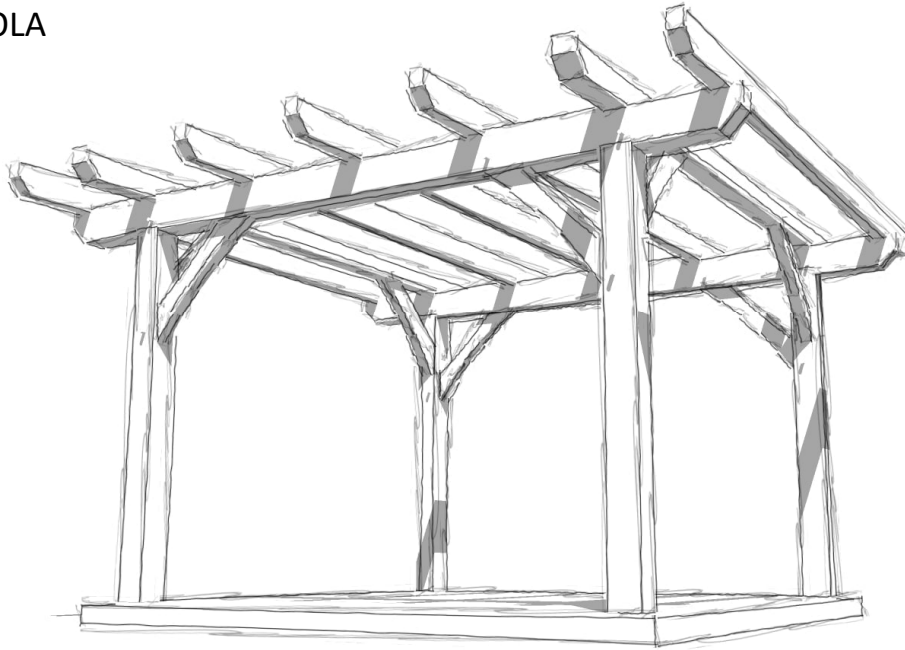
Pergolas, Cabanas, Trellises, Arbors and Gazebos

- Allow increase of size from 144 SF to 250 SF
- Maintain 10' setbacks from side & rear property lines
- Maintain 15' height
- These are typically open on multiple sides or all sides (less bulky)
- DO count toward lot coverage
- DO count toward impervious lot coverage
- Maintain 10' separation between structures and the house

2

PERGOLA

Exhibit B

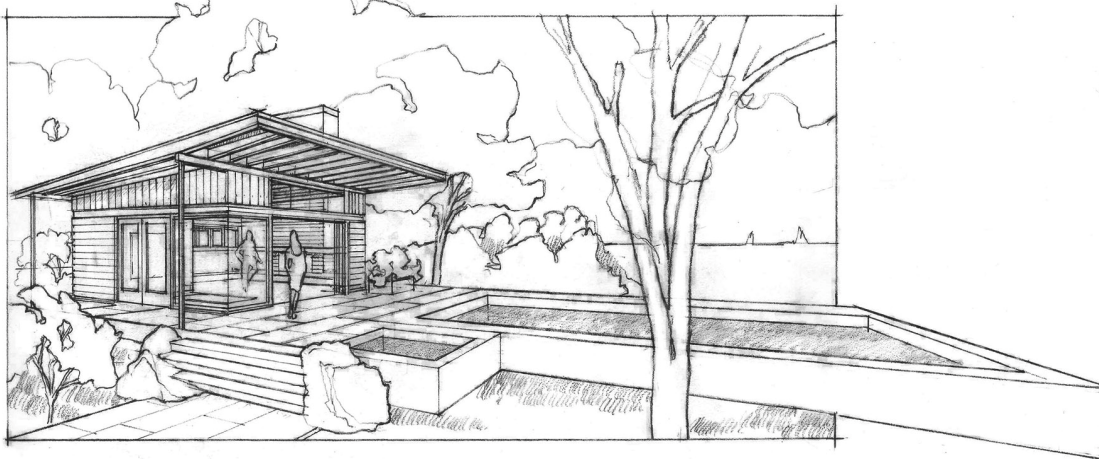


3

Type text here

POOL CABANA

Exhibit B



4

Exhibit B

ARBOR/TRELLIS

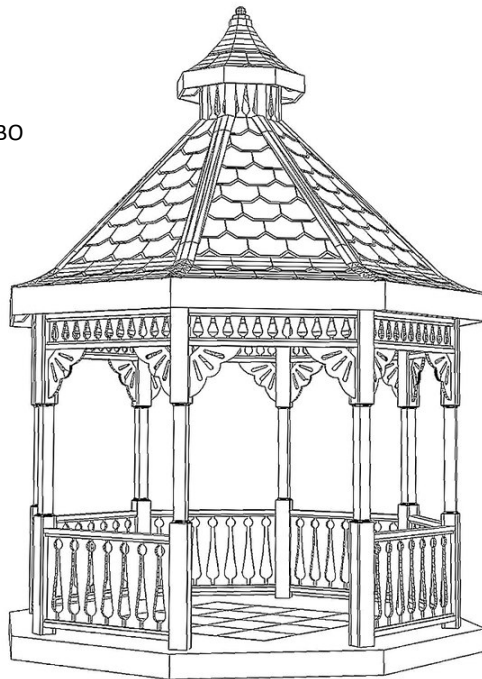


5

Type text here

Exhibit B

GAZEBO

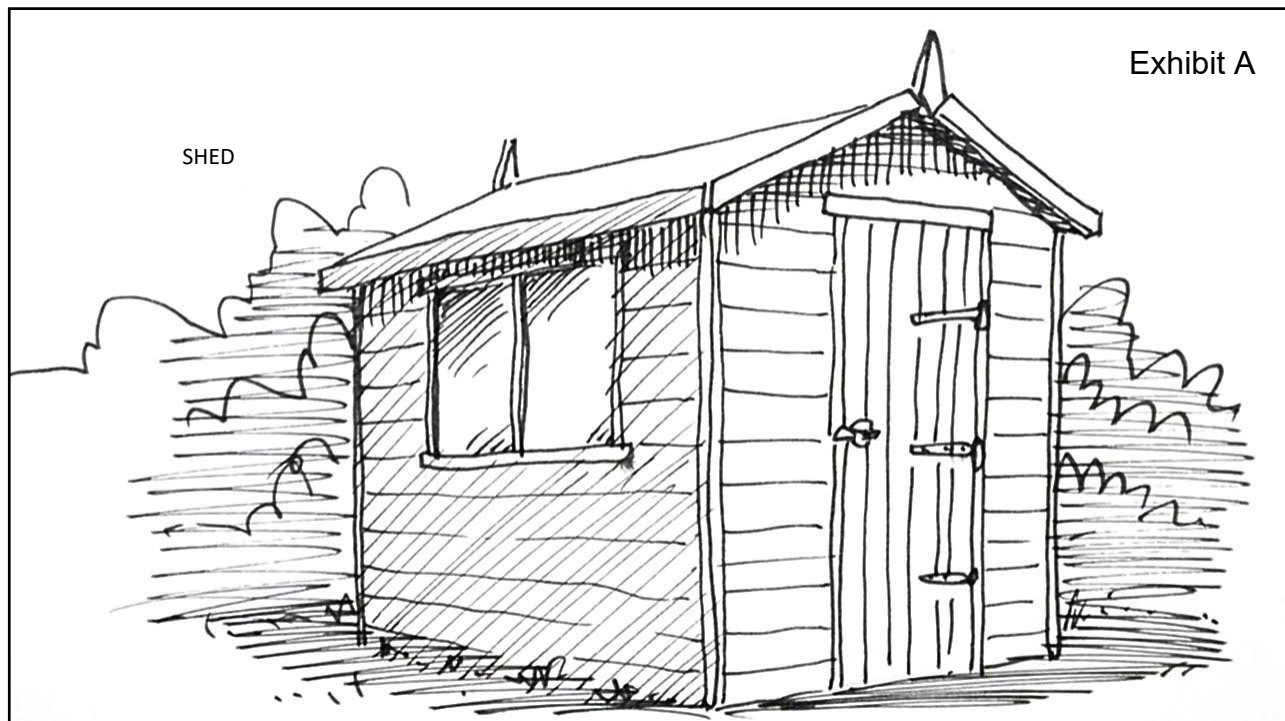


6

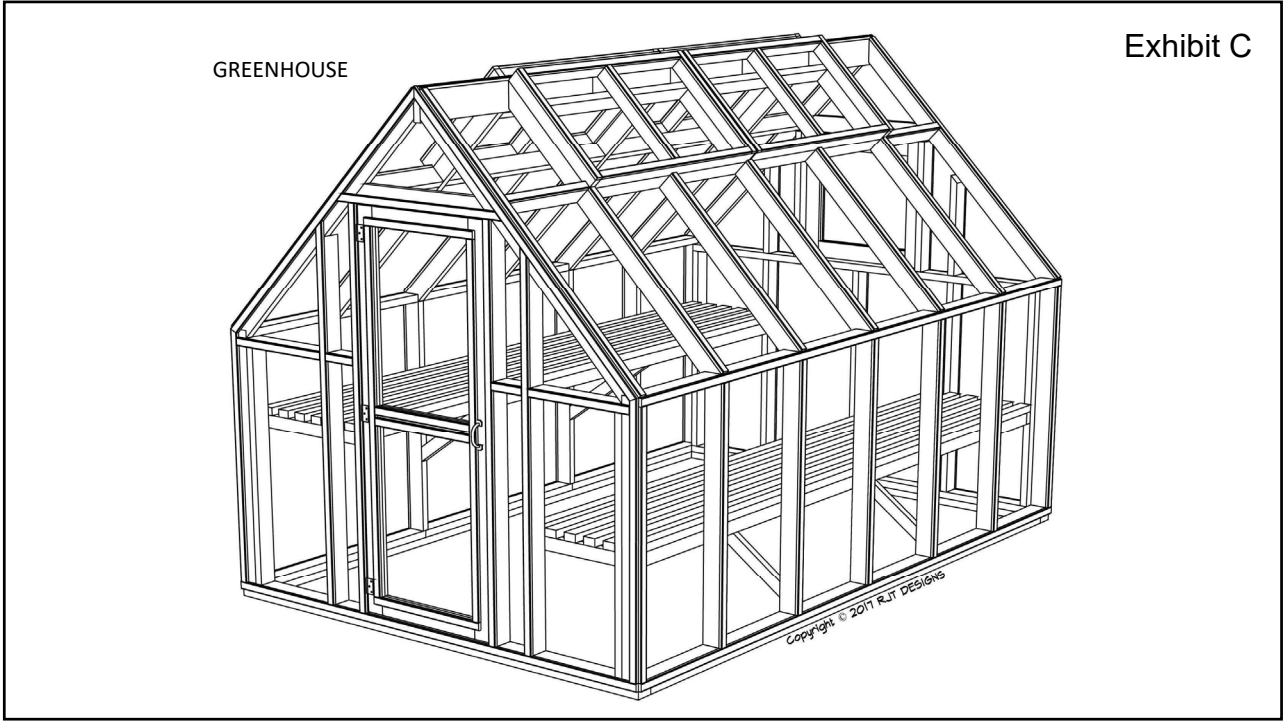
Sheds

- Maintain at 144 SF max
- Maintain 10' setbacks from side & rear property lines
- Maintain 15' height
- Same rules shall apply to child playhouses, outdoor fireplaces/stoves, greenhouses, laundry drying equipment and trash enclosures.
- Maintain that sheds can be 225 square feet in manufactured home parks
- DO count toward lot coverage
- DO count toward impervious lot coverage

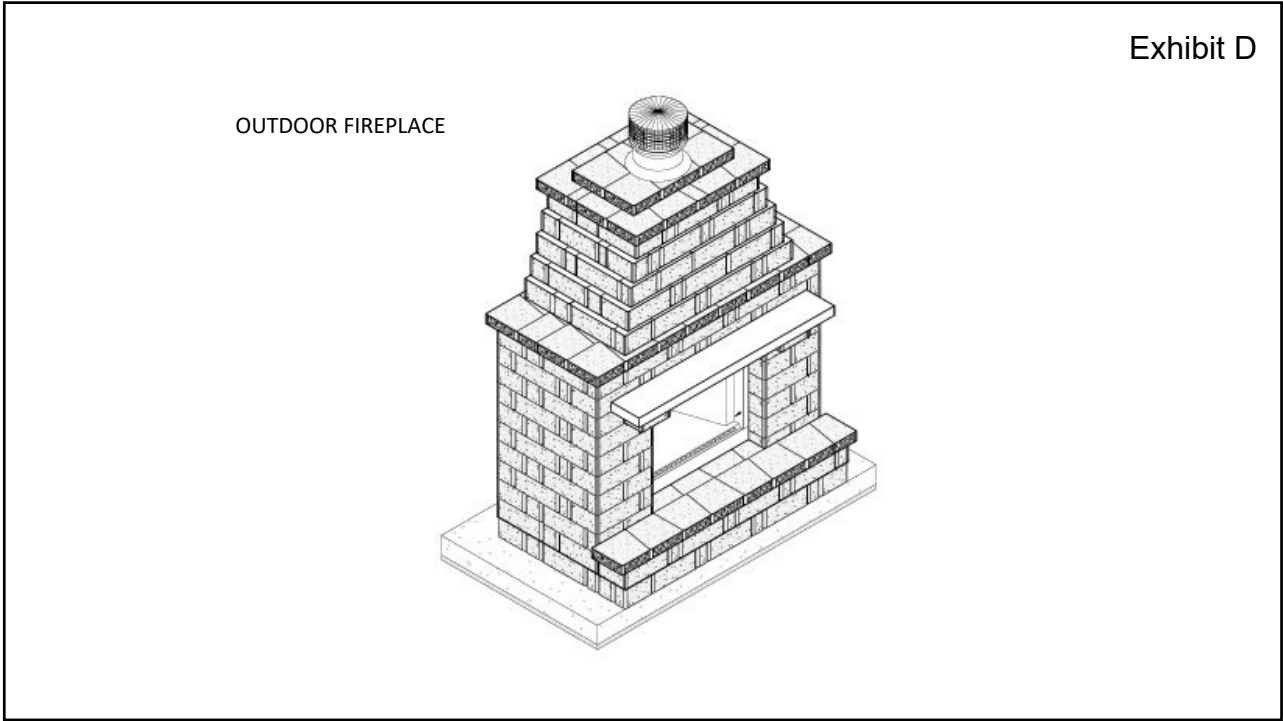
7



8



9



10

Detached Garages (vehicles)

- Adding language that detached garage cannot exceed the size of the footprint of the house.
- Maintain that detached garages in manufactured home parks cannot exceed 600 SF.
- DO count toward lot coverage
- DO count toward impervious lot coverage
- Maintain that 1 detached garage allowed per property
- Maintain that architecture must be “similar & compatible”
- Maintain that 4-car garages must be side-loaded
- Maintain that garages must be enclosed on all sides

11

Decks, Terraces & Patios

- Maintain 10’ setback from any property line (including the front)
- Do NOT count toward lot coverage
- DO count toward impervious lot coverage
- Now noted clearly that these do not have a roof (if they did have a roof, it would be considered part of the house and have to meet the house setbacks, lot coverage, etc.)

12

Mechanical equipment (A/C, generators, etc.)

- Ordinance will remain silent regarding max size and placement
- ~~Must now abide by 10' side & rear setbacks~~
- ~~DO NOT count toward lot coverage (no roof)~~
- ~~DO count toward impervious lot coverage (concrete pad)~~

13

Pole barns, silos, other farm structures

- Adding “only permitted in the A-G zone”
- Adding language that they must meet the setbacks for primary structure, which is how it's currently enforced (75' front, 100' side & rear)
- Adding language that they cannot exceed 35' tall (a variance would be required for a silo, but this is to avoid new cell towers masquerading as silos)
- DO count toward lot coverage
- DO count toward impervious lot coverage

14

Area Measurement

- Add language that structures with walls are measured from the exterior walls
- Add language that structures with posts are measured from outside edges of posts
- Add language that structures with pads (A/C units, kids playhouses) the pad is measured to calculate impervious lot coverage

15

Height Measurement

- Clarified the existing definition of “Building Height”. Currently very confusing. Deleted the definition of “Height, Maximum” because it conflicts with “Building Height” and is redundant.
- Existing Definition: *The vertical distance measured from the sidewalk level or the established grade at the curb, opposite the middle of the front of the building, to the highest elevation of the roof. However, where buildings are set back from the street lines, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.*
- Proposed Definition: *Primary structure: The vertical distance measured from the building top of foundation to the highest elevation of the roof at the front façade of the building. Accessory Structure: The vertical distance measured from the top of foundation to the highest point on the structure.*

16

General Regulations

- ~~Adding that the Gross Floor Area of all accessory structures shall not exceed the area of the footprint of the house (except in A-G)~~
- Adding that any accessory structure attached to the house becomes part of the house and must abide by the house setbacks.
- Maintain that accessory structures only allowed in side & rear yards but adding exception for farm structures on A-G land.

17

Other

- If there are any other type of accessory structure we haven't thought of, the 144 SF max will apply.
- Driveways: Maintain that driveways not be wider than the garage (this was removed from definitions, but is already stated elsewhere in code)
- Dog runs: Maintain current language (only in rear yard, set back 10' from any property line). If trash enclosures are used like a dog run, it would be a code enforcement issue.

18

Other (cont.)

- ~~Balconies: Add that balconies shall not project more than 6' into a required yard (could extend to 0' setback as written now)~~
- Flagpoles: Now must be set back at least 5' from any property line (instead of 0'). 5' is the current landscaping setback for homes.

19

Sports Courts - summarized

- 650 SF and under = permitted by-right
- Over 650 SF = Special Use Permit required
- Only 1 permitted per lot
- Located in rear yard only
- Setback 10' from side and rear property lines
- Shall count toward impervious lot coverage but not lot coverage
- Shall be screened exactly the same as a pool
- No illumination
- Only 1 basketball goal
- Nothing over 15' tall

20

Sports Court – Proposed Definition

- *An outdoor hard-surface court located in a residential zone district designed for athletic purposes. Temporary or permanent goals located adjacent to a hard surface shall constitute a sports court, except as noted in Article 1, Section I, Part 1, (c).*
- a. Residential sports courts shall include, but not be limited to:*
 - 1. Tennis courts*
 - 2. Basketball courts*
 - 3. Volleyball courts*
 - 4. Shuffleboard courts*
 - 5. And similar courts*

21

Sports Court screening (same as for pools)

- *If the fencing provided is anything other than solid fencing, the **sports court** shall be effectively screened from view from outside the lot by densely-planted compact trees or hedges, providing at least fifty percent opacity when viewed between two (2) feet and five (5) feet above ground.*

22

Sports Courts – Maximum Size

- ~~Should size be determined by 3% of the lot area, not to exceed 1,000 SF?~~
~~Or should anything larger than 650 SF be part of the Special Use Permit review and the appropriate size determined by the PC and VB?~~
- **Max size determined by:**
 - 650 SF limitation (anything larger than that would require an SUP and max size determined at that time)
 - Rear yard only
 - Impervious lot coverage (E-R: 30%, R-1: 35%, R-2+: 40%)
 - Setbacks from property lines (10')

February 10, 2022

Full List of Changes – Accessory Structures (including sports courts)

- **Article 1, Section I (Permitted Encroachments into Required Yards)**
 - Noted that basketball hoops attached to the garage or adjacent to the driveway are only permitted in residential districts only. As currently written, they could be placed in any zone district driveway or garage, by-right.
 - Decks, terraces and patios can encroach into any residential required yard but shall not be closer than 10' to any property line. Added wording that this applies only to decks, terraces & patios that are “unenclosed/no roof”.
 - Decks, terraces and patios can encroach into any non-residential required yard but shall not be closer than 25' to the front/corner side property line and 10' from side/rear property lines. Added wording that this applies only to decks, terraces & patios that are “unenclosed/no roof”.
 - Noted that dog runs are only allowed in residential zone districts. The regulations are unchanged that they must be in rear yards and at least 10' away from any property line.
 - Added requirement that flagpoles must be set back at least 5' from any property line. Currently, they can be placed ON any property line.
- **Article 5, Section B (Land Use Table)**
 - Added line for Home Occupations – permitted by-right within any residential zone district.
 - Added line for Sports Courts, 650 SF and less: permitted by-right within any residential zone district subject to the requirements of §5.C.40.
 - Added line for Sports Courts, over 650 SF: require special use permit within any residential zone district subject to the requirements of §5.C.40.
- **Article 5, Section C (Use Standards)**
 - Relocated Home Occupation section to this section (Part 39)
 - Created regulations for Sports Courts (Part 40)
- **Article 5, Section D (Accessory Uses & Structures)**
 - Clarified existing accessory structure regulations, no change in how regulations have historically been interpreted and enforced
 - Added regulations:
 - General Regulations:
 - Pole barns, silos and other accessory farm structures only permitted in the A-G zone district.
 - Any structure with a roof attached to the primary structure becomes part of the primary structure.
 - Accessory structures shall be located behind the front facade of the primary structure (usually a house), except in the A-G zone district.
 - Accessory structures in the A-G zone district must abide by the required setbacks for the primary structure.

- Accessory structure size regulations grouped into specific categories:
 - Arbors, Trellises, Pergolas, Gazebos and Pool Cabanas: 250 SF max
 - Sheds, playhouses, outdoor fireplaces and stoves, greenhouses, laundry drying equipment, trash enclosures and similar structures: 144 SF max (same)
 - Detached garages in manufactured home parks: 600 SF max (same)
 - Detached garages not in manufactured home parks: Cannot exceed size of the primary structure.
 - Height:
 - All accessory structures shall not exceed 15' tall (same), except for in the A-G zone where they can be up to 35' tall (same as primary structure).
 - Added clear language as to how accessory structure area is measured, reflecting how the Village has interpreted the Ordinance
- **Article 6, Section B, Part 1, Table of Density, Dimensions and other Standards for Residential Districts**
 - Clean up: moved existing front yard setback requirements for landscaping and setback requirements from Arterials and Route 30 to the "Front Yard" line item. They were under the "Rear Yard" heading, which was an error.
- **Article 7, Section G, Part 1:**
 - Created a new section for Fences & Walls (all regulations staying the same). Fences & Walls were in the accessory structure section, but they don't act like or abide by typical accessory structure regulations (do not abide by lot coverage, impervious coverage, setbacks, height, materials, etc.). It's more common to see a separate section for Fences & Walls.
- **Article 12: Definitions**
 - Accessory Structure or Use: Created better definition and listed many by name. Added definition for shed. Also included non-copyrighted sketches of accessory structures here for further clarification.
 - Balcony: Added language that balconies are located above the 1st floor.
 - Building Height: Cleaned up the existing, very confusing definition to reflect past practice by the Village.
 - Driveway: Cleaned up definition. The regulation that driveways can't be wider than the width of the garage is noted elsewhere in code. As a general practice, the Definitions section should not contain regulations.
 - Height, Maximum: Deleted this definition since it conflicts with the definition for "Building Height" and is unnecessary.
 - Impervious Surface, Impervious Coverage: Created better definition and listed many by name.
 - Lot Coverage: Cleaned up definition to reflect past practice by the Village.
 - Sports Courts, residential: Added definition and included examples of such.

Accessory Structure Variance History 2021

PC Date	Address	Structure	Size Requested	Size Approved
6/24/21	11258 York Drive	Pool Cabana	360	240
6/24/21	10650 Yankee Ridge	Pool Cabana	288	255
10/14/21	11195 Siena Drive	Pergola	215	215
10/28/21	7403 Mayfield	Sports Court (proposed)	1363	
11/18/21	22960 Hankins Court	Sports Court (existing)	625	
Future	10677 Yankee Ridge	Pool Cabana	360	
Average			288	237

Accessory Structure Regulations
(for detached garages sheds in residential districts)

Municipality	Dependent on Zoning District/Lot Size	Number Permitted	Maximum Area	Maximum Height	Minimum Side Yard Setback	Minimum Rear Yard Setback
Frankfort	No	Not specified; lot coverage	144 sq. ft.	15 ft.	10 ft.	10 ft.
Mokena	Yes	SUP req. for more than 1	Not specified; lot coverage	15-20 ft.	5-20 ft.	5-40 ft.
Tinley Park	No	1, but 2 on large lots (over 15,000 sq. ft. & 90 ft. width)	720 sq. ft.	18 ft.	5 ft.	5 ft.
New Lenox	No	Not specified; lot coverage	180 sq. ft.	15 ft.	5 ft.	5 ft.
Monee	No	Not specified; lot coverage	Not specified; lot coverage	Not specified	Not specified	Not specified
University Park	No	Not specified; lot coverage	Not specified; lot coverage	13 ft.	5 ft.	5 ft.
Richton Park	Yes	Not specified; lot coverage	Not specified; lot coverage	12-14 ft.	4-5 ft.	5 ft.
Matteson	Yes	Not specified; lot coverage	Not specified; lot coverage	14 ft.	10 ft.	5 ft.
Will County	Yes	Not specified; lot coverage	1200-3000 sq. ft.	25 ft.	5-20 ft.	5 ft.

Section I: Permitted Obstructions in Required Yards

Part 1:

- a. Air-conditioning units, window-mounted: Permitted within any required yard, not to exceed more than two (2) feet into the yard. *(unchanged)*
- b. Balconies, open: Permitted within any required yard. *(unchanged.)*
- c. Basketball goal in residential districts only: Permitted within any required yard. Limited to one pole-mounted or garage-mounted goal. Shall be set back at least five (5) feet from any property line. If pole-mounted, goal shall be located within the driveway pavement area. *(added “in residential districts only”)*
- d. Cantilevered elements: Permitted within any required yard, not to exceed more than two (2) feet into the yard. (Am. Ord 2360, passed 1.25.07) *(unchanged)*
- e. Chimneys: Permitted within any required yard, not to exceed more than two (2) feet into the yard. (Am. Ord. 2839, passed 4.29.13) *(unchanged)*
- f. Decks, Terraces and Patios (unenclosed, no roof) in residential districts only: Permitted within any required yard but shall be set back at least ten (10) feet from any property line. *(changed wording from “open” to “unenclosed, no roof” for clarity)*
- g. Decks, Terraces, and Patios (unenclosed, no roof) in non-residential districts only: Permitted within any required yard but shall be set back at least twenty-five (25) feet from any front or corner side property line and at least ten (10) feet from any other property line. *(changed wording from “open” to “unenclosed, no roof” for clarity)*
- h. Enclosed dog runs, in residential districts only: Permitted within the required rear yard only and shall be set back at least ten (10) feet from any property line. *(added “in residential districts only”)*
- i. Fences: Permitted within any required yard, subject to the regulations set forth in Article 7, Section G, Part 1. *(unchanged)*
- j. Flagpoles: Permitted within any required yard but shall be set back at least five (5) feet from any property line. *(added the 5’ min setback requirement, because as written it could be set back 0’)*
- k. Ramps for use by persons with disabilities: Permitted within any required yard, subject to the design requirements set forth by the Americans with Disabilities Act of 1990. *(unchanged)*
- l. Residential wing walls: Permitted within any required yard, not to project more than two (2) feet into the yard. (Am. Ord. 2495, passed 8.4.08) *(unchanged)*

Section J: Bulk Regulations for Public Utility Facilities

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Outdoor storage except uncontained materials (Am. Ord. 2495, passed 08.04.08)						S				S			S	P		
Outdoor storage of un-contained bulk materials (Am. Ord. 2495, passed 08.04.08)						S								S		
Planned unit development	S	S	S	S	S		S	S	S	S	S	S	S	S	S	
Home Occupations, associated with permitted uses	P	P	P	P	P	P	P									5.C.39
Sports court, residential, associated with permitted uses (650 square feet and smaller)	P	P	P	P	P	P	P									5.C.40
Sports court, residential, associated with permitted uses (larger than 650 square feet)	S	S	S	S	S	S	S									5.C.40

Part 38: Vacation Rental

(Am. Ord. 3229, passed 09.20.21)

A Vacation Rental shall be operated in accordance with the following:

- a. Maximum occupancy shall be reviewed on a case-by-case basis but in no instance shall exceed ten (10) guests per Vacation Rental.
- b. There must be at least 100 square feet of gross interior floor area for each guestroom. Kitchens, bathrooms, hallways, closets and other areas not defined as a bedroom under the International Property Maintenance Code, or other applicable code adopted by the Village, are not considered habitable rooms for sleeping purposes.
- c. No Vacation Rental shall be located on a lot closer than 250 feet from any other lot containing a Vacation Rental.
- d. New construction, additions, or remodeling must be in keeping with a residential character and is subject to review by the Village of Frankfort Historic Preservation Commission.
- e. In addition to any other requirements posed by the Village of Frankfort Fire Department, or other applicable code adopted by the Village, each guestroom must contain at least one hard wire smoke detector and carbon monoxide detector.
- f. A Vacation Rental may only be operated with a properly issued vacation rental license as provided for in the Code.

Part 39: Home Occupations

It is the intent of this section to allow as home occupations only those uses that conform to the standards of this Section. In general, a home occupation is an incidental and secondary accessory use in the AG, E-R, R-1, R-2, R-3, or R-4 Districts, so located and conducted as to not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part. The standards for home occupations are intended to ensure compatibility with other permitted uses and the residential character of the neighborhood, and to maintain the subordinate and incidental status of the home occupation.

- a. Permitted Home Occupations. Any home occupation, as defined in Article 12, that is incidental and subordinate to the principal residential use of a building, shall be permitted in any dwelling unit, except those which are specifically prohibited under this Ordinance, and meets the regulations outlined in paragraph (c) below.
- b. Limitations. Home occupations shall be operated in conformance with the following:
 1. All employed persons must be related, with the total number of employees not to exceed three (3).
 2. The use of the dwelling unit for the home occupation or home office shall be clearly incidental and secondary to its use for residential purposes.
 3. No more than twenty-five (25) percent of the livable floor area of the dwelling unit shall be used in the conduct of the home occupation or home office.

4. No outside display, storage, or use of land is permitted.
 5. No signage shall advertise the presence or operation of home occupation.
 6. There shall be no manufacturing or processing of any sort.
 7. No wholesale, jobbing or retail business shall be permitted unless it is conducted entirely by mail or telephone and does not involve the receipt, sale, shipment, delivery or storage of merchandise on or from the premises, provided, however, that articles produced by members of the immediate family residing on the premises may be sold from and stored upon the premises.
 8. There shall be no interior or exterior alteration of the principal residential building which changes the residential character thereof as a dwelling.
 9. The home occupation shall be conducted entirely within the principal residential building and shall not be visible from any existing dwelling on any adjacent lot.
 10. No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
 11. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and in no case shall traffic volume be created by the home occupation greater than ten (10) trips per day in any one day, including deliveries.
 12. Deliveries are limited to a maximum of two (2) per day, and are not to be conducted by a vehicle that exceeds a useful load of one ton. (Am. Ord. 1887, passed 04.15.02)
 13. Parking generated by the conduct of such home occupation shall be met by the off-street parking regulations, and be located in areas other than a required yard.
 14. No home occupation shall cause an increase of more than ten percent (10%) in the use of any one or more utilities (water, sewer, electrical, telephone, garbage, etc.) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood.
- c. Particular Home Occupations Permitted. Customary home occupations include, but are not limited to, the following list of occupations, provided, however, that each listed occupation shall be subject to the requirements of this Part 5.
1. Dressmakers, seamstresses and tailors

2. Music teachers, with regular instruction, limited to one pupil at a time, except for occasional groups
 3. Artists, sculptors and authors or composers
 4. Office facilities for architects, brokers, engineers, lawyers, insurance agents and members of similar professions
 5. Offices of duly ordained leaders of a religious or spiritual community
 6. Office facilities for real estate and other sales representatives and manufacturers' representatives, when no retail or wholesale transactions are conducted on the premises
 7. Home crafts, such as model-making, rug-weaving, lapidary work, handcraft-woodworking, provided however, that no machinery or equipment shall be used or employed, other than that which would customarily be incidental to residential occupancy. Such machinery or equipment shall include that which would customarily be employed in connection with a hobby or a vocation not conducted for gain or profit
 8. Telecommuting for an outside employer, company or organization.
- d. Particular Home Occupations Prohibited. The following uses, by the nature of the investment or operation, have a pronounced tendency, once started, to rapidly increase beyond the limits permitted for home occupations, and thereby substantially impair the use and value of a residentially zoned property for residential purposes. Therefore, the uses specified below are prohibited in residential zones:
1. Barber shops, beauty shops and nail salons performing any personal service related to the betterment of physical appearance with more than 2 service stations (including but not limited to chairs, sinks, dryers, etc), unless specifically permitted by the district regulations
 2. Dancing schools with more than five pupils in attendance at any given time
 3. Funeral homes and mortuaries
 4. Restaurants
 5. Tourist homes and lodging houses, unless specifically permitted by the district regulations
 6. Private clubs
 7. Repair shops or service establishments, except the repair of electrical appliances, typewriters, cameras or other similar small items

8. Photo developing
9. Renting of trailers
10. Medical or dental offices, clinics or hospitals
11. Animal kennels, animal grooming, or hospitals
12. Auto repair and tune-up facilities
13. Catering or other food preparation businesses
14. Rooming houses
15. Sale of firearms and ammunition
16. Stables or kennels
17. Antique shops or sales
18. Home day care centers or preschools.

Part 40: Sports Courts, residential (New part)

In general, a sports court is an incidental and secondary accessory use in the E-R, R-1, R-2, R-3, R-4, A-G and H-R Districts, so located and conducted as to not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part. The standards for sports courts are intended to ensure compatibility with other permitted uses and the residential character of the neighborhood, and to maintain the subordinate and incidental status of the sports court.

- a. Limitations. Sports courts shall be operated in conformance with the following:
 1. One (1) sports court is permitted per lot.
 2. Sports courts shall be located in the rear yard only.
 3. Sports courts shall be set back at least 10' from any side or rear property line.
 4. Total impervious coverage of the lot shall not exceed the limitations of the zoning district as defined in Article 6;
 5. Screening: If the fencing provided is anything other than solid fencing, the sports court shall be effectively screened from view from outside the lot by densely-planted compact trees or hedges, providing at least fifty percent opacity when viewed between two (2) feet and five (5) feet above the ground.
 6. Sports courts shall not be illuminated.

7. No more than 1 goal, basketball or otherwise, are permitted per sports court.
8. No appurtenances shall exceed fifteen (15) feet in height.

Section D: Accessory Uses and Structures

Part 1: General Requirements

- a. Accessory uses and structures, as defined in Article 12, are permitted in the E-R, R-1, R-2, R-3, R-4, H-R and A-G districts. Accessory uses and structures, as defined in Article 12, are permitted in the H-1 zone district when the property is used for single-family residential.
- b. Accessory uses and structures, as defined in Article 12, in the B-1, B-2, B-3, B-4, O-R, I-1, I-2 and H-1 when the property is not used for single-family residential, must be approved during the site plan review process (as described in Article 3, Section H).
- c. Residential accessory uses and structures shall not involve the conduct of any business, trade, or industry.
- d. Accessory uses and structures must be in connection with a principal use which is permitted within such district.
- e. Each accessory structure and use shall comply with the use limitations applicable in the zoning district in which it is located.
- f. No accessory structure shall be constructed or occupied on any lot prior to the completion of the principal structure to which it is an accessory.
- g. Pole barns, silos and other accessory farm structures shall be permitted only within the A-G zone district.
- h. Any structure with a roof and attached to the primary structure shall be considered part of the primary structure and shall abide by the requirements for primary structures in that zone district.

Part 2: Bulk Regulations

- a. Location:
 1. Accessory structures shall only be permitted within side and rear yards only, except within the A-G zone district.
 2. Accessory structures shall be located behind the front façade of the primary structure, except within the A-G zone district.
 3. Accessory structures shall be set back at least ten (10) feet from any lot line, except for the A-G zone district, in which they must meet the required front, side and rear setbacks for the primary structure.

4. Accessory structures shall maintain a separation minimum distance of ten (10) feet between other accessory structures and from the primary structure.

b. Size:

1. Accessory structures, including arbors, trellises, pergolas, gazebos and pool cabanas shall not exceed two hundred fifty (250) square feet in size.
2. Accessory structures, including sheds, child playhouses, permanently affixed outdoor fireplaces and stoves, greenhouses, laundry drying equipment and trash enclosures shall not exceed one hundred forty-four (144) square feet in size. Sheds within manufactured home parks shall not exceed two hundred twenty-five (225) square feet in size.
3. Detached garages in manufactured home parks shall not exceed six hundred (600) square feet.
4. Detached garages not located in manufactured home parks shall not exceed the size of the primary structure, except within the A-G zone district.
5. All other accessory structures not specifically listed within this subsection shall not exceed one hundred forty-four (144) square feet in size.
6. Each accessory structure and use shall otherwise comply with the bulk regulations applicable in the district in which it is located, including maximum lot coverage, maximum impervious coverage and maximum rear yard coverage (Article 6, Section B, Part 1).

c. Height:

1. All accessory structures, except farm structures including pole barns, silos and similar structures, shall not exceed fifteen (15) feet in height.
2. Accessory farming structures shall not exceed thirty-five (35) feet in height.

d. Measurement of area:

1. For structures that have walls, measurement shall be made from the exterior walls.
2. For structures that have posts but no walls, measurement shall be made from the exterior edges of the posts.

Part 3: Garage Provisions

- a. A maximum of one (1) detached garage per zoning lot is permitted.

- b. All garages greater than three-cars in size must be side-loaded in orientation and driveways shall have a minimum 26' turning radius.
- c. Architecture of garages shall be similar and compatible to the primary structure, including building materials and the roof pitch.
- d. All garages must be constructed as enclosed buildings.
- e. All garages must be constructed on a concrete pad.

Part 4: Recreational Equipment/Vehicle and/or Construction/Commercial Equipment Provisions

- a. Outdoor parking of recreational equipment/vehicle and/or construction/commercial related vehicles, provided that:
 - 1. If the owner is actively involved in maintenance, loading or unloading the equipment, it may be parked on a residential driveway, however duration does not exceed forty-eight (48) hours;
 - 2. The Code Official may issue a Special Permit for out-of-town visitor parking for Recreational Vehicles parked on a driveway for a period not to exceed fifteen (15) days. Not more than six (6) such permits may be issued in any calendar year;
 - 3. Equipment/vehicle is parked on an approved paved surface;
 - 4. No part of storage area for vehicles is located in any required front, side, or rear setback, as defined by the provisions of this Code;
 - 5. The front of the vehicle does not extend in front of the front façade of the primary structure;
 - 6. Construction or commercial vehicles or equipment are not loaded or containing product or material, unless wholly enclosed or actively involved in a project within the lot;
 - 7. Vehicle does not exceed an empty weight of four (4) tons or height in excess of ninety (90) inches;
 - 8. Equipment/vehicle is screened from view from the public street by a fence or landscaping.

Part 5: Swimming Pool Provisions

- a. Fencing. Every outdoor swimming pool, whether above ground or level with the ground, having a maximum depth of over two (2) feet, shall be completely surrounded by a fence not less than four (4) feet, nor more than five (5) feet in height. A building, existing wall,

or pool wall may be used as part of such enclosure as long as the barrier requirements are met as required by the building code. Such required fence shall comply with all requirements of other Village ordinances pertaining to fences, and the provisions of this Section shall not be construed to require or permit any fence heights greater than permitted by such other ordinances. (Am. Ord. 1887, passed 04.15.02) (Am. Ord. 2230, passed 10.17.05)

- b. Gates or Doors. All gates or doors opening through the required fence shall be designed for security, in accordance with the Building Code of the Village of Frankfort.
- c. Screening. If the fencing provided is anything other than solid fencing, the pool shall be effectively screened from view from outside the lot by densely-planted compact trees or hedges, providing at least fifty percent opacity when viewed between two (2) feet and five (5) feet above ground.
- d. Setback Requirements. All outdoor swimming pools are considered accessory structures, and shall meet minimum setback requirements, in addition thereto, shall be set back an additional two (2) feet for each one (1) foot of structure height exceeding five (5) feet. For the purpose of this section, the words "structure height" shall include any railings or other projections above the pool surface.
- e. Water Discharge. The water discharged from a swimming pool shall be drained into the sanitary sewer or storm water system, as approved by the Village.

Part 6: Other Provisions

- a. One parabolic satellite dish-type antenna per zoning lot, which is not more than two (2) feet in diameter. All roof-mounted antenna shall not exceed the maximum building height permitted in that zoning district. All satellite antenna facilities shall be located away from the street right-of-way, or otherwise screened from view from any street by an opaque fence, wall, or hedge of a minimum of 6 feet in height. (Am. Ord. 1887, passed 04.15.02) All ground-mounted antenna shall abide by the regulations for a typical accessory structure.
- b. Storage of wood or any other combustible material which could be used in fireplaces, stoves or any other equipment for heating are not to exceed five (5) cords per zoning lot, one (1) cord being a cubic area of 128 cubic feet (4' x 4' x 8'). Firewood shall be used exclusively by dwelling occupants and stored in the rear yard. Material must be stacked in rear yard in cord measurements and must be a minimum of four (4) inches off the ground. No storage is permitted within the 100-year flood zone as defined by FEMA Maps.

Part 7: Prohibited Accessory Uses or Structures (Am Ord #2312, passed 8.21.06)

None of the following shall be permitted accessory uses or structures:

- a. Outdoor storage or overnight parking of trucks with an empty weight in excess of four (4) tons, or height in excess of ninety (90) inches in residential district; construction or

Table of Density, Dimensions, and Other Standards for Residential Districts

	E-R	R-1	R-2	R-3	R-4	AG	H-R
Maximum Net Density (dwelling units per net buildable acre)							
	1	2	2.25	4	5	.05	-
Minimum Lot Size (square feet)							
General	-	-	-	-	28,500 (5,000 per dwelling unit)	20 acres	-
Single Family Dwelling	40,000	20,000	15,000	15,000	-	-	6,250
Two-Family Dwelling	-	-	-	15,000	-	-	-
Planned Unit Dev.	Article 3 F	Article 3 F	Article 3 F	Article 3 F	Article 3 F	-	Article 3 F
Non-Residential Use	80,000	40,000	30,000	30,000			12,500
Minimum Lot Width (feet)							
General	-	-	-	-	120	-	-
Single Family Dwelling	150	100	100	100	-	-	50
Two-Family Dwelling	-	-	-	100	-	-	-
Planned Unit Dev.	-	Article 3 F	Article 3 F	Article 3 F	-	-	Article 3 F
Non-Residential Use	300	250	200	200	240	-	100
Lot Width of Corner Lot	165	120	120	120	145	-	-
Minimum Lot Depth (feet)							
Single Family Dwelling	267	200	150	150	--	--	--
Minimum Required Yards (feet)							
Front Yard							
All Uses	-	-	-	-	40	75	-
Single Family (and Two Family in R-3) Dwelling	40	35	30	30	-	-	15
Non-Residential Use	80	60	60	60			30
Landscaped Front Yard for non-residential uses (see Article 6.B.2.e)	25	25	25	25	-	-	25
Front Yard Setback from Centerline of Arterial (see Article 6.B.2.e)	125	125	125	125	-	-	-
Front Yard Setback from Centerline of Route 30 (see Article 6.B.2.e)	150	150	150	150	-	-	-
Corner Lot Side Yard							
All Uses	-	-	-	-	40	75	-
Single Family (and Two Family in R-3) Dwellings	40	35	30	30	-	-	15
Non-Residential Use	80	70	60	60	-	-	30
Side Yard							
All Uses	-	-	-	-	15	100	-
Single Family (and Two Family in R-3) Dwelling	25	15	Total of 25 (not less than 10 on any side)	15	-	-	10
Non-Residential Use	50	30	20	30	-	-	20
Rear Yard							
All Uses	-	-	-	-	40	100	-

Section F: Signs

All signs shall be subject to the regulations contained in Chapter 151, the Village of Frankfort Sign Regulations.

Section G: Fences and Walls

Part 1: Fences and Walls

- a. Building Permit Required. No fence shall be erected, or substantially altered, without a building permit issued by the Code Official and payment of applicable fees. Any fence which shall be erected, or shall be in the process of erection, or maintained contrary to the provisions of this Code, is deemed a nuisance and it shall be the duty of the Building Inspector and Chief of Police to abate the same.
- b. Definitions. A fence is defined as any structure, partition or enclosure, of wood, iron, metal, or other material, enclosing or dividing a piece of land. A fence shall not include naturally growing shrubs, bushes and other foliage. The following are common types of fences:
 1. Decorative Fence. A fence used mostly for aesthetics, which adds to the visual beauty of the property. This fence may not exceed forty-eight (48) inches with its upper-most rail or fifty-four (54) inches to the top of its upper-most post when installed in a front yard. Fifty percent of the square footage of the overall dimensions of the fence shall be open. A woven or cyclone type fence is not a decorative fence.
 2. Hazard Enclosure. This fence is intended to enclose swimming pools, pets, excavations and similar uses. This fence must be a minimum of forty-eight (48) inches high, with the mesh material spaced close enough to prevent children and animals from entering. All gates are to be equipped with child-proof latches.
 3. Security or Protection Fence (Business and Industrial). A fence used for enclosing the lot, or part of the lot, for security and protection of property.
 4. Retention Fence (Residential and Historical). A fence to retain children, animals and other similar uses, or to prevent outside intrusion. This fence may be installed in rear yards only.
 5. Solid Fence. A fence in which eighty (80) percent or more of the surface area of the fence is solid. Fencing shall be constructed with the finished or decorative side facing the adjacent or abutting property or street.
 6. Railroad Screening Fence. A fence erected to provide screening of active railroad tracks. (Am. Ord. 2894, passed 11.19.09)

- c. Locations in Rights-of-Way and Utility Easements. No private fences shall be allowed or constructed on public street, highway or alley right-of-ways. Fences may, by permit, be placed on public utility easements, so long as the structures do not interfere in any way with existing underground, ground or over ground utilities. Further, the Village or any utility company having authority to use such easements shall not be liable for repair or replacement of such fences, in the event they are moved, damaged or destroyed by virtue of the lawful use of said easement. Fences in violation may be summarily removed by the Village.
- d. Barbed Wire. No barbed wire or barbed wire fences shall be allowed on private property in residential zones, or on lots in any zone being used for single or multiple family dwelling purposes. No barbed wire or barbed wire fences shall be allowed on private property in business or industrial zones where the property lines of such property abut lots or parcels zoned or being used for single or multiple family purposes, or on fences in front yards. Barbed wire may be allowed on the top of fencing in the I-2 district subject to special use approval by the Planning Commission.
- e. Dangerous Fences. No fence shall be constructed of material obviously intended to inflict great bodily harm, should a person or animal attempt to climb or scale it. Such materials include, but are not limited to, electrically charged wires or other electrical conduit, broken glass, razor blades and sharp or ragged metal spikes or spears.
- f. Construction Requirements. All fences shall be constructed in conformity with the wind stress, foundation, structural and other requirements of the building codes and laws of the Village.
- g. Good Repair. All fences shall be maintained in good, structurally sound repair and in a neat, clean, presentable and attractive condition. If, on inspection by the Code Official, any fence, in their determination, does not meet these requirements, they shall order the owner or occupier of the premises, by registered or certified mail, to make the necessary repairs or improvements within thirty (30) days. Should the owner or occupier of the premises fail to make repairs or improvements as directed, the owner or occupier shall be in violation of the Code and the Code Official shall cause a complaint to be issued and processed against said owner or occupier, in accordance with the rules of the Circuit Court of Will County, Illinois.
- h. Residential District Fences. In residential zones, in front yards no fences may exceed four (4) feet above ground level to the upper most rail, or 54 inches to the top of the uppermost post. In such zones, fences along the side property lines to the rear of the front yard and along the rear lot line may not exceed five (5) feet in height above ground level except when permitted for a railroad screening fence. Residential district fences are subject to the following requirements:
 - 1. All fences located in the front yard, or that abut or face street right-of-ways shall be a Decorative Fence, as defined in paragraph (b) above.

2. Woven or cyclone type fences are not permitted in any residential district. Residential sports courts may be permitted black or green vinyl-coated cyclone (chain-link) fencing when approved under a special use permit.
3. A railroad screening fence, as defined in paragraph (b) above, may be permitted within residential zoning districts in accordance with the following standards:

Location:

1. The property on which the fence is to be constructed must be located as described by one of the following:
 - a) The property directly adjoins property used for an active railroad; or
 - b) The property is within two hundred (200) feet of property used for an active railroad and is not separated from the railroad property by residential property or a public right-of-way;
2. Railroad screening fences are only permitted along the property line that is parallel to the railroad tracks.

Height:

- a) May not exceed seven (7) feet in height;
 - b) Within thirty (30) feet of a public right-of-way, railroad screening fences may not exceed five (5) feet in height;
- i. Business or Industrial Fences. In business or industrial zoned districts, fences may not exceed six (6) feet in height in business areas, and eight (8) feet in industrial areas above ground level. No fence or wall, other than a decorative fence of 4 feet or less in height, shall be erected, constructed or maintained within fifty (50) feet from the front lot line. For purposes of security only, fences for business or industrial zoned districts may be provided along side and rear yard lot lines.
 - j. Non-Conforming Fences. Fences existing at the time of adoption of this Ordinance which are not in violation of paragraph (e) above, and are not located on public street, highway and alley right-of-ways, but which violate other sections of this Ordinance may continue to be maintained and to exist, but may not be replaced if destroyed or removed, to the extent that the violations would be continued.

Accessory Structure or Use: An “accessory structure or use” is one which:

- a. Is subordinate to and serves a principal structure or principal use;
- b. Is on the same zoning lot as the principal structure or principal use served.
- c. Accessory structures shall include:
 1. Garages, private (detached)
 2. Storage sheds (Completely enclosed on all sides, solid roof, with permanent doors and windows. See Exhibit A)
 3. Child’s playhouses
 4. Arbors, Trellises, Pergolas, Gazebos, Pool Cabanas (without walls on one or more sides. See Exhibit B)
 5. Decks, terraces, and patios
 6. Swimming pools
 7. Greenhouses (See Exhibit C)
 8. Permanently affixed outdoor fireplaces or stoves (see Exhibit D)
 9. Pole barns, silos and other accessory farm structures
 10. Laundry drying equipment
 11. Trash enclosures
 12. Television or radio towers for residential use (ground-mounted)
 13. And similar accessory structures
- d. Accessory structures shall **not** include:
 1. Sports Courts
 2. Fences or walls
 3. Statuary and fountains
 4. Flagpoles
 5. Any roofed structure attached to the primary structure
 6. Ramps for use by persons with disabilities

Awning: A roof-like cover that is temporary in nature, and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

Balcony: A level plane or platform which, for the purpose of this Ordinance, is located adjacent to one or more faces of the principal structure **located above the first floor.**

Banks and Financial Institutions: Commercial banks, savings and loan associations, brokerage offices and other similar financial institutions, but not including pawn shops.

Basement: That portion of a building having more than one-half (1/2) of its height below the average lot grade.

Bed and Breakfast: A residential building containing lodging rooms offered for rent to transient guests, for a continuous period of fourteen (14) days or less, and containing the owner's principal residence.

Billboard: A surface whereon advertising matter is set in view conspicuously and which advertising does not apply to premises or any use of premises wherein it is displayed or posted.

Billiard or Pool Hall: A business establishment containing more than two pool or billiard tables for the use of patrons.

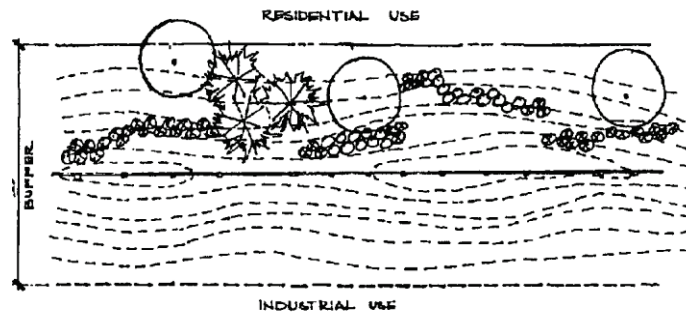
Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, bulkhead lines, shore lines of waterways or corporate lines of the Village.

Body Piercing Establishment: An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of piercing patrons' bodies with sharp instruments in order to allow insertion of rings, pieces of jewelry, or other ornamental devices through the orifices thus created.
(Am. Ord. 2174, passed 07.05.05)

Bowling Alley: An establishment that devotes more than 50 percent of its gross floor area to bowling lanes, equipment, and playing area.

Breeding Facility: An establishment in which more than four (4) domestic animals, such as cattle or horses, are bred for commercial purposes.

Buffer Area: A landscaped area intended to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another.

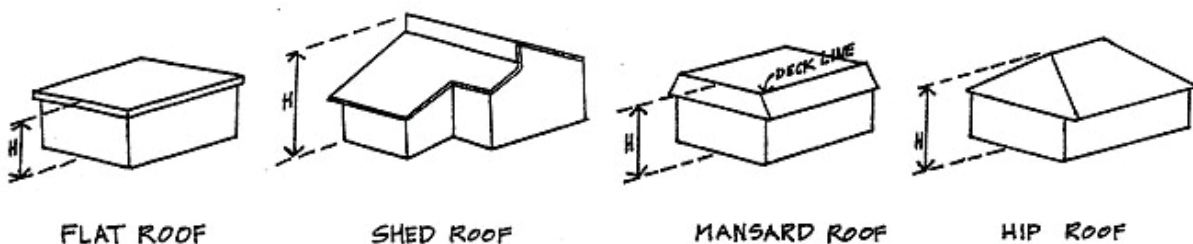


Building: A permanently located, roofed structure affixed to the land which is designed or intended for the enclosure, shelter or protection of persons, animals or moveable property of any kind.

Building Height: Primary structure: The vertical distance measured from the building top of foundation to the highest elevation of the roof at the front façade of the building. Accessory Structure: The vertical distance measured from the top of foundation to the highest point on the structure.

The following appurtenances shall not be included in the calculation of building height:

- Chimneys, flues, stacks, fire escapes, gas holders, elevator enclosures, ventilators, skylights, water tanks and similar roof structures needed to operate and maintain the building on which they are located.
- Flag poles, television aerials mounted on rooftops, and water towers and tanks.
- Decorative rooftop finials or spires up to four feet in height. (Am. Ord. 3229, passed 10.07.19)



Building Line: The line nearest the front of, and across a zoning lot, establishing the minimum open space to be provided between the front line of a building or structure and the street right-of-way line.

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

Driveway. On residential properties, a driveway shall be the paved area which provides exclusive access to the garage.

Dump: A lot of land or part thereof used primarily for the disposal, by abandonment, dumping, burial, burning or any other means, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.

Dwellings: A building, or portion thereof, but not a mobile or manufactured home, designed or used for residential occupancy.

Dwelling, Attached: A residential building which is joined to another dwelling at one or more sides by a party wall or walls.

Dwelling, Detached: A residential building which is entirely surrounded by open space on the same lot.

Dwelling, Multiple Family: A residential building containing three (3) or more dwelling units.

Dwelling, Single Family: A residential building containing one (1) dwelling unit only.

Dwelling, Two-Family: A residential building containing two (2) dwelling units only.

Dwelling Unit: One or more rooms in a residential building, or residential portion of a building, which are arranged, designed, used or intended for use by one family, and which includes cooking space and lawful, sanitary facilities reserved for the occupants thereof.

Easement: The area of land set aside or over or through which a privilege, distinct from ownership of the land, is granted to the public or some particular person, quasi-public entity (such as a homeowners' association), or part of the public.

Efficiency Apartment: A dwelling unit containing one or more rooms, but no bedroom, designed for occupancy by one family.

Environmental Performance Standards: A criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent to uses of land or buildings.

Façade: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

Factory-Built Housing: A factory-built structure designed for long-term residential use. For the purposes of these regulations, factory-built housing consists of three types: modular homes, manufactured homes, and mobile homes.

Family: Either (a) an individual, or two (2) or more persons related by blood, marriage or adoption, maintaining a common household in a dwelling unit; (b) a group of not more than four (4) persons who are not related by blood, marriage, or adoptions living as a common

Heliport: An area of land and/or a structure or building which is used or intended for use for the landing and taking off of helicopters, and any appurtenant areas which are used or intended for use for heliport buildings or other heliport facilities or rights-of-way, including all necessary pads, helicopter storage and tie down areas, hangars and other necessary buildings and open spaces.

Historic District: An area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

Home Day Care Center: A family home which receives up to three (3) children, or up to three (3) seniors or adults requiring care, for less than twenty-four (24) hours a day for compensation.

Home Occupation: A gainful occupation or profession engaged in by an occupant of a dwelling unit as a use that is clearly incidental to the use of the dwelling unit for residential purposes.

Homeowners' Association: A non-profit membership corporation or entity which serves as an association of homeowners within a Subdivision, Certified Survey Plat, or Condominium who have shared common interest responsibilities with respect to the costs and upkeep of common private property of such Subdivision, Certified Survey Plat, or Condominium. Such common property includes private recreation and open space areas within the Subdivision, Certified Survey Plat, or Condominium. For the purposes of this Code, Homeowners' Associations include Condominium Associations.

Hospital: An institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care for not less than twenty-four (24) hours in any week, of three (3) or more non-related individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions. The term "hospital" as used in this Ordinance does not apply to institutions operating primarily for treatment of mental illness, drug addicts, liquor addicts, or other types of cases necessitating restraint of patients, and the term "hospital" shall not include assisted or independent living facilities, nursing homes, shelters or boarding houses.

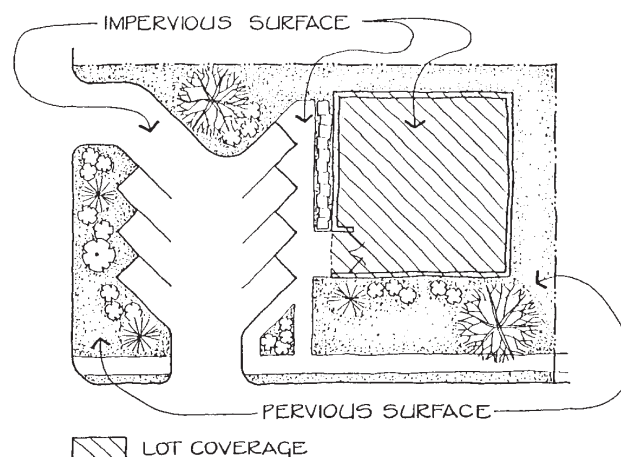
Hotel: An establishment which is open to transient guests, in contradistinction to a boarding house, lodging house or apartment hotel, and is commonly known as a hotel in the community in which it is located; and which provides customary hotel services such as maid service, the furnishing and laundering of linen, telephone and secretarial or desk service, the use and upkeep of furniture, and bellboy service.

Impervious Lot Coverage: A ratio determined by dividing that area of a lot which is occupied or covered by all impervious surfaces, by the net area of that lot.

Impervious Surface: A surface which does not absorb water.

- a. Impervious surfaces shall include, but not be limited to:
1. Primary buildings
 2. Accessory structures (except laundry drying equipment)

3. Driveways (paved or gravel)
4. Sidewalks
5. Sports courts
6. Swimming pools (including the decking)
7. Porches (enclosed or unenclosed)
8. Decks (attached or detached)
9. Carports
10. Parking lots (including parking spaces and drive aisles)
11. Any areas of concrete or asphalt
12. For lumber yards or similar uses, areas of stored lumber



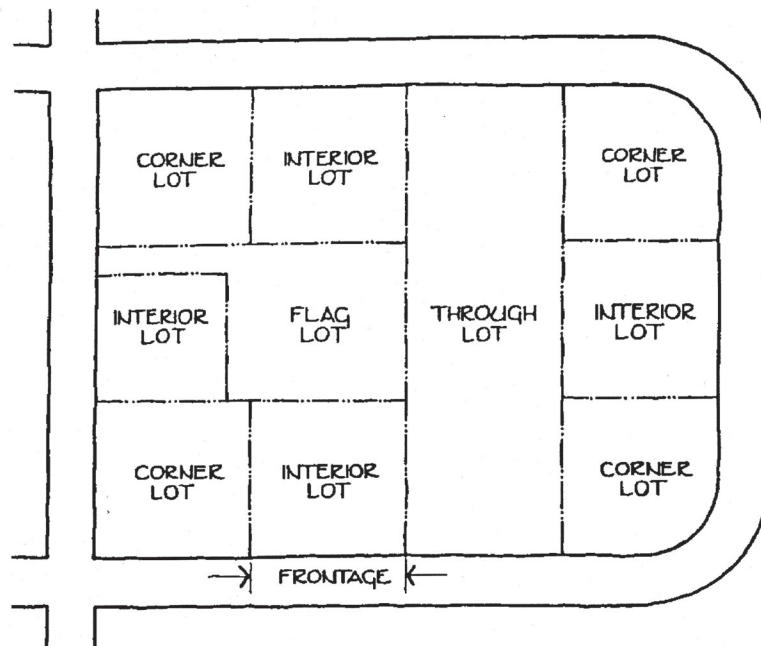
Independent Living Facility: Specially planned, designed, and managed multi-unit housing for the elderly with self-contained dwelling units. These communities are typically designed to provide supportive environments for older adults and to accommodate a relatively independent lifestyle. A limited number of support services, such as meals, laundry, housekeeping, transportation, and social and recreational activities may be provided. This definition shall not include group homes, health clinics, hospitals or treatment facilities, as defined by this Ordinance. (Am. Ord. 2247, passed 12.05.05)

Indoor Business Sales and Service: Uses which display or conduct, entirely within an enclosed building, the sale or rental of business-oriented products, equipment, merchandise, or services that are non-personal and non-professional in nature. Examples may include: duplicating or photocopying sales and service; addressing, mailing, or stenographic sales and services; locksmith shops; computer sales and service; employment agencies; and similar land uses.

Indoor Civic, Cultural, Religious, or Institutional Use: Civic, cultural, religious, or institutional uses which occur within an enclosed building. Examples may include: government offices, libraries, museums, aquariums, community centers, post office, fire/police/rescue station, hospitals, convention center, service/fraternal club or lodge, civic/social organization, labor union/organization, political organization, charitable organization, church, synagogue, temple, mosque, non-profit organization, educational institution (including

Long-Term Care Facility: A building or premises which must be licensed pursuant to the Illinois Nursing Home Care Act (210 ILCS 45/1-101 et seq.). This definition shall not include group homes, health clinics, hospitals or treatment facilities, as defined by this Ordinance. (Am. Ord. 2247, passed 12.05.05)

Lot: A platted parcel of land intended to be separately owned, developed and otherwise used as a unit.



Lot Area, Minimum: The minimum area of a horizontal plane bounded by the front, side and rear lot lines.

Lot, Corner: A lot which adjoins the point of intersection or meeting of two or more streets, and in which the interior angle formed by the street lines is 135 degrees or less. If the street lines are curved, the angle shall be measured at the point of intersection of the extensions of the street lines in the directions which they take at the intersections of the street line, with the side lot line and with the rear lot line of the lot. If the street line is curved at its point of intersection with the side lot line or rear lot line, the tangent to the curve at that point shall be considered the direction of the street.

Lot Coverage: That percentage of a lot which, when measured from exterior walls or posts on the first floor level, would be covered by primary and accessory structures, excluding projecting roof eaves measuring less than two (2) feet. For purposes of calculating maximum lot coverage, structures shall not include swimming pools, patios, decks, sports courts, mechanical equipment (A/C, generators, pool pumps) or similar accessory structures without a roof.

Sign, Double-Faced: A double faced sign has two faces with identical copy on each face and with the maximum angle between said faces no greater than forty-five (45) degrees.

Sign Location: The sign location is determined by measuring from the furthestmost projecting point of the sign to the front lot line.

Site Plan: A plan, prepared to scale, showing accurately and with complete dimensions, the boundaries of a site and the location of all buildings, structures, uses and principal site development features proposed for a specific parcel of land.

Smoke: Small gas-borne particles other than water that form a visible plume in the air.

Sports court, residential: An outdoor hard-surface court located in a residential zone district designed for athletic purposes. Temporary or permanent goals located adjacent to a hard surface shall constitute a sports court, except as noted in Article 1, Section I, Part 1, (c).

a. Residential sports courts shall include, but not be limited to:

1. Tennis courts
2. Basketball courts
3. Volleyball courts
4. Shuffleboard courts
5. And similar courts

Standard Cubic Feet (SCF): Standard cubic feet, which is the measure of the volume of a gas reduced to 14.73 pounds per square inch pressure absolute and 60° F.

Street: A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles. Streets are further classified by the functions they perform. See also Major Highway; Major Industrial Roadway; Road, Private; Road, Public; Street, Arterial; Street, Major Collector; Street, Minor; and Street, Neighborhood Collector.

Street, Arterial: A federal, state, or county marked route normally having four (4) lanes for traffic and some form of median marker or may be a Village-designated "arterial street" in the adopted Comprehensive Plan. Parking may be banned. A street used, or intended to be used, primarily for fast or heavy through traffic providing for the expeditious movement of through traffic into, out of, and within the community. Arterial streets shall be located to minimize the penetration of such streets through existing and proposed residential areas. Arterial streets shall be designed to convey an average daily traffic (ADT) of ten thousand (10,000) and greater.

Street, Major Collector: A street used, or intended to be used, to carry traffic from minor streets to the system of arterial streets including principal entrance streets to residential developments and/or activity/employment centers. Collector streets shall be designed to convey an average daily traffic (ADT) of between five thousand (5,000) and ten thousand (10,000).

Street, Minor: A street used, or intended to be used, primarily to access abutting properties. Residential minor streets designed as either looped or through streets shall be designed so that no

Memo

To: Plan Commission/Zoning Board of Appeals
From: Michael J. Schwarz, AICP, Director of Community and Economic Development
Date: February 10, 2022
Re: Public Hearing: Text Amendments to the Zoning Ordinance to Clarify Article 12 (Rules and Definitions) and Article 5 (Use Regulations), Section B (Table of Permitted and Special Uses) for the terms "Indoor Recreation", "Outdoor Recreation", "Indoor Entertainment", and "Outdoor Entertainment"

Staff believes it would be helpful to clarify Article 12 (Rules and Definitions) in the Zoning Ordinance regarding the current definitions for the terms "Indoor Recreation and Entertainment" and "Outdoor Recreation and Entertainment". We believe that "indoor" and "outdoor" uses should be defined separately and that "recreation" and "entertainment" uses should be defined separately. We also suggest that there are some additional activities that can be added to fall under these terms.

Section D (Amendments), Part 2 (Initiation of Amendment) of the Zoning Ordinance states that amendments (including Text Amendments) may be proposed by the Board of Trustees, the Plan Commission, or by any person having an ownership or contractual purchase interest in affected property.

At the Committee-of-the-Whole meeting on January 12, the Committee authorized staff to process a Village-initiated application for a Text Amendment to the Zoning Ordinance to Clarify Article 12 (Rules and Definitions) and Article 5 (Use Regulations), Section B (Table of Permitted and Special Uses) for the terms "Indoor Recreation", "Outdoor Recreation", "Indoor Entertainment", and "Outdoor Entertainment."

At the Plan Commission/Zoning Board of Appeals workshop on January 27, the Commission discussed the proposed Text Amendments. Based on the discussion, the following changes have been made since the workshop:

- "Trampoline facility" has been added to the list of activities in the definition of "Indoor Entertainment".
- "Obstacle course" has been added to the list of activities in the definitions of "Indoor Entertainment" and "Outdoor Entertainment".
- "Museum" has been removed from the list of activities in the updated definition of "Indoor Entertainment" since this is accommodated in the category of "Indoor civic, cultural, religious and institutional" uses in the *Table of Permitted and Special Uses*.

Please find the attached current and proposed definitions for these terms as well as a proposed update to the *Table of Permitted and Special Uses* in the Zoning Ordinance.

CURRENT DEFINITIONS

Indoor Recreation and Entertainment: The indoor recreation and entertainment use classification applies to all uses which provide recreation or entertainment services entirely within an enclosed building. Examples may include: skating rink, arcades, billiards, bowling alley, dance hall/club, dance/music school or studio, gymnastic facility, martial arts facility, sports training facility, health/fitness club, country club indoor facilities, and similar land uses. (Am. Ord. 2495, passed 08.04.08)

Outdoor Recreation and Entertainment: Uses which involve recreational activities or provide entertainment services partially or wholly outside of an enclosed building, on public private property. Examples may include: arboretums, natural areas, open grassed areas, picnic areas, picnic shelters, gardens, fishing areas, country clubs, playcourts (tennis, basketball, etc.), tot lots, outdoor swimming pools, swimming beach areas, fitness courses, golf courses, driving ranges, hiking/biking/cross country ski trails, horse trails, pet walking areas, miniature golf facilities, amusement parks, go-kart tracks, racetracks, and similar land uses.

PROPOSED AMENDMENTS TO DEFINITIONS (new activities shown in bold)

Indoor Recreation: The indoor recreation use classification applies to all uses which provide recreation activities entirely within an enclosed building. Examples may include skating rink, billiards, bowling alley, dance studio, gymnastics facility, martial arts facility, **rock-climbing facility**, sports training facility, health/fitness club, swimming pool, country club indoor facilities, and similar land uses.

Outdoor Recreation: Uses which involve recreational activities partially or wholly outside of an enclosed building, on public private property. Examples may include arboretums, natural areas, open grassed areas, picnic areas, picnic shelters, gardens, fishing areas, country clubs, play courts (tennis, basketball, etc.), tot lots, outdoor swimming pools, swimming beach areas, fitness courses, golf courses, **golf** driving ranges, hiking/biking/cross country ski trails, horse trails, pet walking areas, miniature golf facilities, **rock-climbing facility**, and similar land uses.

Indoor Entertainment: The indoor entertainment use classification applies to all uses which provide entertainment activities entirely within an enclosed building. Examples may include arcade, dance hall/club, music school or studio, **music venue, live performance venue, auditorium, movie theatre, planetarium, aquarium, simulated skydiving, escape rooms, laser-tag, golf/ sport simulators, water park, amusement parks, go-kart tracks, adventure or rope course, drone racing, remote control race tracks, trampoline facility, obstacle course, gallery and/or exhibition space**, and similar land uses.

Outdoor Entertainment: Uses which involve entertainment activities partially or wholly outside of an enclosed building, on public or private property. Examples may include fitness courses, **golf** driving ranges, dance hall/club, **music venue, live performance venue**, miniature golf facilities, amusement parks, go-kart tracks, racetracks, **adventure or rope course, drone racing, remote control race tracks, obstacle course**, and similar land uses.

PROPOSED AMENDMENTS TO TABLE OF PERMITTED AND SPECIAL USES

(See Attached)

Table of Permitted and Special Uses

P Permitted Use
S Special Use
Blank Not permitted

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Residential Uses																
Single-family detached dwelling	P	P	P	P			P									
Single-family dwelling, only if ancillary						P										
Two-family residences contained in one building				P	P											
Attached single family dwelling units constructed as a rowhouse, town home and/or condominium containing a maximum of 4 individual dwelling units					P											
A single building containing more than 4 individual dwelling units					S											

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Manufactured homes, factory-built homes or any other similar homes					S											5.C.11
Small group home	S	S	S	S	S		S									5.C.7
Large group home					S											5.C.7
Bed and breakfast inn															S	5.C.4
Dwelling unit(s) above first floor commercial use (Am. Ord. 2495, passed 08.04.08)								S							P	
Hotel and/or motel										S	S	S			S	
Long-term care facility, assisted living facility or independent living facility (Am. Ord. 2247, passed 12.05.05)					S				S	P					S	
Residence of the proprietor of a commercial use								S			S				P	5.C.15
Public, Cultural, Recreation, and Other Institutional Uses																
Ambulance service (Am. Ord. 2495, passed 08.04.08)													S	P		5.C.20
Cemetery	S	S	S	S	S	P	S									
College or university									S	S	S	S	S			

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Indoor civic, cultural, religious and institutional (including elementary and high schools, hospitals, and government buildings)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	5.C.9
Indoor recreation and entertainment (other than schools) (Am. Ord. 2342, passed 12.18.06)					S				S	S			S	S	S	
Indoor entertainment (other than schools)					S				S	S			S	S	S	
Outdoor recreation and entertainment (public and private) over 1 acre (Am. Ord. 2495, passed 08.04.08)	S	S	S	S	S	P			S	S		S	S	S		5.C.23
Outdoor recreation and entertainment (public and private) under 1 acre (see Article 5, Part 3, Section k) (Am. Ord. 2495, passed 08.04.08)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	5.C.23

Outdoor entertainment (public and private) over 1 acre	S	S	S	S	S	P			S	S		S	S	S		5.C.23
Outdoor entertainment (public and private) under 1 acre (see Article 5, Part 3, Section k)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	5.C.23
Agriculture, Farming, and Mining Uses																
Agriculture on a Lot of not less than 40 feet						P										
Agriculture Warehouse						P								P		
Arboretum or botanical garden	S	S	S	S	S	P										

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Breeding facilities	S					P										
Cultivation of field and garden crops						P										
Dairy farm, including processing						P										
Flower farm with no retail trade						P										
Grain storage						P								S		
Grass or sod farm						P										
Hatchery, poultry						P										
Mining and extraction						S								S		5.C.12
Outdoor discharge of firearms within a controlled environment on the premises of a duly licensed shooting gallery, gun club, or rifle club. (Am. Ord. 2240, passed 10.21.05)						S										
Business Uses																
Animal Clinic						P			S	P	S					
Animal hospital and kennel (Am. Ord. 2495, passed 08.04.08)						P			S	S	S		S	S		5.C.21
Automobile fueling station									S	S						
Automobile rental agency (Am. Ord. 1887, passed 04.15.02)						S			S	S			S	S		
Automobile repair and service									S	S			S	S		5.C.2

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Automobile sales (Am. Ord. 1887, passed 04.15.02)									S	S			S	S		
Bakery								P	P	P	S				S	5.C.3
Boat, camper, equipment (large), manufactured home, RV or motorcycle rental, sales and service (Am. Ord. 1887, passed 04.15.02)									S	S			S	S		5.C.5
Body piercing and/or tattooing establishments where body piercing and/or tattooing is performed only by licensed physicians (Am. Ord. 2174, passed 07.05.05)											S					
Catering Service (Am. Ord. 2495, passed 08.04.08)									P	P			P			5.C.24
Car wash									S	S			P	P		
Convenience store								S	P	P	S	S			S	
Crematoria								S	S	S	S					5.C.32
Day care center or nursery	S	S	S	S			S	S	S	S	S	S			S	
Dry cleaning central plant serving not more than one retail outlet									P	P	S	P			S	
Equipment (small) rental									P	P						

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Health clinic/office								P	P	P	P	P			P	
Indoor business sales and service, over 100,000 square feet (Am. Ord. 1887, passed 04.15.02)										P			P	P		
Indoor business sales and service, between 10,000 and 100,000 square feet (Am. Ord. 1887, passed 04.15.02)									P	P			P	P	S	
Indoor business sales and service, between 5,000 and 10,000 square feet (Am. Ord. 1887, passed 04.15.02)								P	P	P	S	S	P	P	S	
Indoor business sales and service, under 5,000 square feet (Am. Ord. 1887, passed 04.15.02)								P	P	P	S	S	P	P	P	
Indoor retail sales of goods, over 100,000 square feet										P						5.C.10
Indoor retail sales of goods, between 10,000 and 100,000 square feet									P	P					S	

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Indoor retail sales of goods, between 5,000 and 10,000 square feet								P	P	P	S	S			S	
Indoor retail sales of goods, under 5,000 square feet								P	P	P	S	S			P	
Laundromat, launderette, or any self-service laundry facility (Am. Ord. 2240, passed 11.21.05)										S						
Massage Establishment (Am. Ord. 2904, passed 05.05.14)									S		S				S	5.C.11.1
Medical Cannabis Cultivation Center (Am. Ord. 2894, Passed 02.03.14)														S		5.C.34
Medical Cannabis Dispensary (Am. Ord. 2894, Passed 02.03.14)														S		5.C.35
Microbrewery / Distillery / Winery with Sampling Area (Am. Ord. 3041, passed 07.18.16)									S	S			S	S	S	5.C.25 5.C.36
Office and professional service								P	P	P	P	P	P		P	5.C.13
Accessory liquor sales									S	S	S	S			S	5.C.26
Packaged liquor store									S	S						5.C.25 5.C.27

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Personal Service								P	P	P	S	S			P	
Restaurant, carry-out (Am. Ord. 2495, passed 08.04.08)									S	S	S	S	S		S	5.C.24
Restaurant, full service (Am. Ord. 1887, passed 04.15.02 and Am. Ord. 2495, passed 08.04.08)								S	P	P	S	S	S		S	5.C.24
Restaurant, full service, with liquor sales									S	S	S	S			S	5.C.24 5.C.25 5.C.28
Restaurant/Tavern									S	S					S	5.C.24 5.C.25 5.C.29
Tasting Room									P	P						5.C.25 5.C.30
Tavern									S	S					S	5.C.25 5.C.31
Theater, indoor										P	S					
Tobacco Store (Am. Ord. 2780, passed 06.04.12)									S	S						5.C.33
Treatment facility (Am. Ord. 2247, passed 12.05.05)											S	S	S			
Undertaking establishment or funeral parlor								S	P	P	S				S	
Industrial and Higher Intensity Uses																

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Animal feed preparation, grinding, mixing and storage						S								S		
Automotive and scrap salvage yard, if in a completely enclosed building														P		
Automotive body shop													S	P		5.C.2
Building trades' and contractor's office													P	P		5.C.6
Commercial testing laboratory											S	P	P			
Construction or demolition landfill														S		
Industry and manufacturing, heavy														P		5.C.8
Industry and manufacturing, light												P	P	P		5.C.8
Landscape Company (Am. Ord. 2495, passed 08.04.08)						P							S	S		
Limited retail sales in association with a warehouse use (Am. Ord. 2240, passed 11.21.05 and Am. Ord. 2495, passed 08.04.08)													S	S		5.C.19

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Manufacture, storage and sale of mobile homes and/or trailers, farm implements and other similar equipment on a paved open lot														P		
Printing, publishing or lithography establishments											P	P	P	P		
Radio and television studios, stations						S		S	S	S	S	S	S	S	S	
Research facilities											P	P	P	P	S	
Sale, distribution, or discharge of firearms, or ammunition within an indoor controlled environment (Am. Ord. 2240, passed 11.21.05)														S		5.C.37
Self-service storage facility														S		5.C.16
Taxicab association (Am. Ord. 2495, passed 08.04.08)													S	P		5.C.22
Telecommunication stations and transmission devices	S					S		S	S	S	S	S	S	S	S	5.C.17
Towing service with storage of vehicles													S	S		5.C.18

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Utility facilities	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S	
Warehouse and wholesale establishments												P	P	P		5.C.19
Transportation-Related Uses																
Airport and heliport						S								S		
Public garages								S	P	P	S	P	P	P	S	
Railroad freight station (Am. Ord. 2495, passed 08.04.08)													S	P		
Transit and transportation facilities									S	S	S	S	S	S	S	
Truck terminals														S		
Miscellaneous																
Adult use														S		5.C.19
Drive-up service windows associated with permitted uses								S	S	S	S	S	S			
Off-street parking facility on a separate zoning lot from the associated use								P	P	P	P	P	P	P	S	
Outdoor seating associated with a permitted restaurant (Am. Ord. 2495, passed 08.04.08)								S	S	S	S	S	S		S	5.C.14
Outdoor sales										S						

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Outdoor storage except uncontained materials (Am. Ord. 2495, passed 08.04.08)						S				S			S	P		
Outdoor storage of un-contained bulk materials (Am. Ord. 2495, passed 08.04.08)						S								S		
Planned unit development	S	S	S	S	S		S	S	S	S	S	S	S	S	S	