

Village of Woodridge Code of Ordinances

Title 9 – Zoning Regulations

Adopted March 7, 2024, via Ordinance No. 2024-6

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CHAPTER 1: TITLE AND PURPOSE

SECTION:

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9-1-1: Title

This Title shall be known, cited, and referred to as the “Village of Woodridge Zoning Ordinance (2024),” as may be amended from time to time.

Within this Title, it is from time to time referred to generally as “Code”, “Ordinance” or “this Title.”

9-1-2: Purpose and Intent

This Title is adopted pursuant to the Village’s home rule powers and Division 13 of the Illinois Municipal Code, 65 ILCS 5/11-13-1 *et seq.*, as the same may be amended from time to time, and includes the full scope of authority therein for the purpose of improving and protecting the public health, safety, comfort, convenience, and general welfare of the people. The fulfillment of this purpose is to be accomplished by pursuing the following objectives:

- A. To lessen congestion on the public streets.
- B. To avoid undue concentration of population.
- C. To prevent the overcrowding of land, thereby insuring proper living and working conditions and preventing the development of blight and slums.
- D. To establish adequate standards for the provision of light, air, and open spaces.
- E. To facilitate the provision of adequate public services such as transportation, water, sewerage, open space, and parks.
- F. To zone all properties with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Village.

- G. To protect all areas alike from harmful encroachment by incompatible uses and to insure that land allocated to a class of uses shall not be usurped by inappropriate uses within the parameters of the standards and requirements of this Chapter.
- H. To avoid the inappropriate development of lands and provide for adequate drainage, curbing or erosion, and reduction of flood damage.
- I. To fix reasonable standards to which buildings, structures, and land shall conform.
- J. To prevent such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed herein.
- K. To foster a more rational pattern of relationship between residential, business, and manufacturing uses for the mutual benefit of all.
- L. To isolate or control the location of unavoidable nuisance-producing uses.
- M. To establish local standards for the review of exterior design of buildings and structures.
- N. To define the powers and duties of the administrative and enforcement officers and bodies.
- O. To prescribe penalties for any violation of the provisions of this Code, or of any subsequent amendments hereto.

The standards and requirements contained in this Title and the district mapping reflected on the Village of Woodridge Zoning Map are intended to implement all elements of the Village of Woodridge Comprehensive Land Use Plan, including the land use component, and other plans that may be adopted from time to time that establish the planning policies of the Village.

9-1-3: Interpretation

In their interpretation and application, the provisions of this Title will be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare. Where the conditions imposed by any provision of this Title, upon the use of buildings, structures, or land, or upon the bulk of buildings or structures, are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this Title or of any other law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements will govern.

9-1-4: Private Agreements

This Title is not intended to abrogate any easement, covenant, or any other private agreement; provided, that where the regulations of this Title are more restrictive or impose higher standards or requirements than such easements, covenants, or other private agreements, the requirements of this Title will govern.

9-1-5: Provisions Separable

The provisions of this Title are separable as follows:

- A. If any court of competent jurisdiction shall adjudge any provision of this Title, or any amendment to this Title, to be invalid, that judgment will not affect any other provisions of this Title not specifically included in that judgment.
- B. If any court of competent jurisdiction adjudges as invalid the application of any provision of this Title, or any amendments to this Title, to a particular building, structure, use, or parcel of land, that judgment will not affect the application of the provision to any other building, structure, or parcel of land not specifically included in that judgment.

9-1-6: Application of Regulations

All buildings or structures erected after the Effective Date of this Title, all uses of buildings, structures, or land established after the Effective Date of this Title, and all structural alteration or relocation of existing buildings or structures occurring after the Effective Date of this Title will be subject to all regulations of this Title, or any amendment to this Title, which are applicable to the zoning districts in which the buildings, structures, or parcels of land are located.

9-1-7: Previously Approved Plans

Where a building permit for a building or structure has been issued in accordance with law prior to the Effective Date of this Title, or any amendment to this Title, and provided that construction was begun before the Effective Date of this Title, or any amendment to this Title, and completion is accomplished within eighteen (18) months after the Effective Date of these regulations, or any amendment to this Title, that building or structure may be completed in accordance with the approved plans on the basis of which the building permit has been issued, and further, may, upon completion, be occupied for the use for which originally designated, subject to the provisions of Chapter 9, Nonconformities Regulations, of this Title.

9-1-8: Zoning District Classifications

For the purpose of this Title, the Village is hereby divided and classified into the following zoning districts:

Residential Districts	
R-1	Single Dwelling Unit District
R-2	Single Dwelling Unit District
R-3	Single Dwelling Unit District
A-1	Attached Dwelling Unit District
A-2	Attached Dwelling Unit District
Business Districts	
B-1	Neighborhood Commercial District
B-2	Community Shopping District
B-3	Highway and Service Business District
RBC	Regional Business Center District
Industrial Districts	
ORI	Office, Research, and Light Industrial
M-1	Manufacturing District

9-1-9: Zoning Map

- A. The land and the zoning district classification in this Title will be as shown on the map designated as the "Village of Woodridge Zoning Map," dated and signed by the Village Clerk upon adoption. This zoning map and all notations, dimensions, references and symbols shown thereon pertaining to the districts will be a part of this Title as if fully described in this Subsection 9-1-9.A and will be filed as part of this Title by the Community Development Director. The zoning map will be available for public inspection in the Community Development Department and any later alterations of this map adopted by amendment as provided in Chapter 6 of this Title will all be similarly dated, filed and made available for public reference.
- B. The following rules apply with respect to the boundaries of the various zoning districts as shown on the Village of Woodridge Zoning Map:
 1. District boundary lines are the centerlines of highways, streets, alleys, easements, railroad rights-of-way, toll roads, expressways, rivers and other bodies of water, or section, division of section, tract and lot lines; or such lines extended, unless otherwise indicated.
 2. Boundaries indicated as approximately following the centerlines of highways, streets, alleys, easements, toll roads or expressways shall be construed to follow such centerlines.
 3. Boundaries indicated as approximately following platted lot lines will be construed as following such lot lines.
 4. Boundaries indicated as approximately following Village limits will be construed as following Village limits.

5. Boundaries indicated as following railroad lines will be construed to be the established centerline of the right-of-way or if no centerline is established, the boundary will be interpreted to be midway between the right-of-way lines.
6. Boundaries indicated as approximately following the centerlines of rivers or other bodies of water shall be construed to follow such centerlines, and in the event of change in the centerline, will be construed as moving with the centerline; the centerline will be interpreted as being midway between the shorelines.
7. Boundaries indicated as parallel to or extensions of features indicated in Subsections B.1 through B.6 of this Section will be so construed.
8. Whenever any street, alley or other public right-of-way is vacated by official action of the Village Board or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley or other public right-of-way will be automatically extended to the centerline of such vacated street, alley or public right-of-way and all area so involved will then and going forward be subject to all regulations of the extended districts.
9. Boundaries indicated as dividing a lot or tract will be construed as being located as shown on the Village of Woodridge Zoning Map.
10. Distances not specifically indicated on the Village of Woodridge Zoning Map will be determined by the scale of the map.

9-1-10: Zoning of Annexed Land

A party seeking to annex property into the Village will request a zoning classification for the property upon filing an application to annex into the Village's municipal boundaries. The requested zoning classification will be reviewed by the Village for consistency with the Village of Woodridge Comprehensive Land Use Plan, or any other relevant plan document, as well as the character of zoning in the area surrounding and abutting the subject property. The requested zoning classification will be reviewed by the Plan Commission and the Board of Trustees in accordance with the provisions of Chapter 6 of this Chapter. A property that is annexed without requesting a zoning classification will be zoned R-1, Single-Family Residence District.

9-1-11: Effective Date

This Chapter becomes effective on March 7, 2024, except as otherwise expressly stated.

CHAPTER 2: RULES AND DEFINITIONS

SECTION:

9-2-1: Rules of Word Construction

9-2-2: Definitions

9-2-1: Rules of Word Construction

The language set forth in the text of this title shall be interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural, and the plural includes the singular.
- B. The present tense includes the past and future tenses, and the future the present tense.
- C. The word "shall" is mandatory, while the word "may" is permissive.
- D. All definitions are gender neutral.
- E. The word "Village" means the Village of Woodridge, Illinois.
- F. Whenever a word or term defined in this Chapter appears in the text of this Title, its meaning shall be construed as set forth herein. Any word not defined in this Chapter shall be construed as defined in any applicable Village code ordinance, or, if none, the normal dictionary usage.
- G. Whenever a provision appears requiring the zoning officer or some other village officer to do some act or perform some duty, it is to be construed to authorize the officer to designate, delegate and authorize subordinates to perform the required act or perform the duty unless the terms of the provision or section specify otherwise.

9-2-2: Definitions

As used in this title, unless the context otherwise requires, the following words and terms shall be construed as herein defined:

ABOVEGROUND SERVICE FACILITY: A structure located on or above the surface of the ground, including any cabinet and the underground supports and foundations for such structure, that is used by a public utility or service provider to supply some public need or demand such as power, water, gas, telecommunications or similar benefit.

ADULT BOOKSTORE: An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals, and/or photographs, films, motion pictures, records or other form of visual or audio representations which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment with a segment or section devoted to the sale or display of such material.

ADULT BUSINESS USE: Any commercial use of property of which a significant or substantial portion involves an activity distinguished or characterized by its emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas, including, but not limited to, the operation of an adult bookstore, adult card, gift or novelty store, adult entertainment cabaret, adult mini-motion picture theater, adult motel, adult motion picture arcade, or adult motion picture theater.

ADULT CARD, GIFT, OR NOVELTY STORE: An establishment having as a significant or substantial portion of its stock-in-trade items, such as cards, games, articles of clothing and novelties which are distinguished or characterized by an emphasis on depicting, describing, or relating to specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT CABARET: A public or private establishment which, live or on motion pictures, features:

- A. Topless and/or bottomless dancers, strippers and/or male or female impersonators; or
- B. Entertainers who frequently display specified anatomical areas; or
- C. Entertainers who by reason of their appearance or conduct perform in a manner which is designed primarily to appeal to the prurient interest of the patron, or entertainers who engage in, or engage in explicit simulation of, specified sexual activities.

ADULT MINI-MOTION PICTURE THEATER: An enclosed building, or any portion or portions thereof, having a capacity from six (6) to fifty (50) persons, where, for any form of consideration (including a coin or token inserted into a coin or token operated projector, video screen, or other image producing device), patrons may view films, motion pictures, or similar photographic or electronic reproductions in which a significant or substantial portion of the total presentation time is devoted to the showing of materials that are distinguished by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

ADULT MOTEL: A hotel, motel or similar commercial establishment which:

- A. Offers accommodations to the public for any form of consideration; provides patrons with films, motion pictures, or other electronic or photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and has a sign visible from the public right of way which advertises the availability of such films, motion pictures, or other electronic or photographic reproductions; or
- B. Offers a sleeping room for rent for a period of time that is less than eight (8) hours; or
- C. Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than eight (8) hours. "Rent" and "subrent," when used in reference to an adult motel, shall mean the act of permitting a sleeping room to be occupied for any form of consideration.

ADULT MOTION PICTURE ARCADE: An establishment in which electronic, electrical, or mechanical video screens or other image producing devices operable by insertion of a coin or token or for other consideration are maintained for presentation of images to five (5) or fewer persons at a time per such device and where the images presented are distinguished or characterized by an emphasis on depicting, describing or relating to specified sexual activities or specified anatomical areas.

ADULT MOTION PICTURE THEATER: An enclosed building with a capacity of fifty (50) or more persons where, for any form of consideration, patrons may view films, motion pictures, or similar electronic or photographic reproductions in which a significant or substantial portion of the total presentation time is devoted to the showing of materials that are distinguished by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

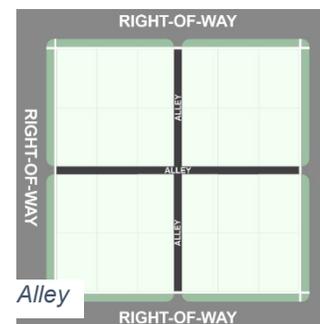
AGRICULTURE: Land, including necessary buildings and structures, used growing of crops in the open.

ALLEY: A public right of way, with a width not exceeding twenty-four feet (24'), which affords a secondary means of access to abutting property.

ALTERATION: A change in size, shape, character or use of a structure.

ANIMAL HOSPITAL: Any building or portion thereof used to provide medical care, observation, treatment, and accessory indoor boarding of domestic animals.

ANTENNA: Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.



ANTENNA, DIRECTIONAL: A personal wireless services antenna that radiates or receives greater power in specific directions allowing for increased performance and reduced interference from unwanted sources.

ANTENNA, HEIGHT: The height of an antenna measured from the ground level at grade to its highest point.

ANTENNA, OMNIDIRECTIONAL: A personal wireless services antenna receiving signals from or transmitting in all directions.

ANTENNA, PANEL: A type of directional antenna that is usually one-directional, used to increase the range and capability of wireless Internet networks.

ANTENNA, PERSONAL WIRELESS SERVICES: An antenna used in connection with the provision of personal wireless services.

ANTENNA, SUPPORT STRUCTURE: Any structure, including a tower, used for the principal purpose of supporting a personal wireless services antenna.

ANTENNA, WHIP: A personal wireless services antenna in the form of a long flexible wire or rod with a connection to one end.

ARBOR: A frame of wooden or metal, mainly used to support small trees or climbing plants.

ARCHITECTURAL ENTRANCE FEATURE: Structures used for the purpose of ornamentation intended to improve, identify, designate, label or demarcate the entrance to or exit from a residential subdivision, business park or planned unit development. Such structures may include, but are not limited to, decorative walls, columns, fence-like structures, sculptures or statues. An architectural entrance feature is not a sign; however, a sign may be part of, or mounted to, an architectural entrance. Such signs shall be in keeping with the feature as set forth in chapter 11 of this title and subject to approval by the director of community development.

ATTIC: The space between the ceiling (joist) beams of the top story and the roof rafters.

ATTIC, HABITABLE: A habitable attic is an attic which has a stairway as a means of ingress and egress and in which the ceiling area at a height of seven and one-third feet (7 1/3') above the attic floor is not more than one-third (1/3) the area of the next floor below.

AUDITORIUM: A room, a hall or part of a building, or other standalone building for gathering of people as an audience to hear events such as lectures, plays, and other presentations.

AUTOMOBILE AND TRUCK RENTAL: An establishment for the rental or leasing of motor vehicles where contracts are prepared, reservations accepted, and vehicles stored and prepared for rental.

AUTOMOBILE AND TRUCK SALES (NEW AND USED): The use of any building or portion thereof, or other premises, for the display and sale of new motor vehicles, or used motor vehicles as an ancillary use of a lot, and any warranty repair work and other repair service conducted as an accessory use.

AUTOMOBILE BODY SHOP: Any building, or portion thereof, used for the repair or straightening of a motor vehicle body or frame, welding and/or painting of motor vehicles. Maintenance, service and the repair or replacement of engines, transmissions, differentials and drive trains may be performed as an ancillary function to the body work.

AUTOMOBILE, PARKED: A vehicle parked on a residential property which does not remain on a parcel for more than ninety-six (96) consecutive hours.

AUTOMOBILE REPAIR: Any building, or portion thereof, used for the repair or replacement of engines, transmissions, differentials, drive trains, or any part thereof, and/or the replacement of parts, service and incidental repairs to motor vehicles, but excluding operations specified under automobile body shop.

AUTOMOBILE STORAGE: The action at a facility, portion of such, or other location in the Village where motor vehicles remain unmoved for a period of greater than 72 hours in a non-residential district.

AUTOMOBILE SERVICE STATION: A business partly or entirely devoted to storing and dispensing of automobile fuels and accessories. Sale of convenience shopping goods to those purchasing gasoline, or others, may also be a part of this activity.

AVERAGE GRADE: Elevation of the two (2) points where the required front building setback line intersects the side lot lines.

AWNING: A structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be permanently affixed or affixed in such a manner that it may be raised or retracted to a position against the building.



BALCONY: An elevated platform open to the elements, not supported by the ground and projecting from an upper story and enclosed entirely by a railing.

BANKS AND FINANCIAL INSTITUTIONS: A facility, open to the public, engaged in deposit banking and that related functions such as loan-making, investments, and financial activities.

BANQUET HALL: An establishment rented to individuals or groups for private functions such as, banquets, weddings, and similar events. Such a use may or may not include kitchen facilities and on-premises alcohol consumption during scheduled events.

BASEBALL / SOFTBALL DUGOUT SHELTER: A structure accessory to a field on which baseball or softball are played, designated for players waiting for a time to participate in the sporting event.

BASEMENT: A portion of a building located partly underground, but having not less than one-half (1/2) its clear floor to ceiling height below the average surrounding grade of the adjoining ground.

BAY WINDOW: A window projecting beyond the wall line of the building and not supported by a foundation.

BEER / WINE BAR: An establishment where the principal business is serving alcoholic beverages to be consumed by the customers on the premises and in which serving food may be incidental to the business operation. Accessory sale of alcoholic beverages for off-site consumption are included as part of this use.

BED AND BREAKFAST ESTABLISHMENT: an operator-occupied residence providing accommodation for a charge to the public. Breakfast may be provided to the guests only.

BILLBOARD: A sign advertising a land use, business, product, or service, not located or available upon the premises whereon the sign is located. These signs are distinguished from other off-premise signs by their larger than otherwise permitted size and typical location along interstates, state highways, and major arterial roadways. Additionally, billboards are often erected to attract attention to land uses, businesses, products, and/or services that may be utilized by motorists unfamiliar with area-wide land uses, businesses, products, and or services, such as tourists and out-of-state visitors.

BLOCK: A tract of land bounded by streets, or by a combination of streets and other natural, constructed, or defined barriers.

BREW PUB: A full-service restaurant where beer is brewed or manufactured on the premises, with the primary distribution being in the adjoining full-service restaurant.

BULK STORAGE: Materials related to operation of a business that are finished products to be sold, or to be used in preparation of new products.

BUSINESS AND TECHNICAL SCHOOL: A specialized instructional establishment providing on-site training of business, commercial, and/or trade skills such as business skills, computer operations, and manufacturing / industrial skills.

BOAT: Any vessel used for travel upon or through water, except a personal watercraft. As applied in Chapter 5 of this Title, a boat and the trailer upon which it is maintained shall be considered as one vehicle.

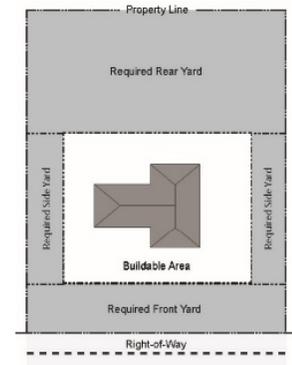
BOAT SALES AND REPAIR: A building, or portion thereof, for the display and sale of boats, including facilities for repair of boats.

BORROW PIT: A depression or pit created to provide soil to be used as fill at another location.

BOTANIC GARDEN: A facility for the display and raising of plants and other features for study and public display.

BUILDABLE AREA: The area of the lot which is not located within any required yard.

BUILDING: Any structure that is built for the support, shelter or enclosure of persons, animals, chattels or movable property, and is permanently affixed to the land.

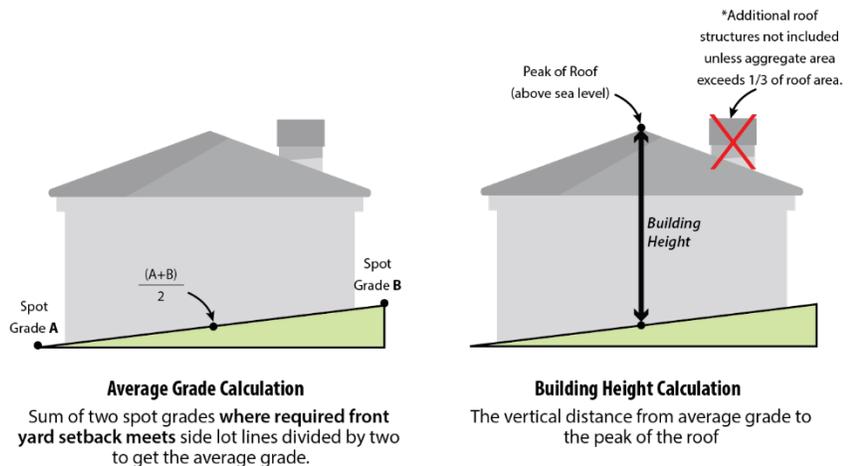


BUILDING, ACCESSORY: A subordinate building or portion of a principal building, the use of which is incidental to that of the principal building and customary in connection with that use.

BUILDING, COMPLETELY ENCLOSED: A building separated on all sides from the adjacent open space or from other buildings or other structures by a permanent roof and behind exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

BUILDING COVERAGE: The gross area of a lot occupied by the ground floor of all principal building(s) and accessory structures which are under roof.

BUILDING HEIGHT: The vertical distance from the average grade measured to the highest point of the building. In determining height, parapet walls not exceeding three feet (3') in height from the roof surface, penthouse, roof tanks, bulkheads, chimneys and similar roof structures shall not be included unless the aggregate area of such structures exceeds one-third (1/3) of the area of the roof of the building.



BUILDING, PRINCIPAL: A building in which the principal use of the lot on which it is located is conducted.

BUILDING, RESIDENTIAL: A building which is arranged, designed, used or intended to be used for residential occupancy.

BURNING, FREE: A rate of combustion described by material which burns actively and easily supports combustion. Examples: coal, charcoal.

BURNING, INTENSE: A rate of combustion described by a material that burns with a high degree of activity and is consumed rapidly. Examples: sawdust, magnesium (powder, flaked or strips), rocket fuels.

BURNING, SLOW: A rate of combustion which describes materials that do not in themselves constitute an active fuel for the spread of combustion. Examples: wool, materials with fire retardant treatments.

BUSINESS: Any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor and materials, or where services are offered.

BUSINESS SERVICES: Establishments primarily providing services that are generally related to businesses support activities.

CALIPER: The diameter of the trunk of a tree measured in inches at a point six inches (6") above the ground for up to and including four inch (4") caliper size, and twelve inches (12") above the ground for larger sizes. This point of measurement is used for nursery stock trees.

CANNABIS: "Cannabis" as defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended.

CANNABIS DISPENSARY: A business establishment operated in accordance with Illinois State Statute 410 ILCS 705, where cannabis and/or cannabis products are offered for retail sale either for medical or recreational consumption. A cannabis dispensary does not include on-site consumption, cultivation, or infusion of cannabis or cannabis products.

CANNABIS PRODUCTION: craft growers, cultivation centers, infusers, processors, and transporters as defined under Section 1-10 of the Cannabis Regulation and Tax Act, as amended.

CANOPY: A roofed structure that is open on at least three (3) sides and typically provides protection from the sun or weather that is associated with the sale of commercial goods or services.

CAR WASH: A building or portion thereof where automobiles are washed manually or with the use of a conveyor and blower, or other cleaning device.

CARETAKER'S / WATCHMAN RESIDENCE: Living quarters accessory to an industrial use provided as a residence, on site, for an employee charged with providing maintenance and security functions to a facility.

CARGO CONTAINER: An industrial, standardized reusable vessel that was:

- A. Originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, and/or
- B. Designed for or capable of being mounted or moved on a rail car, and/or
- C. Designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

CARGO CONTAINER FACILITY: Any site in which the principal use is the movement, staging, or redistribution of cargo containers either on or off of a chassis, or the nonpermanent storage (6 months or less) of cargo containers without being utilized for transportation purposes, but not to include railroad operations that are subject to jurisdiction of the U.S. department of transportation surface transportation board.

CARPOR, ATTACHED: A permanent roofed structure, made of wood, brick, steel or similar materials, not more than fifty percent (50%) enclosed by walls and attached to the principal structure for the purpose of providing shelter for one or more motor vehicles.

CARPOR, DETACHED: A permanent roofed structure, made of wood, brick, steel or similar materials, not more than fifty percent (50%) enclosed by walls for the purpose of providing shelter for one or more motor vehicles.

CARTAGE AND EXPRESS FACILITIES: Any buildings, parking lots and related structures whose principal use is one or more of the following: the routing of trucks; the receipt and immediate dispatching of goods; short term storage which is incidental to the primary



function of receipt and dispatching of goods; the parking or storage of trucks, trailers or other vehicles that accommodates the simultaneous loading and unloading of trucks. Cartage and express facilities do not include cargo container movement, storage, staging, or redistribution on or off a truck trailer.

CATERING ESTABLISHMENT: A business producing or processing food sales for consumption off-site by individuals or groups.

CEMETERY: A parcel of land and structure dedicated to the interment of human. Often includes crematoria, mausoleums, columbaria, mortuaries, and funeral establishments on the same grounds.

CHASSIS: The non-powered portion of a semitrailer configuration that transports the cargo container; also known as a truck trailer.

CHICKEN/ HEN COOP: An enclosed structure used for housing chickens that provides protection from the elements.

CHILDCARE CENTER: A facility, other than within a residential dwelling unit, which exclusively provides supplemental care and supervision, recreation, and/or educational instruction to children or adults during the entire or any portion of the day. Daycare centers shall be in keeping with current state regulations.

CHILDCARE HOME: Any residence which receives more than three (3), up to a maximum of twelve (12) children, for less than twenty-four (24) hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of twelve (12). The term does not include facilities which receive only children from a single household.

CLOSED CUP FLASHPOINT: The lowest temperature at which a combustible liquid under prescribed conditions will give off a flammable vapor which will propagate a flame. The tag closed cup tester shall be authoritative for liquids having a flashpoint below one hundred seventy-five degrees Fahrenheit (175°F). The Pensky Martens tester shall be authoritative for liquids having flashpoints between one hundred seventy-five degrees Fahrenheit (175°F) and three hundred degrees Fahrenheit (300°F).

COLLEGE AND UNIVERSITY (PUBLIC AND PRIVATE): An institution, other than a trade school, that provides full-time or part-time education beyond high school and that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant degrees.

COLLOCATION: The use of a single structure by two (2) or more antenna systems or platforms on a structure such as a support structure, pole, tower, mast building, water tower, or other structure.

COMMON AREA LIGHTING: Lighting fixtures located in the common area of developments including, but not limited to, private roadways, streets and driveways.

COMMUNITY RESIDENCE: A dwelling unit shared by not more than twelve (12) persons not related by blood, marriage, adoption or guardianship, plus their related staff, who live together as a single housekeeping unit and in a long term family environment in which staff persons assist in providing care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. A group home may be shared by groups such as the disabled or the elderly.

COMPENSATORY STORAGE: An artificially excavated volume of storage used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the floodplain. The uncompensated loss of natural floodplain storage can increase off site floodwater elevations and flows.

COMPREHENSIVE PLAN or THE VILLAGE OF WOODRIDGE COMPREHENSIVE LAND USE PLAN: the compilation of policy statements; goals; standards; maps; recommended planning, regulatory, fiscal and public works programs; together with pertinent data relative to the past, present and future trends of the village with respect to its population, housing, economic, social and environmental development patterns; its land, water and natural resources and use; its transportation facilities, public facilities and utilities; and any other matter relative to the present and future patterns of life within the village or

within the unincorporated areas lying within one and one-half miles of its boundaries as they may from time to time exist, prepared and recommended by the plan commission with the advice and assistance of the zoning officer and adopted by the village board by ordinance duly enacted, together with such amendments thereto as may be adopted from time to time. The comprehensive plan will also refer to any internally consistent and complete portion of such a compilation relating to any one or more of the above-referenced subjects or to any specific portion of the above-referenced geographical area. As of the effective date of this title, said term is understood to refer to the following documents:

- A. Village of Woodridge Comprehensive Plan 2015, as amended.
- B. The comprehensive plan of the village of Woodridge, DuPage and Will Counties, Illinois.

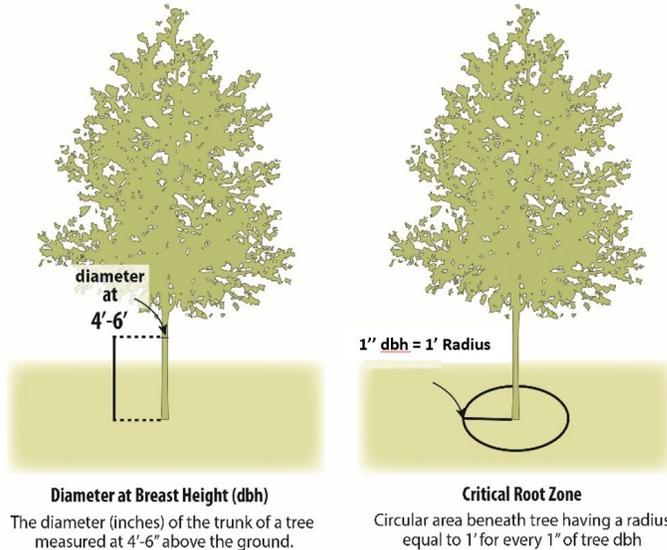
CONTRACTOR SERVICES: Any of the activities commonly referred to as construction or as contractor's services; including the indoor repair, maintenance, or storage of a contractor's vehicles, equipment or materials for the provision of services, which shall include but not be limited to plumbing, heating, roofing, interior remodeling, and excavating. The use may include the contractor's business office.

CONVENTION CENTER: A building or portion thereof used for holding assemblies, conferences, conventions, public meetings, seminars, trade shows, workshops, or other similar activities. May include dining facilities for the use of participants.

CONVERTED DWELLING: A single-family dwelling which has been converted into a primary unit and Accessory Dwelling Unit, as provided in section 9-3-20 of this title.

COUNTRY CLUB: A club with recreation facilities for members, their families, and invited guests.

CRITICAL ROOT ZONE: A circular area on the ground beneath a tree having a radius equal to one foot (1') for every one inch (1") of tree diameter at breast height.



CULTURAL FACILITY: A use operated by a public, private or non-profit organization that is open to the public and providing cultural services and facilities including, but not limited to cultural centers, museums, nature and forest preserves, botanical gardens, historical societies, aquariums and libraries.

CURRENCY EXCHANGE: A business primarily providing facilities for services cashing checks, drafting money orders, or serving as an outlet for government or utility services and payments.

DAMAGE, TREE: Any direct or indirect action that causes, or is reasonably likely to cause, the death of a tree or a significant loss of a tree's structural integrity including, but not limited to, destruction, poisoning, carving, mutilating, girdling, severing the main trunk, leader or large branches, touching with live wires, crushing or exposing the roots, digging or drilling any hole or trench within the critical root

zone, filling with soil or other materials within the critical root zone, compacting a substantial portion of the soil within the critical root zone, or flooding the critical root zone. Without limitation to the foregoing, damage does not include the pruning of trees.

DATA AND COMPUTER PROCESSING FACILITY: A facility where data is collected, stored, and transmitted as information between computer users and / or other computer services providers.

DECIBEL: A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in decibels.

DECK: An uncovered and open platform built above grade typically supported by pillars or posts. Decks may or may not be attached to a principal or accessory structure.



DENSITY: The density is the ratio determined as follows:

Number of dwelling units

(Divided by)

Total lot area exclusive of all streets (sq. ft.)

This ratio is used in determining overall densities when area developments are proposed without regard to individual lots.

DEVELOPMENT: Any manmade change to improved or unimproved real estate.

DIAMETER AT BREAST HEIGHT (dbh): The diameter of the trunk of a tree measured in inches at a point four and one-half feet (4.5') above the ground. This point of measurement is used for existing trees. The dbh for a multi-trunked tree that splits below four and one-half feet (4 1/2') but whose trunks share a common base shall equal the combined dbh of all of the trunks and shall count as one tree. Trunks that split at ground level and that do not share a common base shall each be measured as a separate tree.

DISABLED: A person who has a chronic condition which:

- A. Is attributable to a mental and/or physical impairment.
- B. Is likely to continue indefinitely.
- C. Results in substantial functional limitations in three (3) or more of the following areas of major life activity: self- activity, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and economic self-sufficiency.
- D. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment or other services which are of lifelong or extended duration.

DONATION DROP BOX: A receptacle placed outdoors used for the collection of used clothing, shoes, books and small household items donated by the public for redistribution by for profit and not for profit organizations and licensed by the Village.

DRIVE AISLE: A pathway for motor vehicles through a parking area that provides direct access to parking stalls on either or both sides of the pathway.

DRIVE-IN, DRIVE-THROUGH: Any place or business operated for the sale and purchase at retail of food and other goods or the rendering of services which facility is designed and equipped so as to allow its patrons to be served or accommodated while remaining in their motor vehicle.

DRIVEWAY: A pathway for motor vehicles from a street to a building, structure, or parking area. In residential districts, a driveway may also provide off street parking for vehicles, however must still serve the purpose as a pathway to a designated parking area.

DWELLING: A building or portion thereof designed or used for residential purposes, including single- and multiple-family uses and townhomes, but not including house trailers, mobile homes or lodging rooms in hotels, motels or lodging houses.

DWELLING, MULTIPLE-UNIT: A dwelling containing two or more dwelling units, which use as their principal means of egress common entryways, hallways, stairways, or corridors. Multiple-unit dwellings have individual entries and multiple dwellings are located in a single building.

DWELLING, SINGLE-UNIT ATTACHED: A single-family dwelling which is joined to another dwelling at one or more sides by a party wall or walls, with each dwelling having a separate entrance, commonly known as a duplex when two attached units, and a townhome/rowhome when three or more attached units.

DWELLING, SINGLE UNIT DETACHED: A single dwelling unit designed exclusively for residential use and occupancy, which is entirely surrounded by open space and is not connected to any other dwelling unit by roof, walls or porches.

DWELLING UNIT, ACCESSORY: A group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit, as provided in section 9-3-20 of this title.

EASEMENT: A specific area of land over which a liberty, privilege or advantage is granted by the owner to the public, a corporation or some particular person or part of the public for specific uses and purposes and which shall be designated a "public" or "private" easement, perpetual or for a given term and exclusive or nonexclusive depending on the nature of the particular grant.

EAVE: The projecting lower edges of a roof, overhanging the wall of a building.

ELECTRIC VEHICLE (EV) CAPABLE: Parking spaces that have electric vehicle supply equipment infrastructure installed that at least provides conduit for a dedicated branch circuit originating at the service equipment and terminating at a receptacle, junction box, or electric vehicle supply equipment adjacent to the parking space for electric vehicle charging with 208-volt or 240-volt or greater, 40-ampere or greater circuits.

ELECTRIC VEHICLE (EV) READY: Parking spaces that have the electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet installed which will support an installed EVSE of 208-volt or 240-volt or greater, 40-ampere or greater circuits.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE): Electric vehicle supply equipment" or "EVSE" means a conductor, including an ungrounded, grounded, and equipment grounding conductor, and electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, and apparatuses installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) INSTALLED: Parking spaces that have the electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet installed which will support an installed EVSE of 208-volt or 240-volt or greater, 40-ampere or greater circuits.

ENCROACHMENT: Any building or structure, or part thereof, in the open area required by this chapter, excluding trees and shrubs.

EQUIPMENT RENTAL: Businesses which rent tools, construction equipment, and similar implement. Often includes storage, maintenance, and servicing of such equipment.

EXISTING GRADE: The grade of the existing ground surface prior to excavation or filling.

FAA: The Federal Aviation Administration of the United States.

FCC: The Federal Communications Commission of the United States.

FACADE: The exterior walls of a building or tenant space exposed to public view or that will be viewed by persons not within the building.

FOOD PANTRY: A facility in which the principal function is to provide food and personal items as charity to those in need.

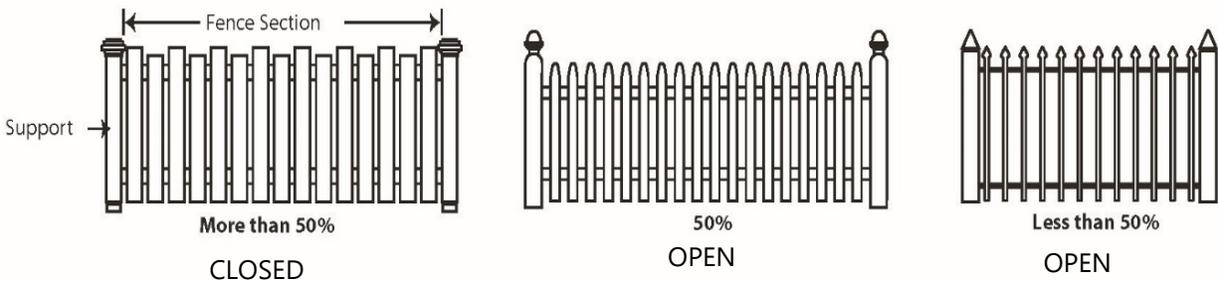
FAMILY: A family is:

- A. A person living alone;
- B. Two (2) or more persons related by blood, marriage or adoption (including foster children) living together as a housekeeping unit and occupying a single dwelling unit;
- C. A group of not more than five (5) persons, who need not be related by blood, marriage or adoption (including foster children) living together as a housekeeping unit by joint agreement; or
- D. A group of four or more persons living in a community residence.

FENCE, CLOSED: A fence which is not an open fence; provided, that any fence required by section 9-3-4 of this title shall be constructed in such manner so as to provide a solid visual barrier between the uses located on the same lot as such fence and all other surrounding uses.



FENCE, OPEN: A fence, including entrance and exit gates, designed and constructed so that the surface area of any segment of such fence contains at least 50 percent or more of open spaces.



FINISHED GRADE: The grade of the existing ground surface upon completion of construction or development.

FIXTURE: A complete lighting unit consisting of a lamp (or lamps) and ballast (or ballasts) as required, together with the parts designed to distribute the light, position and protect the lamps and connect them to the power supply. A fixture may be referred to as a luminaire.

FLOOR AREA, GROSS: For the purposes of determining floor area ratio, the floor area of a building or buildings shall be the sum of the gross horizontal areas of the several floors of such building or buildings measured from the exterior faces of exterior walls or from the centerline of party walls separating two (2) buildings. In particular, "gross floor area" shall include:

- A. Basement space, if at least one-half (1/2) of the basement or lowest level height is above the average grade.
- B. Elevator shafts and stairwells at each floor.
- C. Floor space used for mechanical equipment where the structural headroom exceeds seven and one-half feet (7.5') except equipment, open or enclosed, located on the roof, i.e., bulkheads, water tanks and cooling towers.
- D. Interior balconies and mezzanines.
- E. Enclosed porches, but not terraces and breezeways.
- F. Accessory buildings.

FLOOR AREA, NET: For the purpose of determining off street parking and loading requirements, the net floor area of a building or buildings shall mean the sum of the net horizontal floor area of the several

floors of a building measured from the interior faces of the exterior walls or from the centerline of party walls separating two (2) buildings. The net floor area (NFA) of a building shall include:

- A. Basements, or portion thereof, that it designed and/or used for functions other than storage;
- B. Penthouse, excluding mechanical penthouses;
- C. Attic space having headroom of seven feet six inches (7'6") or more;
- D. Interior balconies and mezzanines;
- E. Enclosed porches; and
- F. Floor area devoted to storage (when located in main floor sales / work areas or main floor backroom storage areas).

The net floor area (NFA) of a building shall not include:

- A. Floor area occupied by mechanical, communications and electrical equipment, including penthouses;
- B. Stairwells, escalators and elevator shafts;
- C. Attic space having headroom of less than seven feet six inches (7'6");
- D. Public restrooms;
- E. Interior off street parking and loading;
- F. Basements, or portions thereof, that it designed and/or used for storage;
- G. Entrance lobbies; and
- H. Interior covered common areas designed primarily for pedestrian circulation.

FLOOR AREA RATIO: The floor area ratio is determined as follows:

Total gross floor area, all floors on lot (sq. ft.)

(Divided by)

Total lot area exclusive of all streets (sq. ft.)

Total lot area includes all impermeable surface areas, including driveways, access drives, parking areas, and sidewalks. Permeable surface areas include all landscaped areas, landscape berms, detention/retention areas, wetlands, etc.

FOOT-CANDLE: The unit of illuminance equal to one lumen per square foot.

FRONTAGE, LOT: The width of a lot abutting a public right-of-way, measured along the adjoining property line.

FUNERAL HOME: An establishment engaged in undertaking services such as preparing the dead for burial and arranging and managing funerals. The use includes crematorium.

GARAGE, PRIVATE: An accessory building or an accessory portion of the principal building intended for and used to store private vehicles of the principal use on the property.

GAZEBO: An accessory structure covered by a roof, and may be enclosed with screening, intended to be used for outdoor activities.

GLARE: Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

GOLF COURSE: A facility providing a private or public golf recreation area along with accessory golf support services and facilities such as a driving range, lounge, pro shop or banquet space.

GOVERNMENT BUILDINGS AND FACILITIES: A building owned, operated and/or occupied by a governmental agency to provide a governmental service to the public.

GREENHOUSE: A business whose principal use is the growing of plants, all or part of which are sold at retail or wholesale.

GROUP HOME: See Community Residence.

HEALTH CLUB (LARGE): A facility designed for and providing physical fitness facilities and services for large groups of people. For this definition, such facilities are those greater than 10,000 square feet in size and, including a wide range of activities such as weight resistance machines, stationary bicycles, whirlpools, group workouts, saunas, showers, lockers, racquet courts, and swimming pools.

HEALTH CLUB (SMALL): A facility designed for and providing physical fitness facilities and services for small groups of people and emphasizing individual or small group training. For this definition, such facilities are those 10,000 square feet in size and smaller. Such facilities may include activities such as weight resistance machines, sparring, stationary bicycles, group workouts, and training for martial arts.

HEALTH TREATMENT CENTER: An establishment where licensed medical professionals provide immediate care services to patients, primary on a drop in basis. Facilities often include rooms used for the diagnosis and treatment of illnesses and injuries that can be performed in an office setting, but do not include overnight care.

HELIPORT: A designated area on the ground or on a building meeting the specifications of the federal aviation administration for the exclusive use of landing and takeoff of helicopters, excluding service and/or refueling buildings or facilities.

HOME OCCUPATION: Any business, profession, or occupation engaged in by the resident(s) of a dwelling unit at or from the dwelling unit.

HOSPITAL: An institution providing health, medical and surgical facilities, for diagnostic, mental, and medical treatment (both surgical and nonsurgical) to inpatients with a variety of medical conditions. These establishments maintain inpatient beds, provide patients with food services and an organized staff of physicians and other medical personnel to provide patient care services. These establishments commonly provide outpatient, diagnostic, clinical laboratory, and pharmacy services.

HOTEL: A building designed for transient occupancy, containing lodging rooms or suites accessible from a common interior hall or entrance, providing living, sleeping and sanitary facilities. A central kitchen, meeting rooms, dining room and recreation room are generally provided.

HOTEL, EXTENDED STAY: A building designed for extended occupancy for up to one year, containing lodging rooms or suites accessible from a common interior hall or entrance, providing living, sleeping, kitchenette and sanitary facilities. A central kitchen, meeting rooms, dining room and recreation room are generally provided.

ILLUMINANCE: A measure of how much light is falling onto a surface, typically measured in foot-candles.

INCOMBUSTIBLE: A material which will not ignite nor actively support combustion during an exposure for five (5) minutes to a temperature of one thousand two hundred degrees Fahrenheit (1,200°F).

INDOOR RECREATION FACILITY: A building or facility designed and equipped for the conduct of sports, leisure time activities, educational and community activities, and other recreation activities, including, but not limited to, bowling alleys, skating rinks, swimming pools, and dance halls.

INDOOR RETAIL SALES: Sale of any product or merchandise to customers for their own personal consumption or use, not for resale.

ISLAND: An area of ground within the boundary of any parking lot which has curbing adjacent to paved areas. Planting islands are used for traffic control and provide space for landscaping which helps screen and shade parking lots.

KELVIN: A unit increment of temperature and is used as a color temperature scale of a light bulb (symbol "K").

KENNEL: Any premises or portion thereof where four (4) or more domestic animals over four (4) months of age are kept or boarded for compensation and which does not include the provision of medical care.

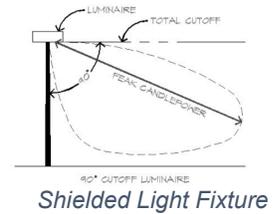
LATTICE TOWER: A tower characterized by an open framework of lateral cross members, which stabilize the tower.

LANDSCAPING POND: A pond that is not required or primary used for stormwater management.

LAUNDRY DRYING EQUIPMENT: A system of poles and lines accessory to a residential property used to dry laundry in the outdoors.

LIGHT: Radiant energy that can be sensed or seen by the human eye.

LIGHT FIXTURE, FULLY SHIELDED: A light fixture constructed and installed in such a manner that all light emitted by the fixture, either directly from the bulb or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane through the fixture's lowest light emitting part.



LIGHT OUTPUT: The power emitted from a source of electromagnetic radiation, such as a light bulb, in the form of visible light. Light output is measured in lumens and is typically specified by the manufacturer for a given lamp or luminaire. Typical light output values for incandescent bulbs are:

- A. 100W: 1550 lumens
- B. 75W: 1080 lumens
- C. 60W: 780 lumens
- D. 40W: 450 lumens

LIGHTED OUTDOOR SPORTS FACILITY: An open area of land used for outdoor sports games and practices that is illuminated to allow such activities in the evening hours.

FREE LIBRARY: Accessory structures for the purpose of storing books for exchange within neighborhoods and for the general public and promoting access to reading materials.

LOADING, OFF STREET: A space, accessible from a street, alley or way, in a building or on a lot, for the use of trucks while loading or unloading merchandise or materials.

LOGISTICS FACILITY: See WAREHOUSE

LOGO: A distinctive symbol which identifies a business.

LOT: A single parcel of land established through a plat of subdivision or defined as a zoning lot, abutting and have access to an existing public street.

LOT AREA: The area of horizontal plane within the property lines of a lot.

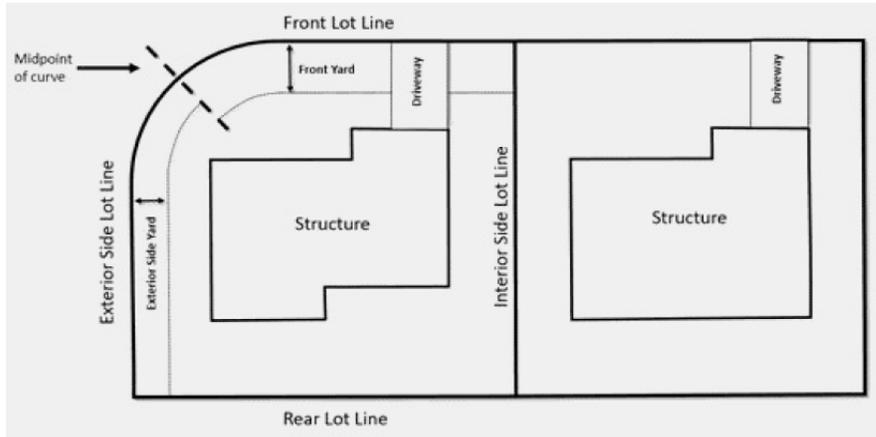
LOT COVERAGE: That area of a lot or parcel which is covered by buildings and/or other structures. In business and industrial zoning districts parking lots shall not be considered structures for lot coverage calculations.

LOT DEPTH: The depth of a lot or parcel as measured along a straight line connecting the midpoint of the front lot line to the midpoint of the rear lot line.

LOT LINE: A property boundary line of a lot; except, that where any portion of a lot extends into the abutting street or sidewalk, the lot line shall be deemed to be the street line.

LOT LINE, EXTERIOR SIDE: A lot line that abuts a street and is not a front lot line or a rear lot line. If the exterior side lot line abuts a front lot line on a curve, the exterior side lot line shall extend to the midpoint of the curve.

LOT LINE, FRONT: A lot line which abuts a street. On a lot abutting two (2) or more streets, the front lot line shall be the shortest lot line abutting a street. If the front lot line abuts an exterior side lot line on a curve, the front lot line shall extend to the midpoint of the curve. On through lots abutting two streets, both sides abutting streets should be treated as front lot lines.



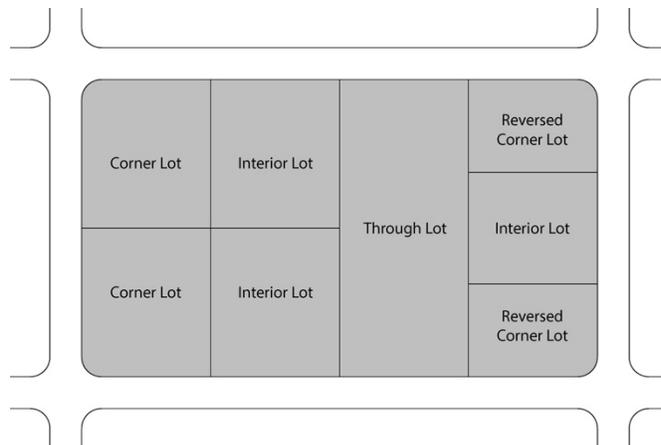
LOT LINE, INTERIOR SIDE: A lot line which abuts another lot and which is not a front lot line or a rear lot line.

LOT LINE, REAR: A lot line or lot lines most distant from and most nearly parallel to the front lot line.

LOT, REVERSED CORNER: A corner lot, the rear of which abuts the side of another lot.

LOT, THROUGH CORNER: A lot having frontage on two (2) parallel or approximately parallel streets, and on the third street which is perpendicular or approximately perpendicular to the other two (2) streets.

LOT, THROUGH: A lot having frontage on two (2) parallel or approximately parallel streets.



LOT WIDTH: The distance of line measured perpendicular to a straight line connecting the midpoint of the front lot line with the midpoint of the rear lot line and intersecting with the front yard setback. In no case shall the front lot line be less than seventy-five percent (75%) of the required lot width in the applicable district.

LOT, ZONING: A tract of land consisting of individual parcels located within a block, under single ownership, and with one (1) principal building.

LUMENS: The unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture.

LUMINAIRE: See FIXTURE.

LUMINANCE: The brightness or the amount of light coming off of a surface in a given direction, typically measured in candela per square meter (abbreviated as cd/m²).

MANUFACTURING: The production of articles for use from raw or prepared materials by giving such materials new forms, qualities, properties or combinations, whether by hand labor or machine.

MASSAGE: Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical electrical apparatus or appliances with or without rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations used in this practice, under such circumstances that it is reasonably expected that the person to whom treatment is provided, or some third party on such person's behalf, will pay money or give other consideration or any gratuity therefor.

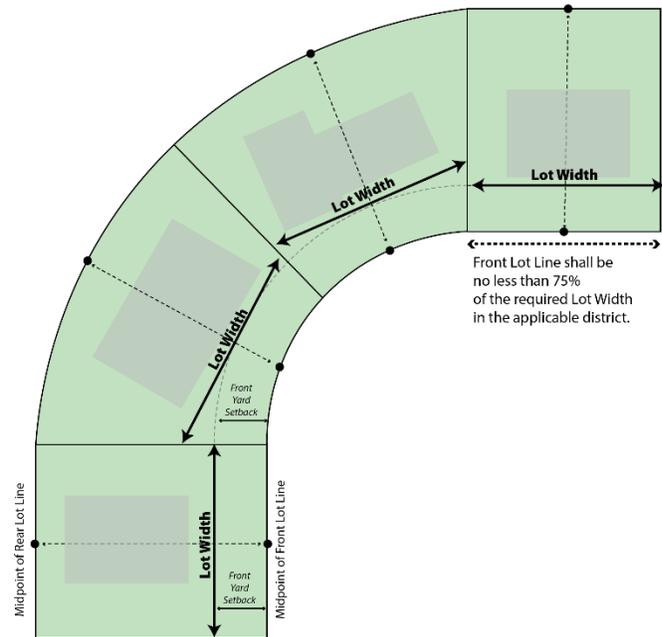
MASSAGE ESTABLISHMENT: As defined in title 3, chapter 13 of this Code.

MEDICAL OFFICES: A medical and / or dental facility used for offices of one or more than one doctor for the examination and treatment of patients. Such facility shall not provide beds or other accommodations for the overnight stay of patients.

MEDICAL SPA (or MED SPA): A business with characteristics of both a medical use and a beauty day spa. The facility often provides aesthetic (non-surgical) medical services performed a licensed physician or supervised and qualified practitioners. No overnight stays are part of this facilities services.

MICROBREWERY: A manufacturer of alcoholic malt beverages of up to 15,000 barrels per year for the purpose of wholesale distribution of a majority of its product with incidental sales of up to 3,000 barrels to the public for on-site consumption or carryout. The microbrewery facility may include an ancillary tasting room and retail sales in which guests/customers may sample and purchase the product(s) associated with the facility's use, and/or products manufactured on-site.

MICRODISTILLERY: A small-scale artisan manufacturing business that blends, ferments, processes, packages, and distributes alcoholic spirits on the premises. The microdistillery facility may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product(s) associated with the facility's use, and/or products manufactured on-site. Operation of the facility shall be consistent with Illinois State law regarding "Craft Distillers".



MICROWINERY: Combination retail, wholesale and small-scale artisan manufacturing business that blends, ferments, processes, packages, and distributes wine for sale on or off-site. The microwinery facility may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product associated with the facility's use, and/or products manufactured on-site. Operation of the facility shall be consistent with Illinois State law regarding "Second Class Wine Makers".

MONOPOLE TOWER: A tower that is a single upright pole engineered to be self-supporting that does not require lateral cross support or guys.

MONUMENT SALES: An establishment involved, in part or in whole, in the retail sale of tombstones, gravestones, burial monuments, and other similar items.

MOTEL: A building offering transient occupancy, containing lodging rooms directly accessible from an exterior hall or entrance, providing living, sleeping and sanitary facilities, whether the establishment is designated as a hotel, inn, automobile court, motor inn, motor lodge, tourist court or otherwise.

NATURE PRESERVE. An outdoor recreational facility that maintains and protects environmental features, or resources to ensure that the space remains in a predominately natural or undeveloped state. The preserved open space may include passive recreation and environmental education for the public.

NONCONFORMING SIGN: A sign, lawful prior to the effective date hereof, which does not comply with all of the regulations of this title or any amendment hereto governing the use of signs.

NONCONFORMING STRUCTURE: A structure lawfully established which:

- A. Does not comply with all the regulations of this title governing the bulk of structures located within any given district; or
- B. Is designed or intended for nonconforming use.

NONCONFORMING USE: A structure and the use thereof or the use of land that does not comply with the regulations of this title governing use in the district in which it is located, but which conformed with all of the codes, ordinances and other legal requirements applicable at the time such structure was erected, enlarged or altered, and the use thereof or the use of land was established.

NOXIOUS MATTER: Material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the psychological, social or economic wellbeing of human beings.

OCCUPANT: Any person who is in possession of any space within a building or land.

ODOROUS MATTER: Any material that produces an olfactory response among human beings.

OFFICE, BUSINESS AND PROFESSIONAL: Any building, containing one or more businesses, used primarily for conducting the administrative affairs of a business, profession, service industry, or government, or like activity.

OFFICIAL MAP OF THE VILLAGE OF WOODRIDGE or OFFICIAL MAP: The compilation of maps, standards and specifications of and for existing and proposed rights-of-way, streets, alleys, utility easements, public grounds and public utility systems within the village or within the unincorporated area lying within one and one-half miles of its boundaries as they may from time to time exist, prepared and recommended by the plan commission with the advice and assistance of the zoning officer and adopted by the village board by ordinance duly enacted, together with such amendments thereto as may be adopted from time to time.

ON-PREMISES CANNABIS CONSUMPTION ESTABLISHMENT: A cannabis dispensary or retail tobacco store (as defined in Section 10 of the Smoke Free Illinois Act) authorized or permitted to allow the on-premises consumption of cannabis."

OPEN SIDED SUMMER HOUSE: A permanent accessory structure which includes a roof, no permanent walls and may include outdoor cooking facilities.

OPEN SPACE: Land unoccupied by structures, buildings, streets, rights of way and automobile parking lots and designed and intended for the use or enjoyment of residents of a planned unit development. Open space may contain structures for recreational use.

OUTDOOR RECREATION FACILITIES (PRIVATE): Recreational uses conducted primarily or wholly outdoors and is privately owned and operated for use by the general public or subscribed members, including golf courses.

OUTDOOR RECREATIONAL FACILITIES (PUBLIC): Any public land that is predominately open space and that is designated to serve the recreational needs of the community, including golf courses. The facilities and structures allowed shall be limited to those related to and necessary for active and passive recreation. In addition, the following accessory structures shall be permitted: picnic shelters, benches, restrooms, concessions, drinking fountains, and sculptures.

PARCEL (OR TRACT): A continuous area or acreage of land which can be described as provided for in the plat act 2 .

PARKING SPACE: A surfaced and permanently maintained area on privately or publicly owned property, either within or outside of a building to store one automobile or similar vehicle.

PARKING LOT: An off-street, surfaced, ground level open area where motor vehicles are temporarily stored, where a fee may or may not be charged.

PARTICULATE MATTER: Material which is suspended in or discharged into the atmosphere in finely divided form as a liquid or a solid at atmospheric pressure and temperature.

PATIO: An unenclosed surface area located at the finished lot grade, usually constructed of concrete or masonry materials.

PERFORMANCE STANDARD: A criterion to control impacts such as noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

PERGOLA: See ARBOR.

PERSON: In addition to a natural person, the term person includes the following: partnership, firm, association, organization, trust, trustee, estate, legal representative of an estate, trust company, financial institution, corporation, governmental unit or agency.

PERSONAL SERVICES: Uses that provide a variety of non-medical services associated with periodic, recurrent, and individual needs, including but not limited to personal grooming, clothing maintenance, and personal support activities. The use includes business such as massage therapy, med spas, and permanent makeup.

PERSONAL WATERCRAFT: Any vessel used for travel upon or through water that uses an inboard motor powering a water jet pump as its primary source of motor power and that is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than the conventional manner of sitting or standing inside the vessel, and includes vessels that are similar in appearance and operation but are powered by an outboard or propeller drive motor.

PERSONAL WIRELESS SERVICE FACILITY: Any facility of whatever kind or nature that receives, transmits or relays radio or microwave signals for cellular, PCS or other similar service. This shall include any installation or mounting structure or equipment and any appurtenant electronics necessary for the operation of the facility. This definition shall be inclusive of the definition of personal wireless service facility set forth in 47 USC 332(c)(7)(C), as amended now or in the future.

SMALL WIRELESS FACILITY: A wireless facility that meets both of the following qualifications:



- (1) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet; and
- (2) All other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than 25 cubic feet in volume.

The following types of associated ancillary equipment are not included in the calculation of equipment volume: Electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

PET CARE SERVICES: Facilities that provide services for dogs and cats, such as daycare, grooming or obedience training. This does not include medical services or overnight kenneling of animals.

PICK UP WINDOW: An element of a drive-through facility where customers, in their cars, are provided purchased goods by an employee from inside the building.

PLACE OF WORSHIP: Any church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.

PLANNED DEVELOPMENT: A tract of land developed under single ownership or unified control, and considered by the Village as a special use with detailed review of individual proposals for the potential relaxation of otherwise applicable requirements.

PLANNED DEVELOPMENT PLAT: A plat of development prepared and provided as part of a planned development review process.

PLANTINGS, PRAIRIE OR WETLAND: Those plants identified by the U.S. geological survey (USGS) or the environmental protection agency (EPA) as natural prairie or wetland species.

PLAT: A map or chart of a subdivision of land.

PLAT ACT: 765 Illinois Compiled Statutes, as amended.

PLAT, FINAL: A map of all or part of a subdivision providing substantial conformance with the requirements of the plat act and this title and for recording by the county recorder.

PLAT, PRELIMINARY: A map showing all requisite details of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration, prepared in conformance with the plat act and this title.

PLAYGROUND EQUIPMENT: An appurtenant structure located on the ground and intended for recreational or athletic use including, but not limited to: playhouses, sandboxes, swing sets, trampolines and jungle gym.

PLAYHOUSE: A detached accessory structure used for children's play and socializing.

PORCH: A roofed platform projecting from the wall of a building and having direct access to or from the building to which it is attached. A porch has no solid walls other than the wall of the building to which it is attached.



PORTABLE STORAGE CONTAINERS: A portable storage unit designed and used exclusively for the storage of personal property which is designed to be delivered to a customer's house for on location packing and subsequent pick-up and delivery to a storage facility.

PREMISES: Any improved or unimproved property.

PRIMARY UNIT: That portion of a converted dwelling which is not part of the accessory unit.

PUBLIC IMPROVEMENTS: Construction of or enhancement to public infrastructure or facilities that may include but not be limited to grading, street surfacing, curbs and gutter, sidewalks, walkways,

crosswalks, water mains, fire hydrants, water system, sanitary sewers, storm sewers, stormwater management structures and lands, culverts, bridges, or streetlights.

PUBLIC STREETLIGHT: A luminaire or light installation designed and used to illuminate a public right of way.

PUBLIC UTILITY: Any person, firm, corporation, municipal department, board or commission, duly authorized to furnish, and furnishing under governmental regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water. Aboveground service facility owners, operators, managers, and controllers shall be deemed to be public utilities.

RACKING: A method of storing a chassis on end in an upright position where the bed is perpendicular to the ground.

RAIN BARREL: An aboveground storage tank that collects rainwater from rooftop gutter downspouts and stores it for later use.

RECYCLING CENTER: A facility at which recoverable resources from used materials and products are purchased, collected, or processed to a condition for reuse. Often includes temporary storage prior to delivery or sale to other locations.

REMOVAL, TREE: The physical detachment or elimination of a tree, or the effective detachment or elimination of a tree, through damage or otherwise. Removal does not include maintenance of trees.

RENTAL, SHORT TERM RESIDENTIAL: A dwelling or portion thereof available for or used as accommodations or lodging for guests paying a fee or other compensation for fewer than 30 consecutive days.

RESTAURANT: A retail establishment serving food to individuals and/or groups.

RESEARCH AND DEVELOPMENT FACILITY. A facility in which a wide range of goods and materials are analyzed, tested, experimented on and assessed for further development. Often includes scientific research, investigation, testing or experimentation, but not manufacturing, assembling or sale of products, except as incidental to the main purpose of the facility.

RETAIL SALES, INDOOR: Sale of any product or merchandise to customers for their own personal consumption or use, not for resale.

RIGHT-OF-WAY: Area dedicated to or owned by a public body. In the case of public streets, the right-of-way normally includes the curbs, lawn strips, and lighting, sidewalks, and drainage facilities and may include special features such as grade separation, landscaped area, viaducts, and bridges.

SCHOOL, PUBLIC AND PRIVATE: An institution conducting regular academic instruction at kindergarten, elementary, junior high or senior high school levels, operated by governmental or nongovernmental organizations.

SCREENING: A solid wall, fence or densely planted compact hedge for shielding or obscuring the area behind it from viewers.

SELF-STORAGE FACILITY: A standalone building designed and used exclusively for the storage of personal property of persons who own and/or lease portions of said building. At least seventy-five percent (75%) of the units are required to have interior access.

SETBACK: The minimum horizontal distance required between a lot line and uses on a lot as measured from the lot line.

SETBACK, BUILDING: The minimum horizontal distance between a lot line and a principal building on a lot as measured from the lot line.

SHED: A storage structure for household tools and equipment, which may or may not include a permanent foundation.

SHELTER: An accessory structure not exceeding 168 square feet providing protection from elements to people utilizing the site.

SHIELDED: A light fixture in which the lamp is not in sight from normal viewing angles. All fully shielded and full cut-off fixtures are considered to be shielded.

SHOPPING CENTER: Any concentration of two (2) or more retail stores and/or service establishments in one or more buildings under single ownership or management, with common parking facilities.

SHRUB, LOW: Any shrub, with a minimum planting height of eighteen inches (18”), which attains a mature height of four feet (4’) or less when left unpruned.

SHRUB, TALL: Any shrub, with a minimum planting height of twenty-four inches (24”), which attains a mature height greater than four feet (4’) when left unpruned.

SHRUB, LARGE: See SHRUB, TALL

SIGHT DISTANCE TRIANGLE: A triangular-shaped portion of land bounded by the right-of-way lines at the intersection and a line connecting the two (2) points on the subject zoning property in which construction, placement and planting may be limited so as to not obstruct the vision of motorists entering or leaving the intersection.

SIGN: Any object or device containing letters, figures, and/or other means of communication or part thereof, situated outdoors or indoors, of which the effect produced is to advertise, announce, communicate, identify, declare, demonstrate, display, and/or instruct potential users of a use, product, and/or service.

SIGN, ANIMATED: Any sign, or any part thereof which changes physical position by means of movement, rotation or change in illumination to depict movement.

SIGN, AWNING: A sign that is mounted, painted, or attached to an awning or other window or door canopy. Any projecting canvas or other material over a structural framework used for a small amount of shelter or shade on a façade that has signage displayed on the visible surface.

SIGN, BLADE OR SHINGLE: A sign which projects from a vertically oriented wall.

SIGN, BANNER: A temporary advertising sign which is not attached to a permanently mounted backing.

SIGN CLEARANCE: Sign clearance is the distance between the bottom of a sign face or structural element that is not affixed to the ground and the nearest point on the surface underneath it. See Section 9-11-3-A-2.

SIGN, DIRECTIONAL: Any sign on a lot that directs the movement or placement of pedestrian or vehicular traffic with or without reference to, or inclusion of, the name of a product sold or service performed on the lot or in a building, structure, or business enterprise occupying the same.

SIGN, DRIVE-THROUGH: A wall sign, monument sign, or pole sign located adjacent to a drive-through land or drive-in establishment and oriented toward drive-through traffic.

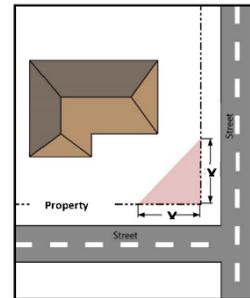
SIGN, ELECTRONIC MESSAGE: A sign which exhibits changing and/or illuminated messages.

SIGN, KIOSK: A freestanding sign structure used for posting other signs or information.

SIGN, MARQUEE: A permanent roof-like structure made of durable, rigid material extending from the entrance of a building over a pedestrian or vehicular thoroughfare. A marquee is supported by the exterior wall of the building and contains is designed to have changeable copy letters, either electronically or manually.

SIGN MESSAGE: The thought or idea conveyed or expressed by the words, letters, insignia, figures, designs, fixtures, colors, motion, illumination, sound, or projecting images or any combination thereof.

SIGN, MONUMENT: A freestanding sign, other than a pole sign, in which the entire bottom is in contact with or close to the ground.



SIGN, NEON: A sign consisting of glass tubing, bent to form letters, symbols, or other shapes and illuminated by neon or a similar gas through which an electrical voltage is discharged.

SIGN, OFF-PREMISE: A sign advertising a land use, business, product, or service not located or available upon the premises where the sign is located.

SIGN, PERMANENT: A sign constructed of durable material and affixed, lettered, attached to, or placed upon a fixed, nonmovable, nonportable supporting structure.

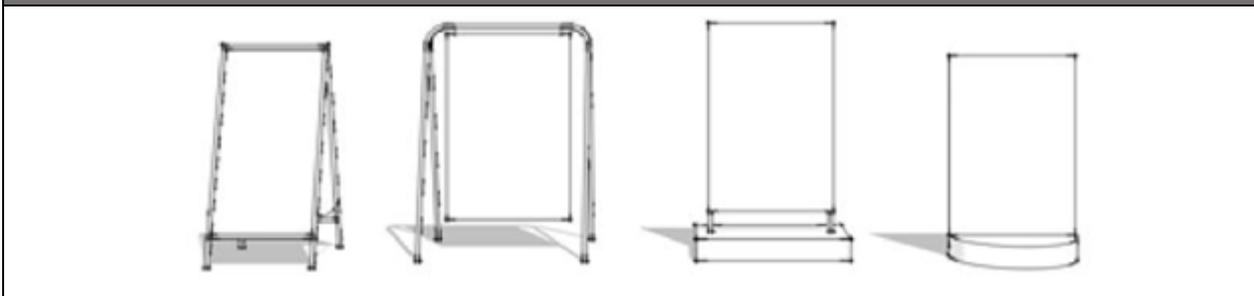
SIGN, POLE: A freestanding sign that is affixed, attached, or erected on a pole or poles and that is not itself an integral part of or attached to a building or structure.

SIGN, PORTABLE: A sign that is designed to be easily moved from one location to another, and when placed, is neither fastened to a permanent structure or building, nor mounted in the ground. Portable signs include signs mounted on trailers, wheeled carriers, or frames that are designed to be placed onto a surface without being secured to it.

SIGN, ROOF: A sign erected, constructed or maintained in whole or in part upon or over the roof of a building or structure. Roof signs shall not include those signs maintained upon the lower slope of a mansard roof which do not extend above the uppermost point of the lower slope. Such signs shall be classified as "wall signs".

SIGN, SIDEWALK: A type of portable sign that is intended to be placed on a hard surface, most commonly a sidewalk. These signs include A-frame signs, signs that are suspended from the top member of an A-frame, signs with weighted bases, and comparable signs. See *Illustrative Sidewalk Signs*, below.

Illustrative Sidewalk Signs

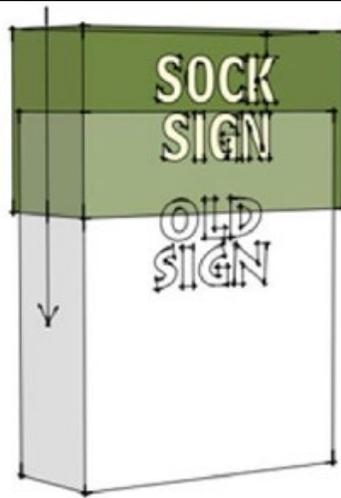


SIGN, SITE: A temporary freestanding sign constructed of vinyl, plastic, wood, or metal and designed or intended to be displayed for a short period of time.

SIGN, SOCK: A temporary sign constructed of flexible material, designed to fit over a permanent sign face or mount. Sock signs are typically installed while a new permanent sign is being designed and fabricated.

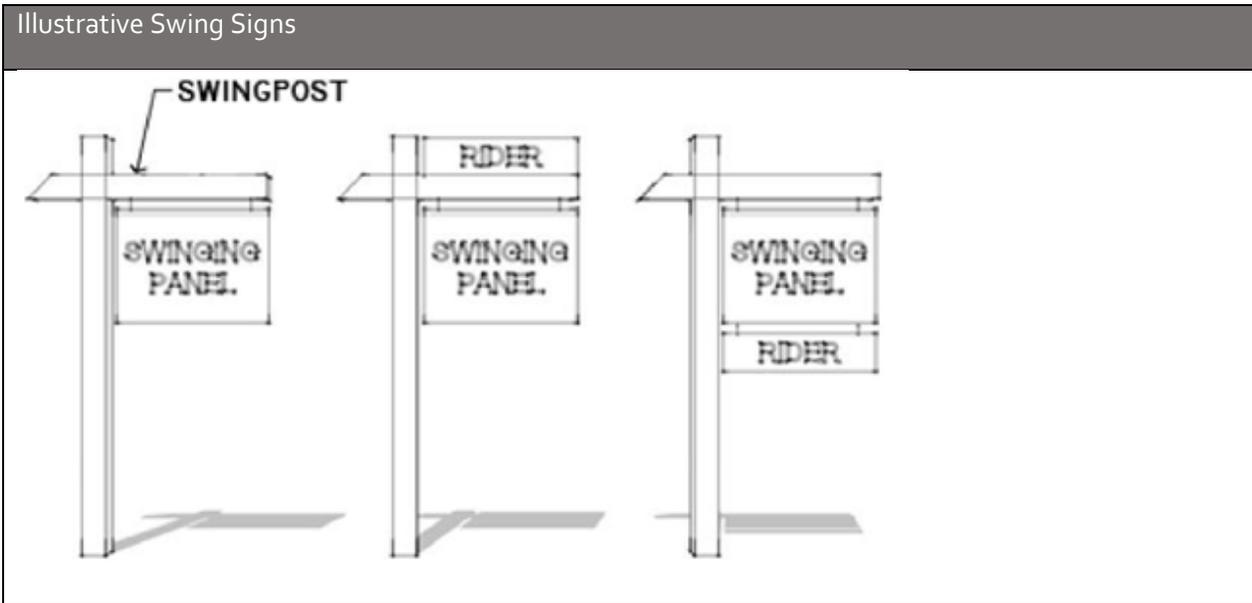
Illustrative Sock Sign

The sock sign below is not shown fully installed in order to illustrate how it will cover up the old sign when installation is complete.

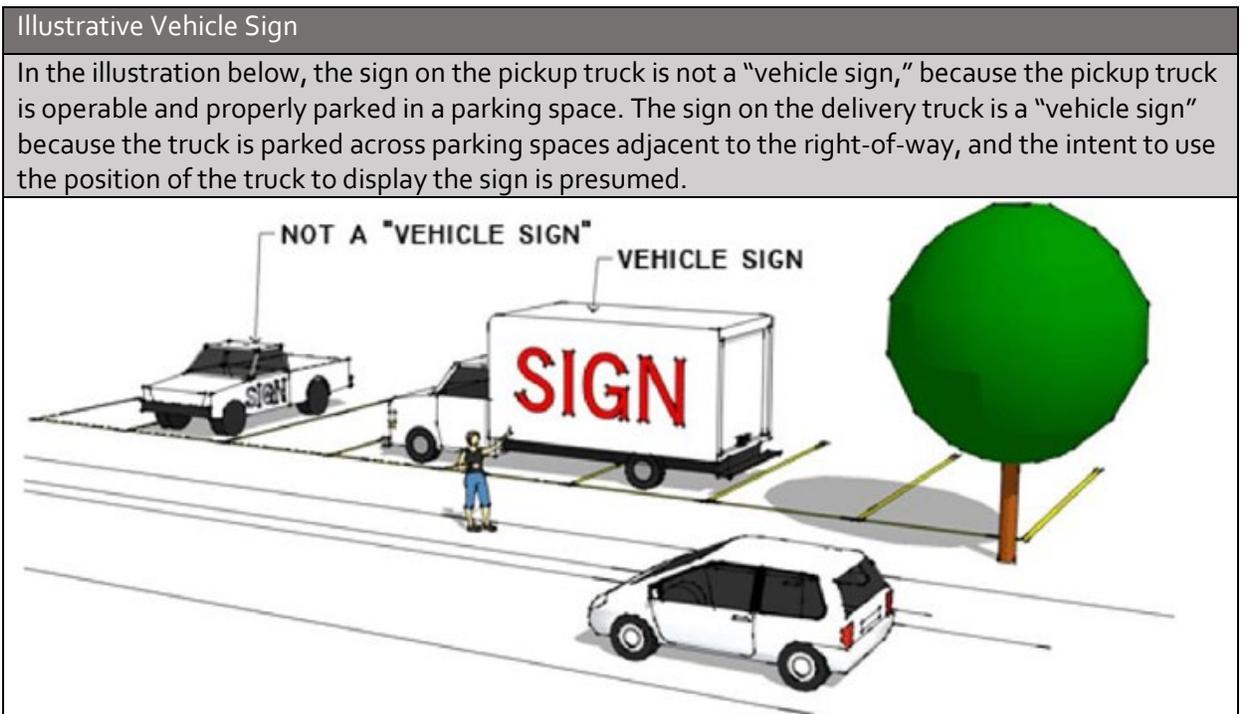


SIGN STRUCTURE: A sign structure shall include, but not be limited to, the supports, uprights, braces, backing, sign board, and framework designed to contain a sign message. Sign structure is not meant to include the message conveyed by the sign.

SIGN, SWING: A sign that is suspended from a horizontal support (a swingpost) that is attached to a vertical support mounted in the ground. A swing sign may also include riders. See *Illustrative Swing Signs*, below.



SIGN, VEHICLE: A sign attached to or painted on a vehicle parked and visible from the public right-of-way, unless said vehicle is used for transporting people or materials in the normal operations of the business and is properly parked in a designated parking space. Signs attached to trailers or inoperable vehicles are presumed to be vehicle signs if they are parked in plain view from the right-of-way. Bumper stickers are not vehicle signs.



SIGN, WALL: A sign attached to, painted on, or erected against a wall of a building, whose display surface is parallel to the face of the building, structure, or fence, and whose height does not exceed the height of the wall, structure, or fence to which said sign is attached, painted upon, or against which said sign is erected.

SIGN, WINDOW: A sign which is applied or attached to the exterior of a window, or applied to, attached to, or located within one foot of the interior of a window, which can be seen through the window from the exterior of the structure.

SIGN, YARD: A temporary portable sign constructed of paper, vinyl, plastic, wood, metal, or other comparable material, and designed or intended to be displayed for a short period of time.

SKETCH PLAN: A map indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for review and to meet the requirements and procedures set forth in this title.

SKILLED CARE FACILITY: An establishment for the care of the aged, rehabilitating, or infirm that provides some degree of professional care, continuous nursing observations, restorative nursing, and other services including assisted senior living, skilled senior living, memory care, and extended stay physical rehabilitation. Staff persons provide on-site care, training, or support for the residents. These facilities are commonly designated as, assisted living, or skilled / memory care.

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

SMOKE SHOP: A business establishment that offers smoking cigars, cigarettes, vaping or smoking from a communal pipe device.

SOLAR ENERGY SYSTEM (SES): A system that uses the power of the sun to capture, distribute and/or store energy for on-site consumption of utility power.

SOLAR ENERGY SYSTEM, GROUND MOUNTED: A solar energy system that is not attached to another structure and is affixed to the ground.

SOLAR ENERGY SYSTEM, ROOF MOUNTED: A solar energy system affixed to the roof of a principal or accessory structure.

SOLAR SHINGLES: Photovoltaic shingles that directly integrate with typical asphalt shingles which serve as a conventional shingle for weather protection, while generating clean solar electricity to a building.

SOUND PRESSURE LEVEL: The intensity of sound or noise in decibels.

SPECIFIED ANATOMICAL AREAS:

- A. Less than completely or opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areola; and/or
- B. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

SPECIFIED SEXUAL ACTIVITIES:

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Acts or representations of acts of human masturbation, sexual intercourse or sodomy, bestiality, oral copulation, flagellation or erotic or sexual oriented torture, beating or infliction of pain;
- C. Fondling, kissing or erotic touching of human genitals, pubic region, buttocks or female breasts; and/or
- D. Excretory functions as part of or in connection with any activity set forth in subsections A through C of this definition.

SPORT COURT: An area or structure designated for active recreation, such as basketball courts, tennis courts, and ice and hockey rinks. Such activities taking place in a residential driveway do not constitute this area or structure.

STACKING: A method of storing multiple cargo containers or chassis on top of each other in a vertical manner where the floor of the containers or chassis remain parallel to the ground.

STEALTH DESIGN: A personal wireless service facility that is designed or located in such a way that the antennas and/or towers are camouflaged, concealed, disguised and otherwise not readily recognizable as telecommunications equipment. Examples of stealth design include concealing antenna in clock towers, bell steeples, on light poles, and integrating antenna into architectural elements on buildings by color, shape or location on the building.

STOOP: A raised platform, approached by steps and sometimes having a roof, but not enclosed, at the entrance to a building.

STORY: That portion of a building included between the floor surface and the surface of the next floor or roof above; provided that space has a height of not less than seven feet (7').

- A. Space used exclusively for the housing of mechanical services for the building and having access limited to maintenance purposes only, shall not be construed as a story.
- B. A story may have differing or "split" levels, in which case, the floor levels which have the least difference in floor level (5 feet or less) shall be construed as being the same story.
- C. A mezzanine shall be construed as a story if its area exceeds one-third (1/3) of the floor directly below it, or if the vertical distance from the floor below the mezzanine to the floor or roof above the mezzanine exceeds twenty-three feet (23').
- D. Basements, as determined from the average grade and habitable attic areas shall not be considered stories for the purpose of determining building height for single-family detached dwellings.

STORY, HALF: A space under a sloping roof which has the line of intersection of roof decking and wall not more than three feet (3') above the top floor level, and in which space not more than sixty percent (60%) of the floor area is completed for the principal or accessory uses.

STREET: A paved public or private way for motor vehicle travel. The term "street" includes a highway, thoroughfare, parkway, throughway, road, pike, avenue, boulevard, lane, place, drive, court, and similar designations, but excludes alleys or way for pedestrian use only.

STRUCTURE: Anything constructed, reconstructed, or erected or any production or piece of work man-made or composed of parts joined together in some definite manner, the use of which requires permanent or temporary location on or in the ground or requires attachment to something having a permanent location in or upon the ground.

STRUCTURE, NONCONFORMING: A structure which does not comply in some respect with the lot size requirements or bulk regulations applicable to new structures in the zoning district in which it is located.

STRUCTURE, TEMPORARY: A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

SUBDIVIDER: A natural person, firm, association, partnership, corporation or combination thereof or their agents, who shall seek to subdivide or partition a parcel or tract of land as hereinafter regulated, or who shall seek to develop a heretofore subdivided parcel or tract which has not been improved in accordance with the standards and specifications incorporated herein.

SUBDIVISION: The partitioning, dividing, or consolidating of a parcel or tract of land by the subdivider thereof or by his heirs, executors, administrators, legal representatives, successors or assigns, where the act of division creates a subdivision not exempt under the provisions of 765 Illinois Compiled Statutes.

SUBDIVISION ORDINANCE: The subdivision regulations ordinance for the Village of Woodridge, Illinois. See Title 10.

TATTOO PARLOR: An establishment performing compensated tattooing service which means a placement in human tissue of any indelible design, letter, scroll, figure, symbol, or other mark placed with the aid of needles or other instruments; or any design, letter, scroll, figure, or symbol done by scarring upon or under the skin.

TELECOMMUNICATION TOWER: Any freestanding structure that is designed and constructed primarily for the purpose of supporting one or more antennas. This term includes, but is not limited to, radio and television transmission towers, microwave towers, common carrier towers, cellular phone towers, alternative tower structures, and other wireless communication towers. For the purpose of this title, all telecommunication towers are considered wireless communication facilities.

TEMPORARY CONTRACTOR AND CONSTRUCTION TRAILER: A non-permanent structure located on the site of a development or construction project to be used for management of the development or construction project and located on the site for a time concurrent with the associated construction.

TEMPORARY SEASONAL SALES (OUTDOOR): Temporary outdoor retail operations and displays of items that are sold during a specific season, including such items as Christmas trees, pumpkins, watermelons, sweet corn, and budding plants.

TERRACE: A level plane or platform which is located adjacent to one or more faces of the principal structure, above the average level of the adjoining ground, and which is not roofed.

TOBACCO RETAILER: A retail facility in which greater than 50% of all sales are for any product containing or made from tobacco, nicotine, alternative nicotine products, electronic cigarettes, and other inhalation devices intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. Tobacco retail includes any component, part, or accessory of a tobacco product, whether or not sold separately, and does not include any onsite consumption.

TOWER: Includes any structure built for the sole or primary purpose of supporting a personal wireless service facility.

TOXIC MATERIALS: A substance (liquid, solid or gaseous) which, by reason of an inherent deleterious property, tends to destroy life or impair health.

TRAILERS: Every vehicle without motive power in operation, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

TRAINING STUDIO: A facility for teaching people various cultural or artistic skills, and similar activities.

TREE: Any self-supporting, woody plant with its root system, growing upon the earth usually with one trunk supporting a generally well defined crown.

TREE, CLASS ONE: Any tree that is not a class two tree or that is otherwise deemed desirable by the director of community development due to local or historical significance, significant environmental value or other similar attribute.

TREE, CLASS TWO: Trees that are weak wooded, prone to rot, prone to disease or insect problems, invasive, or that are otherwise deemed undesirable by the director of community development, including, but not limited to: non-hybrid American elm, Siberian elm, European birch, black locust, Russian olive, box elder, buckthorn, cottonwood, Lombardy poplar, white poplar, mulberry, willow, Osage orange, tree of heaven, and silver maple.

TREE, DECIDUOUS: A tree that sheds its foliage annually.

TREE, EVERGREEN: A tree that has live foliage on its branches year-round.

TREE, QUALIFYING: An existing live tree growing in the earth that falls into any of the categories listed below:

- A. Deciduous trees with a minimum size of six inches (6") in dbh.
- B. Evergreen trees with a minimum size of twelve feet (12') in height.
- C. Any other tree designated to be preserved on an approved tree preservation plan.

TREE, REPLACEMENT: A nursery grown, deciduous tree in excellent condition with a minimum caliper of three inches (3”), properly balled and burlapped and satisfying the standards established for nursery stock and installation thereof set forth by the American Association of Nurserymen. It shall be of a species normally grown in northeastern Illinois and capable of withstanding site microclimates and shall meet the definition of a class one tree.

TRELLIS: See ARBOR

TRUCK REPAIR: Any building or portion of one where commercial semi- trucks and trailers are maintained, repaired, or otherwise serviced for regular maintenance.

USE: The purpose or activity for which the land or building thereon is designed, arranged or intended or for which it is occupied or maintained.

USE, ACCESSORY: An accessory use is a structure and/or use which:

- A. Is subordinate to and serves a principal structure or use;
- B. Is subordinate in area, extent, intensity and/or purpose to the principal structure or use served;
- C. Contributes to the comfort, convenience or necessity of the occupants of, or of the business or industry located in or on the principal structure and/or use served; and
- D. Is located on the same zoning lot as the principal structure and/or use served.

USE, ANCILLARY: See, USE, ACCESSORY.

UTILITIES: Infrastructure functions, public or private, related, but are not limited to, water and wastewater treatment facilities, electrical services, cable, cell or land line phone, natural gas, and water storage facilities that may have visual or operational impacts on nearby areas.

VEHICLE, COMMERCIAL: Any vehicle requiring a “C” license plate or higher operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for hire or not for hire.

VEHICLE, OFF ROAD: Any vehicle intended principally for recreational off road use, including, but not limited to, a dune buggy, go-cart, all-terrain vehicle (ATV), off highway motorcycle or snowmobile.

VEHICLE, RECREATIONAL: Any camping trailer, motor home, mini- motor home, travel trailer, truck camper or van camper used primarily for recreational purposes and not used commercially. The terms found in this definition shall have the meanings respectively ascribed to them as provided in the Illinois vehicle code.

VETERINARIAN OFFICE: See ANIMAL HOSPITAL.

VILLAGE BOARD: The mayor and board of trustees of the Village of Woodridge. See Title 1, Chapter 5.

WAREHOUSE: A building or structure or part thereof used principally for the storage of goods and/or merchandise and their distribution to other storage facilities or end users.

WIRELESS COMMUNICATION FACILITY: An unstaffed facility for the transmission and/or reception of radio frequency (RF) signals. The facility may consist of: transmission and reception devices, a support structure, ancillary equipment (cable, conduit, connectors), and/or an equipment enclosure used to house and protect the necessary electronic equipment as support structures for antennas and/or towers only.

YARD: Areas required on any lot which are unoccupied and unobstructed from its lowest level upward, except for permitted obstructions as otherwise provided for in this title, and which extend along a lot line and at right angles thereto a depth or width as specified by the bulk regulations for the district in which the lot is located.

YARD, EXTERIOR SIDE (STREET): A required yard adjoining a street which extends the full depth of a lot, along an exterior side lot line, excluding the area within a front yard.

YARD, FRONT: A required yard which extends the full width of a lot along a front lot line.

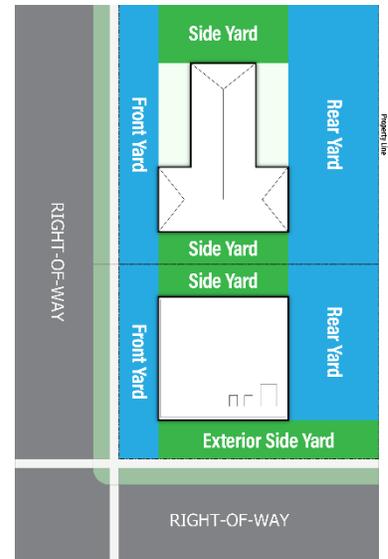
YARD, INTERIOR SIDE: A required yard adjoining another lot which extends the full depth of a lot along an interior side lot line, excluding the areas within a front yard and/or rear yard.

YARD, LANDSCAPE: Areas required on any lot which are occupied by landscaping and which extend along a lot line and at right angles thereto a depth or width as specified elsewhere in this title.

YARD, REAR: A required yard which extends the full width of a lot along a rear lot line excluding the area within an exterior side yard.

ZONING MAP: The map entitled, "official zoning map, Village of Woodridge, Illinois", as amended from time to time, indicating the location and boundaries of the districts established by this title, together with all explanatory matter thereon.

ZONING OFFICER: The duly appointed and acting Director of Community Development or their designee. See Section 9-15-1-1 and title 1, chapter 6, article F of this code.



CHAPTER 3: GENERAL ZONING PROVISIONS

SECTION:

9-3-1: Introduction and Purpose

9-3-2: Lots

9-3-3: Permitted Accessory Buildings, Structures and Uses

9-3-4: Fences

9-3-5: Sight Distance Triangle

9-3-6: Private Power Generators

9-3-7: Home Occupations

9-3-8: Regulations for Recreational Vehicles in Residential Districts

9-3-9: Accessory Outdoor Activity

9-3-10: Temporary Uses and Structures

9-3-11: Solar Energy Systems (SES)

9-3-12: Wind Energy Systems (WES)

9-3-13: Donation Drop Boxes

9-3-14: *Reserved*

9-3-15: Personal Wireless Service Facilities

9-3-16: Small Wireless Communications

9-3-17: Adult Business Uses

9-3-18: Accessory Housing for Seniors

9-3-19: Conformance with Stormwater Management Regulations

9-3-20: Utilities and Public Facilities

9-3-21: Watchman and Caretaker Facilities

9-3-22: Package Lockers

9-3-23: *Reserved*

9-3-24: Cannabis Dispensaries

9-3-25: Regulations for Cargo Containers

9-3-1: Introduction and Purpose

- A. Scope. All new structures shall conform to the bulk regulations established in this Section and for the zoning district in which the structure is located. Further, no existing structure shall be enlarged, reconstructed, structurally altered, converted or relocated in such a manner as to conflict or to further conflict with the regulations of this Section and this Title 9: Zoning Regulations based on the zoning district in which the structure is located.
- B. Concurrence with Comprehensive Plan. The Woodridge Comprehensive Plan, adopted May 17, 2007, shall provide guidance in the approval of all developments considered under this Title 9: Zoning Regulations of the Village of Woodridge, IL Code of Ordinances.
- C. Maintenance: The maintenance of yards, open space, minimum lot area and other bulk regulations legally required for a structure shall be a continuing obligation of the property owner as long as the structure and lot are existence. Further, no required yards, open space, minimum lot areas or other bulk regulations allocated for any structure shall, by virtue of a change in ownership or for any other reason, be used to satisfy yard, open space, minimum lot area or other bulk requirements for any other structure or lot.
- D. Nonconformities: Any nonconforming principal or accessory buildings, structures and uses lawfully existing at the effective date of this Title may be continued, subject to the provisions of Chapter 9: Nonconforming Lots, Buildings, Structures, and Uses of this Title.

9-3-2: Lots

- A. Number of Buildings on a Lot: No more than one principal building shall be permitted on a lot except as otherwise provided for a Planned Development as approved in keeping with Chapter 6: Zoning Administration and Enforcement.
- B. Division of Lots: No lot shall be divided into two (2) or more lots unless all resulting lots conform with all the applicable bulk regulations of the zoning district in which the lot is located.
- C. Access to Public Streets. Every lot shall abut and have access to an existing public street, and every principal building or garage constructed shall be located and designed for vehicles and pedestrians to safely reach a public street.
- D. Yards:
 - 1. All required yards associated with a structure shall be located on the same lot as such structure.
 - 2. The right-of-way of any public roadway, public alley, or public accessway that exists by dedication, recorded easement, or prescription, and is located on a lot shall not be included as part of the required yard setback.
 - 3. All yards associated with a structure or use existing on the effective date hereof shall be maintained to the standards set forth in the zoning district in which the lot is located. Any lots not meeting those requirements shall be subject to the requirements of Chapter 9: Nonconforming Lots, Buildings, Structures, and Uses.

9-3-3: Permitted Accessory Buildings, Structures and Uses

- A. Accessory buildings, structures and uses are permitted in accordance with the following:
 - 1. Accessory buildings, structures and uses shall be built, moved or remodeled, established, altered or enlarged only in keeping with the requirements of this Section (9-3-3), this Title and the Village Code.
 - 2. Accessory uses are permitted in any zoning district in connection with any principal use that is permitted within that district.
 - 3. Accessory buildings, structures and uses shall comply with all applicable zoning district regulations in this Title.

- B. Regulations for Detached Accessory Structures: Detached accessory structures are permitted in accordance with the following:
 - 1. Except as specified in Section 9-3-3-F or elsewhere in this Title, no accessory building, structure, or use shall be located within any required yard or forward of the principal building, structure, or use on the same lot.
 - 2. Detached accessory structures may not be located in any easement.
 - 3. All detached accessory structures located in a rear yard may cumulatively cover no more than forty percent (40%) of the required rear yard.
 - 4. Detached accessory structures shall comply with the height limitations of the zoning district in which they are located, provided that:
 - a. They comply with the encroachment regulations in section 9-3-3.E, and with height and area regulations of the district in which they are located.
 - b. The accessory buildings or structures do not exceed the height of the principal building or structure.
 - c. Carwashes and gas station canopies may exceed the height of the principal structure.

- C. Garages:
 - 1. An attached garage shall comply with all zoning district regulations applicable to the principal building, structure or use to which it is accessory and shall have a maximum gross floor area of one thousand (1,000) square feet.
 - 2. The maximum cumulative area permitted for all garages, attached or detached on a single lot shall be a maximum gross floor area of one thousand (1,000) square feet, subject to Subsection 9-3-3.C.
 - 3. If a garage is converted to living space, then the driveway leading to the former garage must be removed and landscaped, and the curb cut must be restored.

- D. Free Libraries:
 - 1. Permitted as accessory uses only to residential uses in a residential zoning district.
 - 2. Free Libraries are accessory structures for the purpose of storing books for exchange within neighborhoods and for the general public and promoting access to reading materials.
 - 3. Such accessory structures shall not be allowed in the public right-of-way, or in any easements.
 - 4. Free Libraries shall not exceed four square feet, nor exceed five feet six inches in height from ground level to the top of the structure, and shall not have less than two feet between the ground and the bottom of the structure.
 - 5. Installing such structures shall require a building permit.
 - 6. Free Libraries shall be a permitted encroachment in the front yard and shall be located at least one foot off the property line.

7. If a rear or side yard is directly adjacent to a pedestrian path, the free library may be a permitted encroachment in the yard and shall be located at least one foot off of the property line.

E. Detached Carports:

1. Permitted in all zoning districts except R-1, R-2, and R-3.
2. Maximum Height: 14 ft.
3. Signage may not be affixed to the structure or integrated into the structure design.
4. Roof of carport may be equipped with solar energy systems in accordance with section 9-3-11 of this chapter.
5. Must comply with all applicable lighting requirements as in compliance with Section 9-10-8.



F. Permitted Encroachments:

1. Accessory structures shall be permitted to encroach in designated yards (F = front yards and exterior side yards adjoining streets; S = interior side yards; and R = rear yards) of a zoning lot as indicated in Table 3-1 below.
2. Unless otherwise stated, accessory structures must be a minimum of 3 feet from rear and interior side lot lines, and may not be permitted in front and exterior side yards.
3. Additional Standards for Permitted Encroachments:
 - a. Arbors, trellises, and pergolas may not exceed 12 feet in height and 20 feet in width.
 - b. Architectural entrance features may not exceed 15 feet in height and shall meet sight triangle requirements.
 - c. Awnings for business and commercial use must be at least 8 feet above the ground over which it is installed.
 - d. Baseball/softball dugout shelters shall be located a minimum of 20 feet from the rear lot line and outside of the required landscape yard.
 - e. Compost bins shall be:
 - (1) no larger than 125 cubic feet.
 - (2) no taller than 5 feet in height.
 - (3) designed to hold compostable material in such a way as to not allow the material to be windblown.
 - (4) made from 1 or a combination of the following materials: snow fence, woven wire, brick or cement block, wood or prefabricated plastic.
 - (5) located no closer than 20 feet to a principal structure on an adjacent property.
 - f. Flagpoles: Up to 3 flagpoles may be permitted per lot in the RBC and ORI Zoning Districts. In all other zoning districts 1 flagpole is permitted per lot. Flagpoles may exceed the height of the principal building by up to 10 feet or a maximum height of 25 feet, whichever is less. Flagpoles must be setback at least 1 foot from any lot line.
 - g. Playhouses shall not exceed 100 square feet.

- h. Sheds or other storage buildings shall not exceed 200 square feet in size.
- i. Stoops encroaching into required yards shall be uncovered, used as a required means of egress, and shall not exceed 64 square feet in total area.
- j. Swimming pools, hot tubs or spas and their associated structures and equipment, shall be located a minimum of six feet (6') from any property line and meet all relevant Village codes and ordinances, including but not limited to Building Regulations Title 8, Chapter 1, Article M of this Code.

Table 3-1: Permitted Encroachments

Accessory Building, Structure, Use		Front Yard = F Side Yard = S Rear Yard = R		
1.	Accessibility Related Structures must be setback at least 1 foot.	F	S	R
2.	Arbors, trellises, and pergolas subject to 9-3-3.F.3.a. (Ord. 2013-53, 10-24-2013)	F	S	R
3.	Architectural entrance features into subdivisions or planned unit developments containing at least 20 dwelling units subject to 9-3-3.F.3.b. (Ord. 94-20, 3-24-1994; amd. Ord. 2003-17, 4-24-2003)	F	S	R
4.	Awnings and canopies: for residential and commercial uses may encroach a maximum of 4 feet into a yard subject to 9-3-3.F.3.c.	F	S	R
5.	Balconies encroaching by not more than 4 feet.	F		R
6.	Baseball/softball dugout shelters subject to 9-3-3.F.3.d. (Ord. 2001-61, 10-25-2001)			R
7.	Bay windows, encroaching by not more than 3 feet.	F		R
8.	Bulk storage, not located between the principal structure and the front lot line. (Ord. 2013-53, 10-24-2013)		S	R
9.	Carports, attached or detached. (Detached subject to 9-3-3.E).			R
10.	Central air conditioning units may encroach by not more than 4 feet. (Ord. 86-63, §14)		S	R
11.	<i>Reserved</i>			
12.	Chimneys, attached, encroaching by not more than 2 feet.	F	S	R
13.	Compost bins, subject to Section 9-3-3.F.3.e			R
14.	Dog run, may be located in rear or interior side yards, not within five (5) feet of a rear or side lot line. A dog run shall be limited to not more than six (6) feet in height.		S	R
15.	Driveways, except that driveways shall be a minimum of 1 foot from any side or rear lot line.	F	S	R

16.	Eaves and gutters on principal buildings or attached accessory structures, encroaching by not more than 2 feet into a front and rear yard; and by not more than 18 inches into a side yard	F	S	R
17.	Flagpoles, subject to 9-3-3.F.3.f.	F	S	R
18.	Garage, detached (subject to 9-3-3.C) (Ord. 94-20, 3-24-1994)			R
19.	Gazebos			R
20.	Generators		S	R
22.	Growing of farm and garden crops in the open, except that such crops shall be no closer than 5 feet from the front yard lot line or 3 feet from the side and rear yards	F	S	R
22.	Landscaping ponds of any size			R
23.	Landscaping ponds that are less than 20 square feet in area and 18 inches in depth must be setback at least 3 feet in all yards. (Ord. 2005-47, 8-18-2005)	F		R
24.	Laundry drying equipment (Ord. 86-63, §14)			R
25.	Free Library, must be setback at least 1 feet from all yards, subject to 9-3-3.D)	F	S	R
26.	Open Sided Summer Houses			R
27.	Ornamental lighting	F	S	R
28.	Outdoor fireplaces			R
29.	Playground equipment (Ord. 86-63, §14)			R
30.	Playhouses, subject to 9-3-3.F.3.g.			R
31.	Rain Barrels (no larger than 65 gallons).	F	S	R
32.	Sheds or other storage buildings subject to 9-3-3.F.3.h. (Ord. 92-06, 3-12-1992; amd. Ord. 2017-51, 9-21-2017)			R
33.	Shelters located in the B-1, B-2, B-3 Zoning Districts, not exceeding 168 square feet in area.		S	R
34.	Sills, break courses, cornices and ornamental features of the principal building may encroach up to 18 inches into a yard. (Ord. 86-63, §14)	F	S	R

35.	Signs, as regulated by Chapter 11 Sign Code.	F	S	
36.	Sports courts, private.			R
37.	Stoops, may not encroach more than four feet (4') into any side yard subject to 9-3-3.F.3.i.	F	S	R
38.	Swimming pools, hot tubs or spas and their associated structures and equipment. Private only and subject to 9-3-3.j. (Ord. 97-41, 8-14-1997)			R
39.	Terraces, patios and decks, provided that in the front yard of any property such encroaching structures shall not exceed 200 sf in size.	F		R
Note: All encroachments subject to Subsection 9-3-3.F.3 unless otherwise stated.				

- G. Accessory Retail Sale of Merchandise in Industrial Districts: (new) Retail sale of merchandise may be conducted in the RBC, ORI, and M-1 Zoning Districts when done in keeping with the following:
6. Accessory retail sale as defined in this subsection shall be authorized by the Zoning Officer only upon finding that the requirements of this subsection are met.
 7. The total area dedicated to retail sales to the public may not exceed fifteen percent (15%) of gross floor area.
 8. Parking shall be designated for retail customers:
 - a. The location of such parking shall be proximate to the door through which such customers will enter the building, and shall provide safe ingress and egress to the site and building for customers.
 - b. The number of spaces provided for retail customers shall be based on the square footage of space dedicated to retail sales, and shall be provided in keeping with the requirements of Chapter 7: Parking and Loading of this Title.
 - c. Parking provide for customers shall not reduce the amount of parking provided on the property otherwise required for the industrial use, although for the purpose of calculating required parking, the effective square footage of industrial square footage may be reduced by the square footage of building used for retail sales.
 9. Retail Sales on greater than fifteen percent (15%), but no greater than twenty-five percent (25%) of gross floor area may be permitted as a special use.

9-3-4: Fences

Fences are a permitted accessory structure in all zoning districts. The following regulations shall govern the type, location and construction of all fences:

- A. Fences In Residential Districts:
1. In residential districts, fences may be installed subject to the following:
 - a. Chain link fences are allowed, but may not include slats.
 - b. Open fences constructed to a maximum height of three feet (3') may be located anywhere on a lot.
 - c. Open fences no taller than four and one-half feet (4 1/2') may be located anywhere on a lot, except within the applicable district front yard setback.

- C. Fences in parks, recreational areas and recreational establishments:
 - 1. Closed or open fences not exceeding ten feet (10') in height may be located in conjunction with sports fields or courts, including, but not limited to, tennis courts and baseball fields.
 - 2. Open fence backstops not exceeding thirty feet (30') in height may be located in conjunction with baseball and softball fields, for the purpose of protecting spectators and adjacent properties from airborne balls. Such fences and backstops may be located anywhere on a lot except:
 - a. Within twenty-five feet (25') of any front or exterior side lot line.
 - b. Within ten feet (10') of any interior side or rear lot line.

- D. Construction and Maintenance of all Fences:
 - 1. A building permit is required for the installation of any fence.
 - 2. The finished side of all fences shall face away from the interior of the property so fenced.
 - 3. Fence construction shall not include barbed wire or other hazardous devices or materials.
 - 4. Fences shall not be constructed with an electrical charge or other hazardous device.
 - 5. No fence may be located in the Sight Triangle as regulated in this Chapter.
 - 6. The height of a fence shall be measured from the existing grade at the location where the fence is installed.
 - 7. No fence may be installed or maintained on any portion of a lot where such fence would interfere with drainage of contiguous properties.
 - 8. The owner of every fence constructed within the Village shall cause said fence to be maintained in a safe, presentable, neat, attractive and sound structural condition at all times, including the replacement of defective parts, repainting, cleaning and other acts required for the maintenance of said fence.

- E. Fences Around Swimming Pools: Residential swimming pools shall be enclosed by fences in accordance with Title 8: Building Regulations, chapter 1, article M of this code.

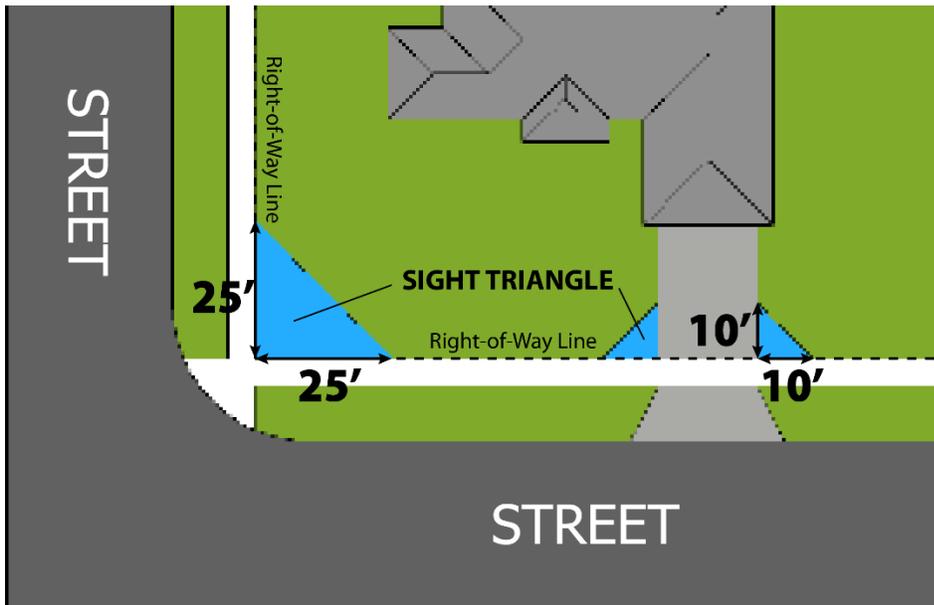
- F. Screening Along Tollway and Interstate Highways: A fence with a maximum height of fourteen feet (14') shall be permitted along property lines directly abutting a tollway or interstate highway right of way.

- G. On residential property adjacent to Illinois state routes, other than interstates, closed fences may be constructed to a maximum height of eight feet (8'). Such fences shall be located only along the lot line adjacent to the Illinois State Highway.

9-3-5: Sight Distance Triangle

In all zoning districts, buildings, structures or plant materials may not be erected, altered, planted or maintained between three feet (3') and eight feet (8') in height above grade within a sight distance triangle. The sight distance triangle is found in either of the two situations described in this subsection.

- A. A Sight Distance Triangle is that portion of a lot within the triangular area formed by two (2) legs measuring twenty-five feet (25') in length from the point of intersection of two (2) street right of way lines forming a corner lot.
- B. A Sight Distance Triangle is that portion of a lot within the triangular area formed by two (2) legs measuring ten feet (10') in length from the point of intersection of one (1) street right of way line and the edge of one (1) driveway.



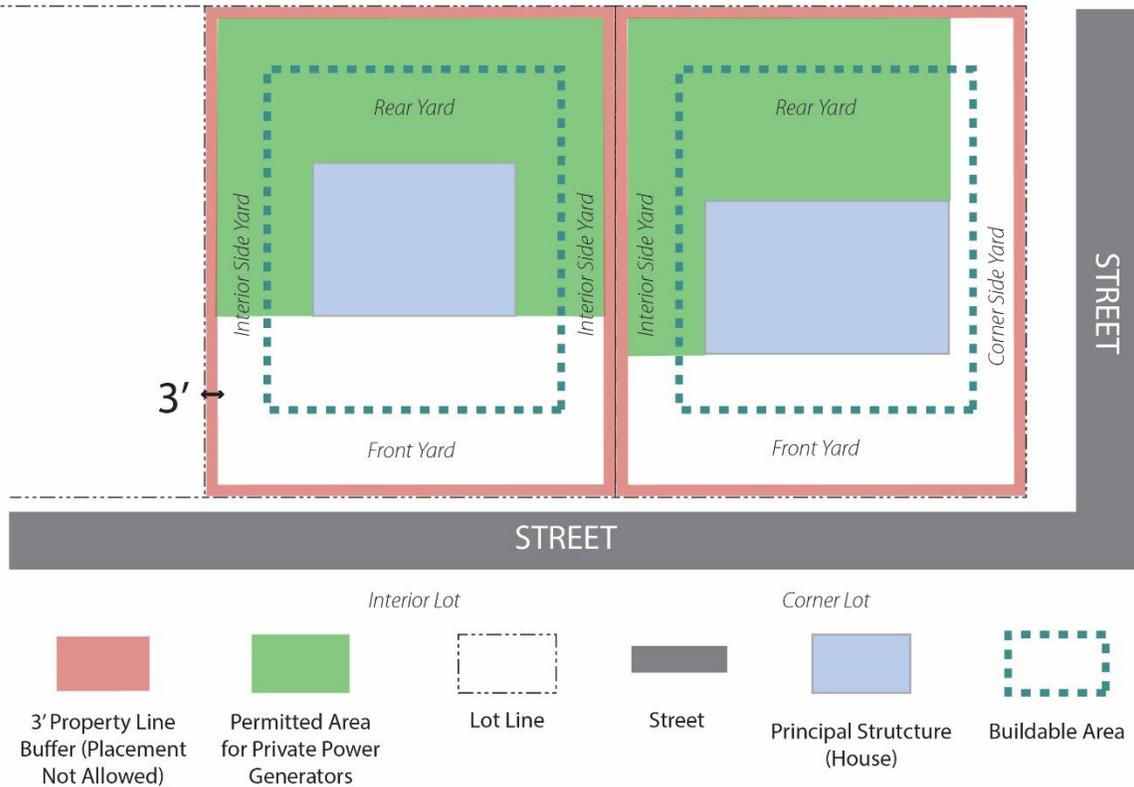
9-3-6: Private Power Generators

- A. Requirements for All Private Power Generators.
 - 1. Landscaping shall be installed to screen private generators as specified in Chapter 8: Landscaping and Screening.
 - 2. Private generators shall be a minimum of three feet (3') from any property line, in accordance with subsection 9-3-3.E.
 - 3. Private generators shall not be located in easements, without the express written consent of all parties to whom the easement is granted.
 - 4. Private generators may not be located in detention facilities or over spillways.

- B. In residential zoning districts, private generators may be located in required interior side and rear yards, and shall be in keeping with the following:
1. The height of generators accessory to residential uses shall not exceed six feet (6').
 2. Shall not be located in the area between the principal structure and the front or exterior side lot line(s).
 3. Generators accessory to multi-family residential uses shall not be placed in a required yard that abuts a single-family residential use.

Generator Placement within Residential Districts

Note: Landscape Screening is required for private generators; generator height shall not exceed 6'.

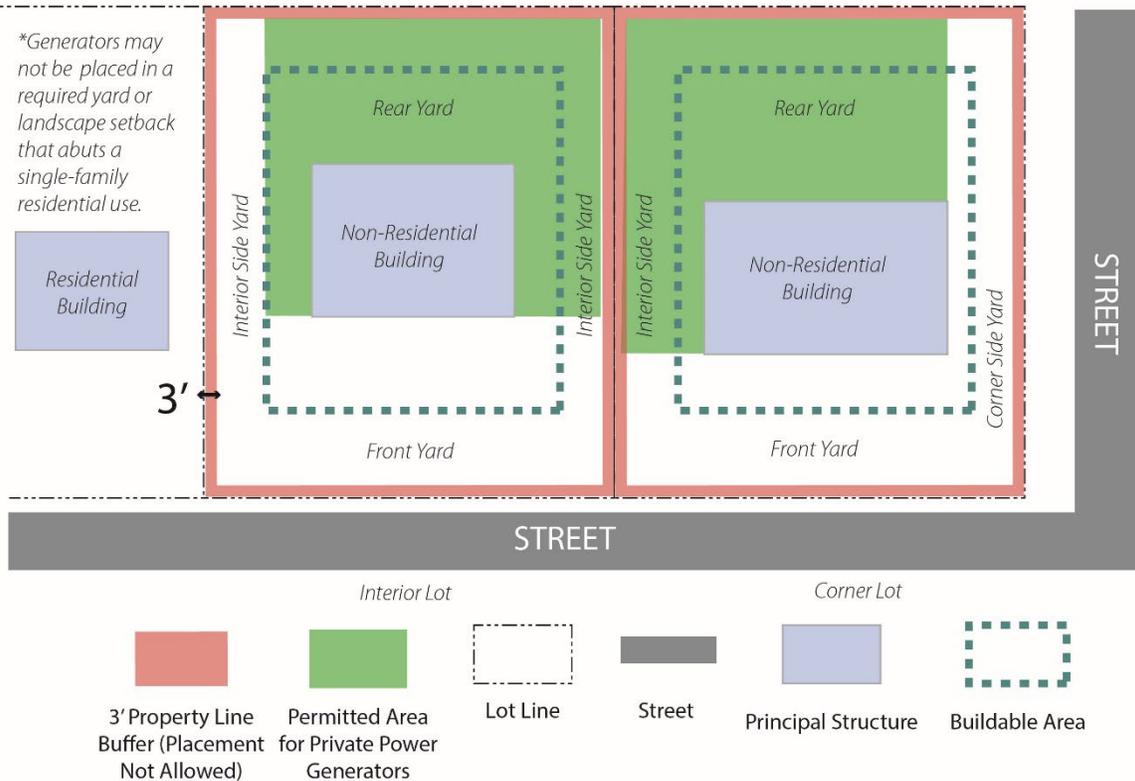


Generators accessory to multi-family residential uses may not be placed in a required yard that abuts a single-family residential use.

- C. In non-residential zoning districts, private generators may be located in required interior side and rear yards, and shall be in keeping with the following:
 1. Shall not be placed in a required yard that abuts a residential use.
 2. The height of generators accessory to nonresidential uses and their required screening (except for landscape screening) shall not exceed the height of the principal structure.
 3. Generators exceeding 6 feet in height may not encroach into the required yards.

Generator Placement within Non-Residential Districts

Note: Generator height shall not exceed the height of the principal structure and shall be screened with landscaping.



9-3-7: Home Occupations

- A. Intent: Home occupations are permitted in any dwelling unit so long as they are subordinate and incidental to the principal use of the dwelling unit as a residence. Such activities are to be compatible with the residential use of the area in which they are located.
- B. Location: A home occupation may be allowed in a dwelling in any zoning district in which dwellings are allowed or the dwelling is legally nonconforming.
- C. Standards For Home Occupations: In addition to all standards applicable to the district in which it is located, any home occupation shall comply with the following:
 1. Not more than one person other than members of the immediate family residing at such dwelling unit shall be employed on the premises.
 2. There shall be no manufacturing or processing of any kind.
 3. No sign shall advertise the presence or conduct of the occupation.
 4. There shall be no alteration of the principal structure that changes the use, appearance or character thereof as a dwelling unit.

5. Not more than twenty-five percent (25%) of the gross floor area of one story of any dwelling unit shall be principally devoted to the home occupation.
6. No outdoor storage shall be permitted.
7. The home occupation shall be conducted entirely within the dwelling unit;
8. The home occupation shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond that which normally occurs in the zoning district in which it is located.
9. No home occupation may be operated so as to cause a nuisance.
10. An accessory structure may be used for a home occupation only for passive incidental storage related to the business.
11. The site of the home occupation may not serve for staging of parking for which employees park personal vehicles on the site and work elsewhere.
12. The home occupation shall not have a separate entrance from outside the building.
13. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood
14. Snow plows may not be stored outside of residential uses.

9-3-8: Regulations for Recreational Vehicles in Residential Districts

- A. Recreational vehicles parked or stored in R-1, R-2, or R-3 Zoning Districts shall meet the requirements of this Section 9-3-8: Regulations for Recreational Vehicles in Residential Districts.
- B. Type of Vehicles: For the purpose of this subsection, recreational vehicles shall include a:
 1. Boat,
 2. trailer containing up to two (2) off road vehicles or personal watercraft,
 3. trailer containing no other vehicles, or
 4. off road vehicle.
- C. Number of Recreational Vehicles: No more than one recreational vehicle may be parked on a property.
- D. Location of Recreational Vehicles:
 1. Recreational vehicles may be parked or stored only in an interior side or rear yard.
 2. No recreational vehicle may be parked or stored:
 - a. In any required front or exterior side yard,
 - b. between the principal structure and the front lot line,
 - c. between the principal structure and any exterior side lot line, or
 - d. closer to the front lot line than the principal structure (as measured on a line perpendicular to the front lot line from a point on the principal structure that is the shortest distance from the front lot line).
- E. Size of Vehicles: No recreational may be parked or stored if such vehicle has a height from the underside of the tire to the top of the vehicle, inclusive of load, exceeding nine feet (9') or a length exceeding twenty feet (20').
- F. Notwithstanding the requirements of this Section 9-3-8: Regulations for Recreational Vehicles in Residential Districts, the Zoning Officer may grant a permit allowing the temporary parking or storage of one recreational vehicle exceeding the size limitations set forth in Section 9-3-8-E on the driveway of a lot used for single- family purposes. Such permit may allow parking for a period not to exceed ten (10) days in any consecutive thirty (30) day period.

RV Parking & Storage within Residential Districts



9-3-9: Accessory Outdoor Activity

To promote safe and harmonious activities in the Village, and to mitigate adverse impacts such as noise, traffic, and unsafe conditions for those operating, visiting or traveling in the Village, the majority of business and governmental activities are expected to occur inside of buildings. However, some business or governmental activities may regularly or periodically occur outside of a structure. Such activities are regulated by various portions of the Village code, including and not limited to this Section 9-3-10: Accessory Outdoor Activities.

- A. Businesses Activities to be Enclosed in B-1, B-2, B-3, ORI: Unless otherwise specified in this Section 9-3-10: Outdoor Business Activity or as permitted by any ordinance granting or amending an approval granted per this Title, all business establishments in B-1, B-2, B-3, ORI shall be conducted wholly within a completely enclosed building.
- B. Outdoor Accessory Display and Sales in B-1, B-2, B-3, ORI: Zoning Districts - Ongoing
 1. The outdoor display shall be restricted to private property.
 2. Merchandise may not be displayed in any parking stalls, loading berths, drive aisles, landscape areas, required building setbacks, etc.
 3. All merchandise must be displayed on an impervious surface.
 4. Merchandise displayed on pedestrian walkways requires that a minimum of five feet (5') in width be maintained free and clear to provide safe pedestrian travel.
 5. Outdoor displays or associated equipment shall not exceed eight feet (8') in height.
 6. The square footage of the area in which outdoor display occurs may not exceed ten percent (10%) of the total gross square footage of the principal structure up to a maximum of five hundred (500) square feet, whichever is less.
 7. For gas stations: In addition to the standards outlined in this section, outdoor display and sales may only occur immediately adjacent to the principal structure and underneath the fuel pump canopy, notwithstanding state accessibility requirements.

- C. Outdoor Accessory Display and Sales in B-1, B-2, B-3, ORI - Seasonal: Seasonal retail sales shall be permitted for retail uses greater than fifty thousand (50,000) square feet in gross floor area. Outdoor storage, display, and sales of seasonal products shall be permitted as follows:
1. The outdoor storage, display and sales shall be limited to seasonal products including but not limited to plants, landscape materials, and bags of soil, mulch, fertilizer, and stone.
 2. The outdoor storage, display, and sales shall only be permitted from April 1 through August 31.
 3. The outdoor storage, display, and sales shall be permitted on the sidewalk directly in front of the store provided that a minimum five foot (5') sidewalk width shall remain unobstructed for pedestrian passing, and further provided that the view of automobile traffic is not impaired.
 4. A temporary tent or fenced off sales area may be permitted on paved parking areas in order to store, display, and sell such materials, provided the site continues to meet minimum parking requirements, drive aisle width is maintained, and safe traffic circulation is not impaired.
 5. Application to conduct outdoor storage, display, and sales shall be made to the Zoning Officer and shall indicate the location and duration of the display, storage and sales. The Zoning Officer may grant a permit for seasonal outdoor display and sales provided the requirements of this Section 9-3-10-C are met.
- D. Outdoor Accessory Display and Sales in B-1, B-2, B-3, ORI- Periodic: Periodic retail sales shall be permitted for any business provided that outdoor storage, display, and sales of products are conducted as follows:
1. Special outdoor sales or promotions may be conducted on specific dates and at specific locations when approved by the Zoning Officer upon their finding such request meets the requirements of this section 9-3-10-D.
 2. A special outdoor sales or promotions provided for by this subsection may be granted for any business establishment no more than three (3) times during any twelve (12) consecutive month period.
 3. The special outdoor sales or promotions provided for by this subsection may be granted with respect to any business establishment for a period not exceeding four (4) consecutive days.
 4. The outdoor display shall be restricted to private property.
 5. Merchandise may not be displayed in any parking stalls, loading berths, drive aisles, landscape areas, required building setbacks, etc.
 6. All merchandise must be displayed on an impervious surface.
 7. Merchandise display area must provide that a minimum of five feet (5') in width be maintained free and clear to provide safe pedestrian travel.
 8. Outdoor displays and any appurtenances shall not exceed eight feet (8') in height.
- E. Accessory Outdoor Storage of Goods, Supplies, and Equipment
1. Outdoor storage of any materials or equipment shall only be allowed in RBC and M-1 zoning districts.
 2. Screening of outdoor storage shall be provided in keeping with the requirements of section 9-3-4-B.
 3. Outdoor Storage Areas may be permitted in keeping with the following:
 - a. Outdoor storage areas (except those accessories to motor vehicle sales establishments, where the for sale vehicles are stored outdoors) and areas used for parking of trucks and trailers (exclusive of loading spaces) for more than seventy two (72) hours shall be screened to a minimum of six feet (6') in height along the length of the abutting lot line.

- b. Stored materials cannot exceed the height of the screen.
- c. A screen height shall not exceed ten feet (10').
- d. Such screening shall consist of a continuous landscaped berm, solid, commercial grade wood fence, wall or other comparable material.
- e. All fencing shall be constructed of commercial grade wood or comparable materials. The finished side of the fence or wall shall be oriented toward the abutting property. If a fence or wall is used as a screen, a five foot (5') wide planting bed with landscaping material at least three feet (3') high shall be located adjacent to the finished side of the fence or wall.
- f. In lieu of the solid fence or wall, a screen planting area a minimum of twenty feet (20') in width, containing a minimum of two (2) rows of evergreen trees, may be installed. The evergreen trees shall be at least eight feet (8') tall when planted. The rows shall be staggered, with a maximum of eight feet (8') between rows, and shall be centered within the screen planting area. The evergreen trees shall be spaced a maximum of ten feet (10') apart on center.
 - (1) The Zoning Officer may require the trees to be spaced closer to ensure that narrower growing varieties will provide an effective screen.
 - (2) Should the buffer area contain a continuous berm at least three feet (3') in height, with a side slope not exceeding a ratio of three to one (3:1), the minimum height of the required evergreen trees shall be six feet (6') when planted.
 - (3) The final design of the screen planting area and the landscaping within it shall be subject to the approval of the Zoning Officer upon a determination that the requirements of this Section 9-3-10-E are met, create a safe environment for pedestrians and drivers, and provide a plant mix that will thrive in the locations where installed.

- F. Accessory Outdoor Dining: Outdoor Dining is permitted only in the B-1, B-2, B-3 and RBC zoning districts and may be permitted by the Zoning Officer upon finding that the standards of this subsection are met. Failure to comply with the requirements of this subsection will result in revocation of authorization allowing outdoor dining. All Outdoor Dining shall be subject to the following conditions:
 - 1. Outdoor Dining is permitted on the same property as an accessory to the operation of a lawfully permitted restaurant.
 - 2. Outdoor Dining may not occur on public property.
 - 3. The sale and consumption of alcoholic beverages shall be restricted by the liquor license governing the restaurant, and as otherwise regulated by Title 3, Chapter 3 of the Village Code.
 - 4. Additional parking shall not be required for Outdoor Dining.
 - 5. Outdoor Dining shall be permitted only during normal business hours of the restaurant to which the outdoor dining is accessory, but only between the hours of six o'clock (6:00) A.M. and ten o'clock (10:00) P.M.
 - 6. Outdoor Dining permits issued by the Village shall be subject to an annual review and may be revoked at any time on thirty (30) days notice.
 - 7. All Outdoor Dining shall comply with State of Illinois and County Health Code regulations.
 - 8. If included in a special use approval for a microbrewery or microdistillery, outdoor dining can be permitted in the ORI District.

- G. Outside Storage for Governmental Entities:

1. A special use shall be required for outside storage by any governmental agency and shall, in addition to any requirements related to a special use approval by the Village of Woodridge, conform to the following:
 - a. Storage shall be accessory to a permitted or special use in any residential district.
 - b. Storage shall be completely enclosed by sightproof fencing. The height of such fencing shall be equal to the height of the material or equipment stored, but in no event shall such fence exceed ten feet (10'). No such fence shall be erected in a required front yard or side yard adjoining a street. In addition, no such fence shall be erected within ten feet (10') of any lot line of an adjoining residentially zoned property.
2. Accessory outside storage by the Village of Woodridge that is accessory to a permitted use in a residential zoning district shall be permitted in keeping with the following:
 - a. Such storage supports the public health, safety and welfare, as determined by the Zoning Officer.
 - b. Sightproof fencing that does not exceed six feet (6') in height shall be provided between said temporary outside storage and adjacent residential uses.
 - c. Temporary outside storage shall not be located in a required front yard or side yard adjoining a street and shall not be located within ten feet (10') of any lot line of an adjoining residentially zoned property.
 - d. Location of the outdoor storage shall be approved per the Site Plan Review process defined in this Title.
 - e. Said temporary outside storage shall be allowed for a maximum of six (6) months every calendar year.
 - f. Said temporary outside storage shall have a maximum height of twenty feet (20').

9-3-10: Temporary Uses and Structures

The following temporary structures and uses of land shall be allowed subject to the specific regulations and time constraints defined in this Section 9-3-11: Temporary Uses and Structures, as well as any other applicable regulations of the zoning district in which they are located and relevant requirements of the Village Code.

- A. Temporary Outdoor Business Activity: Conditions applicable to all temporary outdoor business activities are as follows:
 1. A permit issued by the Zoning Officer is required for each structure, use, or event.
 2. All material or product stored and displayed must be maintained in a safe, orderly, and tidy manner.
- B. Temporary Construction Offices, Real Estate Rental or Sales Offices: A permit for Temporary Construction Offices, Real Estate Rental or Sales Offices shall be valid only for the time a permit is active for the construction of a building(s) to which it is related and it meets the requirements of this Subsection B. Upon issuance of an occupancy permit for any model home pursuant to this title, no temporary real estate rental or sales offices shall be permitted within the development. The temporary structure shall:
 1. be located on the same lot, or on land under the same ownership of the principal building being constructed,
 2. be removed prior to the issuance of a final occupancy permit for the final building being constructed in the development,
 3. have the name and current telephone number of the owner permanently affixed to its exterior,
 4. be located no nearer than twenty-five feet (25') to any front or exterior side lot line,

5. not include any outside storage on the grounds of such structure,
 6. have any temporary driveways and parking area that serve the temporary structure consist of a bituminous asphalt surface that is installed prior to issuance of an occupancy permit for a temporary structure,
 7. have temporary directional signs be installed as required by the Zoning Officer, to control the flow of on site and off site traffic related to the subject property, and
 8. provide that construction barricades be installed to protect pedestrians from any on site construction activity. The location, number, and type of construction barricades to be provided shall be as required by the Zoning Officer.
- C. Model Homes: Temporary model homes used to offer for sale or rental dwelling units shall not be established without first obtaining a permit from the Zoning Officer. The following regulations shall govern the establishment and operation of a model home:
1. No such model shall be occupied for residential living purposes during the term of the model home permit.
 2. Model home permits may be issued for a period of three (3) years, and may be extended thereafter by the Zoning Officer for a maximum of up to three (3) additional one year time periods.
 3. Notwithstanding the above, the model home permit shall expire once a building permit is issued for the construction of a new home on the last vacant lot owned by the model home permit applicant within the subdivision or development in which the model home is located or upon the sale/rental of the model home by the builder/developer, whichever occurs first.
 4. Temporary off street parking facilities shall be provided to eliminate traffic obstructions on the public right of way. In no event shall such off street parking facility contain less than two (2) spaces per model home. Any such parking facility shall be constructed of bituminous asphalt surface.
 5. Exterior lighting may be used to illuminate the model home. Sources of light shall be directed and / or shielded so as not to be visible from any lot line and shall not cause illumination in excess of two-tenths (0.2) foot-candle on adjacent lots. Any such lights may only be illuminated during the hours from dusk to ten o'clock (10:00) PM.
 6. No construction traffic or storage of construction materials shall be permitted at the model home site.
 7. Signs for model homes shall conform with the provisions of this title.
 8. Storage of building and construction materials shall be prohibited in model homes.
 9. Model homes shall only be allowed in locations where the Zoning Officer makes a finding that the additional pedestrian activity and vehicle traffic generated by such uses can be conducted safely and will not adversely impact adjacent residential properties.
- D. Outdoor Christmas Tree Sales shall conform to the following:
1. Be located on a lot of not less than one acre.
 2. Operate for a period not to exceed thirty (30) days.
 3. Need not comply with the yard requirements of this Chapter, provided that no trees shall be displayed within:
 - a. ten feet (10') of any driveway or street right-of-way; or
 - b. thirty feet (30') of the intersection of the rights-of-way of any two (2) streets
- E. Portable storage containers in business zoning districts shall conform to the following:

1. Only one portable storage container shall be permitted on a lot at any one time and not for longer than forty-five (45) days.
 2. Extensions of time may be granted by the Zoning Officer in instances where the portable storage container is used in connection with construction occurring on a lot, but in no event shall the total elapsed time exceed one hundred twenty (120) days.
- F. Portable storage containers in residential zoning districts shall conform to the following: Roll-off containers designed for residential use, such as dumpsters and portable self-storage containers, that are accessory to a permitted or special use in any residential district shall be allowed only in accordance with the following regulations:
1. They shall be located entirely on the lot on an impervious surface.
 2. They shall be located a minimum of three feet (3') from any lot line.
 3. Portable self-storage containers shall be allowed for a period of up to fourteen (14) consecutive days once per calendar year. Upon receipt of written permission from the Zoning Officer, roll-off containers may be allowed for a maximum of up to three (3) additional fourteen (14) day time periods per calendar year.
 4. Notwithstanding anything contained in this section to the contrary, the time period for roll-off containers accessory to the construction of a new structure or renovation of an existing structure may extend through the duration of said construction or renovation only if a valid building permit has been issued for said construction or renovation. Said roll-off containers shall be removed prior to the issuance of an occupancy permit.
 5. Notwithstanding anything contained in this section to the contrary, roll-off containers used for general refuse disposal and recyclables for any multiple-family residential use that are permanently screened in accordance with Section 9-8-8 this title are exempt from the time restrictions specified in subsection C of this section.
 6. The provisions of this section shall not be construed to allow cargo containers in residential districts.

9-3-11: Solar Energy Systems (SES)

- A. Purpose: The purpose of this Section 9-3-12 is to encourage safe and efficient use of solar energy, reduce the use and impact of fossil fuels and to ensure that Solar Energy Systems (SES) are compatible in character and appearance with the principal structure and surrounding area in which they are located.
- B. General Provision:
 1. Building Permit Requirement: A building permit shall be obtained prior to the construction of any solar energy system. Applications for a permit to construct a solar energy system shall include, in addition to any requirements contained in Title 8: Building Regulations, of the Village Code, documentation as required by the Zoning Officer to ensure safe and effective installation of the SES.
 2. SES are permitted as an accessory structure mounted to a principal or other accessory structure.
 3. SES construction, design, installation, operation and maintenance shall be subject to the development standards specified in this Section 9-3-12 and other Village Code requirements.
 4. Energy produced by SES shall be used on site, except that surplus energy may be delivered to the power grid.
 5. Solar panels may only be located on the roof of a structure.
 6. Solar shingles are permitted and shall be integral to the roof of the structure on which they are installed.

7. Solar collection devices may not extend beyond the roof edge or the exterior perimeter of a structure.
8. Solar collection devices may not be located on the vertical portion of a mansard roof.
9. SES shall be subject to the yard, height and any other bulk requirements of the zoning district in which it is located,
 - a. except that SES may be installed on legally nonconforming structures; and,
 - b. SES may encroach up to 2 feet beyond the allowed maximum height of a structure.
10. Ground Mounted Solar Energy Systems:
 - a. Ground Mounted SES are allowed in nonresidential zoning districts only.
 - b. Number Per Lot: Only one ground mounted solar energy system shall be permitted on any lot.
 - c. Location: Ground mounted solar energy systems shall not be located within the required front, side or exterior side yard of any lot or in any public utility easement, and all parts of a ground mounted solar energy system shall be set back at least five feet (5') from any nonresidential property line or fifty feet (50') from any residential property line.
 - d. Height: Ground mounted solar energy systems shall not exceed a total height of six feet (6') as measured from the average grade at the base of the system to the highest edge of the system.
 - e. Surface Area: Ground mounted solar energy systems shall not exceed a total surface area of one thousand (1,000) square feet.
 - f. Screening: Ground mounted solar energy systems shall be screened in a manner approved by the Zoning Officer so as to not be visible from any adjacent road right of way.
- C. Appearance and Materials: Solar energy systems shall be neutral in color and generally matching the roof color of the principal structure. All such devices shall have the following characteristics:
 1. Not be plastic or other non-UV stable material.
 2. Include frames, where applicable, of anodized aluminum or painted steel.
 3. Where devices are encased with glass, the glass shall be non-reflective tempered glass.
 4. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto any nearby properties or roadways.
- D. Maintenance and Removal of Solar Energy Systems:
 1. Solar energy systems must be maintained in good repair and operable condition at all times, including compliance with all standards in applicable building and technical codes to ensure structural and technical integrity of such facilities, except for maintenance and repair outages. If a system becomes inoperable or damaged, operations must cease and be promptly remedied.
 2. If the Zoning Officer determines that a solar energy system fails to comply with the applicable provisions of this code, they shall provide written notification to the property owner. The property owner shall have a period of ninety (90) days from the date of notification to either restore the solar energy system to operation or remove the system.
 3. After the solar energy system is removed, the property owner shall promptly restore their property to a condition consistent with the property's condition prior to the installation of the system.

9-3-12: Wind Energy Systems (WES)

- A. Purpose: The purpose of this Section is to encourage safe and efficient use of wind energy systems (WES), reduce the use and impact of fossil fuels, and ensure WES are compatible in character and appearance with the principal structure and surrounding area in which they are located.

- B. General Provisions: Wind energy systems are permitted as an accessory structure to a principal Permitted or Special Use subject to the standards of this Section 9-3-12: Wind Energy Systems and the Village Code.
1. No more than one WES is permitted per property used for residential use.
 2. No more than one WES is permitted per Commercial or Industrially zoned properties, unless approved as a Special Use.
 3. WES may be permitted on a Commercial or Industrially zoned property adjacent to a residential zoning lot only upon approval by as a Special Use.
 4. SES construction, design, installation, operation and maintenance shall be subject to the development standards specified in this Section 9-3-12 and other Village Code requirements.
 5. Energy produced by WES shall be used on site, except that surplus energy may be delivered to the power grid.
 6. In no event shall the WES adversely impact adjacent properties due to excessive glare or other nuisance.
 7. In no event shall the noise level produced by a WES continuously exceed sixty-five (65) decibels as measured at the property line.
 8. No WES shall cause electromagnetic degradation in performance of other electromagnetic radiators, receptors, or generators of quality and proper design.
 9. WES shall not be artificially lighted.
 10. All wind turbines shall have an automatic braking, governing or feathering system to prevent uncontrolled rotation, over speeding and excessive pressure on the tower structure, rotor blades and turbine components.
 11. Abandonment: If a WES is inoperable or abandoned for a period of six (6) consecutive months, the Village may require that the WES must either be repaired or removed within an established cure period.
- C. Rooftop mounted WES shall be in keeping with the following requirements:
1. More than one rooftop mounted WES shall be allowed only in nonresidential zoning districts after having received approval by as a Special Use.
 2. Rooftop mounted WES shall be set back at least twenty feet (20') from front or exterior setback lines, and at least ten feet (10') from side setback lines. Setbacks shall be measured to the widest point of blade rotation or to the nearest part of the WES structure, whichever is greater.
 3. Rooftop mounted WES shall be limited to a height of no more than fifteen feet (15') above the roof peak or top of a parapet wall, whichever is greater. Total height shall be measured from the highest point of blade rotation or the highest point of the WES structure, whichever is greater.
- D. Ground mounted WES:
1. More than one ground mounted WES shall be allowed only in nonresidential zoning districts after having received approval by as a Special Use.
 2. Ground mounted WES shall be permitted only in a rear or side yard.
 3. The WES tower or any associated structure shall comply with the minimum setback requirements of the zoning district in which the WES is located or be set back a distance equal to 1.1 times the total height of the structure from any property line, whichever distance is greater. Total structure height shall be measured from the ground to the highest point of blade rotation or the highest point of the WES structure, whichever is greater.
 4. A WES tower shall be set back a minimum of twenty feet (20') from any principal structure on the property.
 5. The maximum permissible height of a WES tower shall not exceed seventy feet (70').

6. Rotor blades or airfoils must maintain at least twelve feet (12') of clearance between their lowest point of rotation and the ground.
7. All climbing apparatus affixed to a WES tower shall terminate twelve feet (12') short of ground level.
8. All WES facilities shall be surrounded by a six foot (6') high safety fence.
9. All WES towers shall be constructed with an approved concrete foundation.



Example of WES in commercial district designed to fit into the character of the district.

9-3-13: Donation Drop Boxes

- A. Purpose. The Village has experienced a proliferation of collection containers and their placement in required parking spaces, required landscaped areas, and residential zoning districts, often without the property owner's permission. The proliferation of these containers has contributed to visual clutter, blight due to graffiti and poor maintenance, and the accumulation of debris and excess items outside of the collection containers. They can also interfere with the proper management of the Village's waste stream. The purpose of these regulations is to promote the health, safety, and welfare of the public, and protect the property rights of the owners of the parcels on which the collection containers are located, by providing minimum blight-related performance standards for the operation of collection containers, including establishing criteria to ensure that: (1) material is not allowed to accumulate outside of the collection containers, (2) the collection containers remain free of graffiti and blight, (3) the collection containers are maintained in sanitary conditions, (4) the collection containers are not placed without the approval of property owners, and (5) that contact information is readily available so that the operators can be contacted if there are any blight-related questions or concerns. This Section 9-3-13 regulates the size, number, placement, installation and maintenance of collection containers, as is necessary to accomplish the foregoing purposes.
- B. Permit Required; exceptions.
 1. It is unlawful to place, operate, maintain or allow a collection container on any real property unless the property owner and operator of the collection container first obtains a permit from the Village.
 2. An application for a collection container will be processed as ministerial action in accordance with this Section. The Zoning Officer will be the decision maker, subject to this Title's appeal process.

C. Application.

1. The permit application will be made on a form provided by the Zoning Officer, and include:
 - a. The signatures of the property owner and the operator of the collection container, acknowledging that they will be equally responsible for compliance with all applicable laws and conditions related to the collection containers for which they are seeking approval;
 - b. A non-refundable application fee as determined by the Village;
 - c. The name, address, email, website (if available) and telephone number of the operator of the collection container and property owner on which the collection container is to be located, including 24-hour contact information;
 - d. A vicinity map showing:
 - (1) The proposed location of the collection container;
 - (2) The distance between the proposed location and all existing collection containers within 500 feet of the proposed location, as measured from lot line to lot line; and
 - (3) The distance between the proposed location and all residentially-zoned property within 500 feet of the proposed location, as measured from lot line to lot line.
 - e. Photographs of the location and adjacent properties;
 - f. A site plan containing:
 - (1) Location and dimensions of all parcel boundaries;
 - (2) Location of all buildings;
 - (3) Proposed collection container location;
 - (4) Distance between the proposed collection container and parcel lines and buildings; and
 - (5) Location and dimensions of all existing and proposed driveways, garages, carports, parking spaces, maneuvering aisles, pavement and striping/markings;
 - g. Elevations showing the appearance, materials, and dimensions of the collection container, including the information required in this Section to be placed on the collection container and notice sign;
 - h. A description and/or diagram of the proposed locking mechanism of the collection container;
 - i. A maintenance plan (including graffiti removal, pick-up schedule, and litter and trash removal on and around the collection container); and
 - j. Any other information regarding time, place, and manner of the collection container's operation, placement, and maintenance that is reasonably necessary to evaluate the proposal's consistency with the requirements of this Section.
2. Permit expiration and renewal. A permit issued under this Section will expire and become null and void annually on the anniversary of its date of issuance, unless renewed prior to its expiration. An application for renewal must be submitted prior to the expiration of the permit on a form provided by the Zoning Officer, and include:
 - a. The signatures of the property owner and the operator of the collection container, acknowledging that they will be equally responsible for compliance with all applicable laws and conditions related to the collection containers for which they are seeking approval;
 - b. A non-refundable application fee as determined by the Village;
 - c. Photographs of the location and adjacent properties taken within ten days of the submittal of the renewal application;
 - d. A detailed description of any changes to the information submitted on the previous application; and

- e. Any other information regarding time, place, and manner of the collection container's operation, placement, and maintenance that is reasonably necessary to evaluate the proposal's consistency with the requirements of this Section.

D. Decision on application.

- 1. The Zoning Officer will approve or deny an application within 60 days of the receipt of a completed application. If the Zoning Officer fails to take action on the application within the required 60 days, the application shall be deemed approved.
- 2. The Zoning Officer will approve the application if all of the following are true; otherwise the Zoning Officer may deny the application:
 - a. The applicant has submitted a complete, fully executed and accurate application accompanied by the applicable fee;
 - b. The property on which the collection container is to be located has been free of graffiti, as defined by the Woodridge Village Code, for at least six months prior to the submission of the application, as evidenced by Village records for the property;
 - c. The property on which the collection container is to be located has been free of any conditions constituting a nuisance, as defined by the Woodridge Village Code, for at least six months prior to submission of the application, as evidenced by Village records for the property;
 - d. The applicant is neither currently in violation of, nor has not been found in violation of this Section within one year prior to submission of the application; and
 - e. The application will be in compliance with all of the applicable provisions of this Section.
 - (1) The Zoning Officer will mail written notice to the applicant of the Zoning Officer's decision by First Class United States mail, addressed to the applicant at the address provided on the application. If the application is denied, or approved subject to conditions, the notice will set forth the reasons for the denial or conditions, as well as the facts supporting the Zoning Officer's reasons.
 - (2) The decision of the Zoning Officer will be final, subject to this Title's appeal provisions.

E. Standards.

- 1. Location.
 - a. No collection container may be located within 500 feet from any other collection container, as measured from lot line to lot line.
 - b. No collection container may be located in a residential zoning district.
 - c. No collection container may be located within 500 feet of a parcel in a residential zoning district, as measured from lot line to lot line.
 - d. No collection container will be located on or within:
 - (1) The public right-of-way, including sidewalks;
 - (2) Area designated for landscaping;
 - e. No collection container will be located in or block or impede access to any:
 - (1) Required parking or driveway areas;
 - (2) Pedestrian routes;
 - (3) Emergency vehicle routes;
 - (4) Building ingress and egress;
 - (5) Required disabled access routes;
 - (6) Required or recorded easements;
 - (7) Trash enclosure areas or access to trash bins or trash enclosures; or

- (8) Any place that would impede the functioning of exhaust, ventilation, or fire extinguishing systems.
 - f. No more than one collection container will be located on any individual zoning lot.
 - g. No collection container will be located within the sight triangle of any intersection, or within any required yard or setback.
2. Physical attributes.
- a. All collection containers must:
 - b. Be fabricated of durable and waterproof materials;
 - c. Be placed on a level impervious surface;
 - d. Have a tamper-resistant locking mechanism for all collection openings;
 - e. Not be electrically or hydraulically powered or otherwise mechanized; and
 - f. Not be considered a fixture of the site or an improvement to real property.
 - g. Collection containers may not exceed six and one-half-feet in height, five feet in width and five feet in depth.
 - h. Signage on collection containers will not exceed five-inch letter height. Collection containers must have the following information conspicuously displayed in at least two-inch type visible from the front of the collection container:
 - (1) The name, address, 24-hour telephone number, and, if available, the Internet Web address, and email address of the permittee, the operator of the collection container, and the owner of the real property;
 - (2) The type of material that may be deposited; and
 - (3) A notice stating that it is strictly prohibited to leave any materials outside the collection container.
3. Maintenance and operation.
- a. No overflow collection items, litter, debris or dumped materials will be allowed to accumulate within 20 feet of any collection container.
 - b. Collection containers will be maintained at all times in good working order, and at all times free from graffiti, removed or damaged signs and notifications, peeling paint, rust, and broken collection operating mechanisms.
 - c. Collection containers will be serviced not less than weekly between 7:00 a.m. and 7:00 p.m. on weekdays and 10:00 a.m. and 6:00 p.m. on weekends. This servicing includes maintenance of the container, the removal of collected materials, and removal of any graffiti, litter, or nuisance conditions as defined in this Title.
 - d. The operator will maintain an active email address and a 24-hour telephone service with recording capability for the public to register complaints.
 - e. It is strictly prohibited to allow a collection container to be used for solid waste or hazardous materials.
4. Removal; notice.
- a. The placement, maintenance, or site-hosting of a collection container(s) in violation of any applicable requirements set forth in this Section is hereby declared a nuisance.
 - b. In addition to the penalties provided in this Title and provided by other law, the Village may further abate such nuisance by removing and impounding the nuisance collection containers after providing reasonable notice to the permittee, operator of the nuisance collection container, and owner of the real property, by affixing signage on the nuisance collection container. The dated notice will state that the nuisance collection container will be removed and impounded within seven days of the posting of the notice, unless the

nuisance conditions are fully corrected to the satisfaction of the Zoning Officer in strict accordance with the requirements of this Section.

- c. Following impoundment, the Zoning Officer or his/her designee will provide written notice to any reasonably ascertainable permittee, owner of the nuisance collection container, and owner of the real property that:
 - (1) The collection container has been impounded; and
 - (2) If the collection container is not claimed within 180 days of impoundment, the Village will be authorized to dispose of the collection container and its contents in accordance with the Law Enforcement Disposition of Property Act, 765 ILCS 1030/3, or in any other lawful manner.
 - d. The permittee, the owner of the nuisance collection container, and the owner of the real property hosting the nuisance collection container are jointly and severally liable for the reasonable costs of removal, storage, and disposal incurred by the Village.
 - e. The impounded collection container can be recovered only after the violation is corrected to the satisfaction of the Zoning Officer in strict accordance with the requirements of this Section, all outstanding final code violation fines, if any, have been paid in full, and a \$150.00 administrative processing fee is paid in full.
5. Penalty. Any person violating any provision of this Section shall be subject to a penalty as provided in this Title. Each day that a violation exists shall be considered a separate violation of this Title.

9-3-14: Reserved

9-3-15: Personal Wireless Service Facilities

- A. Purpose: The purpose of this section is to provide specific regulations for the placement, construction and modification of personal wireless service facilities, whether such facilities are used as a principal use or accessory use unless otherwise exempted from these regulations.
 1. In order to accommodate the communication needs of residents and businesses while protecting the public health, safety, and general welfare of the community, the village board finds that these regulations are necessary to:

- a. facilitate the efficient provision of personal wireless services to the residents of the village, as well as to other persons, firms, and/or corporations in the vicinity of the village;
 - b. minimize adverse visual effects of personal wireless service facilities, through careful design, siting, screening, and landscape buffering standards;
 - c. minimize the impacts of personal wireless service facilities on, and reduce conflicts with, the architectural, historical, tourism and economic significance of historic structures and districts designated by the federal, state and local governments;
 - d. minimize the impacts of personal wireless service facilities on, and reduce conflicts with, the architectural, historical, tourism and economic significance of the village's principal commercial and tourist areas;
 - e. avoid potential damage to adjacent properties from falling ice and tower failure through structural standards and setback requirements;
 - f. promote, encourage and maximize the shared use of existing and approved buildings and antenna support structures to accommodate new personal wireless service facilities in order to reduce the number of towers needed to serve the community; and
 - g. promote, encourage and maximize the use of existing tall structures that have been established within the community for the collocation of new personal wireless service facilities.
2. The provisions of this section are not intended and shall not be interpreted to prohibit or have the effect of prohibiting the provision of personal wireless services, nor shall any provision of this section be applied in such a manner as to unreasonably discriminate between providers of functionally equivalent personal wireless services.
- B. Authorization. Subject to the limitations of this section, all principal or accessory uses and structures that are personal wireless service facilities, except small wireless facilities, shall be subject to the following standards, regulations, and requirements at all times in those zoning districts in which they are permitted or special uses. For personal wireless services facilities located in the right of way, see village code sec. 7-1-5.
- C. Decisions. In the course of reviewing any request by an applicant to provide personal wireless services, the village shall act within a reasonable period of time after the request is duly filed with the village, taking into account the nature and scope of the request. Any decision to deny such a request shall be in writing and supported by substantial evidence contained in a written record.
- D. Review Costs. The village may employ an independent technical expert to review any technical materials required by this section. The applicant shall pay all reasonable costs of the review, including any administrative costs incurred by the village.
- E. Location. Personal wireless services antennas shall be located on lawfully pre-existing antenna support structures or other lawfully pre-existing buildings or structures wherever possible. No special use permits authorizing construction of a new antenna support structure or addition to or expansion of an existing antenna support structure or existing building or structure shall be authorized unless the applicant is able to demonstrate that no lawfully pre-existing antenna support structure or lawfully pre-existing building or structure is available, on commercially reasonable terms, and

sufficient for the location of an antenna necessary for the provision of personal wireless services. In support of this demonstration, the applicant may submit evidence that:

1. no existing antenna support structures are located within the geographic area required to meet the applicant's engineering requirements;
 2. existing antenna support structures are not of sufficient height and size to meet the applicant's engineering requirements or do not have sufficient structural strength to support the applicant's proposed antenna;
 3. the applicant's proposed antenna would cause electromagnetic interference with the antennas on the existing antenna support structures or the existing antennas would cause interference with the applicant's proposed antenna; and
 4. the applicant has sought and been denied the opportunity to collocate its antenna and equipment on an existing antenna support structure.
- F. Antenna Support Structures. A special use permit shall be obtained prior to the erection of any new antenna support structure. Applications shall include, in addition to any requirements contained in title 8 and title 9 of this code, those items listed below:
1. Legal description of the property on which the proposed personal wireless services facility is to be located.
 2. Identification of the owners of all personal wireless services facilities to be located at the site.
 3. Written authorization from the owner of the facility site to apply on his/her behalf, if the landowner is not the owner of the personal wireless services facility.
 4. Documentation that the proposed personal wireless services facility will comply with all applicable federal, state and local laws.
 5. Plat of survey of the property on which the proposed personal wireless services facility is to be located.
 6. An inventory, including a current map, depicting the applicant's existing personal wireless services facilities and/or antennas, that are either within the corporate limits of the village or within one and one-half miles of the village corporate limits. This inventory shall include specific information about the location, height, design (including type of construction), owner/operator information (if available), and screening of each personal wireless services facility. The map shall include all existing facilities and any proposed facilities and clearly note the separation distance between each of the personal wireless services facilities identified.
 7. A scaled site plan clearly indicating the location, type and height of the proposed personal wireless services facility, on site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), zoning classification of the site and all properties within the application, separation distances set forth in this section, adjacent roadways, proposed means of access, setbacks from the property lines, elevation drawings of the proposed personal wireless services facility, and any other structures, topography, and parking.

8. Structural engineering plans sealed by a licensed structural engineer showing the antenna and antenna support structure type and number with a certification that the antenna support structure conforms to the current structural standards and wind loading requirements.
 9. The setback distance between the personal wireless services facility and the nearest residentially zoned properties.
 10. A description of the availability and suitability of the use of existing antenna support structures, other buildings, or alternative technology, not requiring the construction or use of a new antenna support structure and an explanation as to why these facilities are not suitable.
 11. A landscape plan showing existing landscaping to remain and proposed landscaping in accordance with this title.
 12. A photometric plan if lighting on the site is added, removed or modified.
 13. Elevations depicting how the structure and associated equipment will be enclosed, screened and/or landscaped.
 14. A notarized statement from the applicant as to whether the construction of the personal wireless services facility will accommodate collocation of additional antennas for future users.
 15. A description of the feasible locations of future personal wireless services facilities within the village based upon existing physical, engineering, technological, or geographical limitations in the event the proposed antenna support structure is erected.
 16. Other information as the zoning officer deems necessary to evaluate compliance with this section and all laws for the proposed antenna support structure.
- G. Design of New Antenna Support Structures for Collocation. Unless otherwise authorized by the village board for good cause shown, every new personal wireless services antenna support structure of a tower design shall be designed, constructed, and installed to be of a sufficient size and capacity to allow the location of additional personal wireless services antennas to accommodate at least one additional personal wireless service provider on such structure in the future. Any special use permit for such a support structure may be conditioned upon the agreement of the applicant to allow collocation of other personal wireless service providers on commercially reasonable terms specified in such special use permit.
- H. Design.
1. Every new personal wireless services antenna support structure shall:
 - a. Comply with applicable zoning district bulk regulations with regard to setbacks.
 - b. Not shall be located within 1,500 feet of any other existing antenna support structure.
 - c. Not exceed 150 feet in height.
 - d. Comply with all tree preservation requirements in chapter 8 of this title.
 2. Every new personal wireless services antenna support structure that is of a tower design shall:

- a. Be a monopole or stealth design rather than latticework design, unless otherwise authorized by the village board for good cause shown.
- b. Not be illuminated or have any signs installed thereon unless otherwise required by federal law or regulations.
- c. Be separated from any principal building by a distance that is not less than 110 percent of the height of the tower. For the purposes of this requirement, this distance shall be measured horizontally from the center of the base of the supporting structure of the tower to the point where the ground meets a vertical wall of such principal building.
- d. Have any deck on such a tower centered on the tower and the radius from the center of the tower to the outside of the deck shall not exceed six feet, and each side of the deck shall not exceed six feet vertically.

I. Antennas on Buildings and Structures.

- 1. Personal wireless services antennas that are installed on buildings and structures must be located only on a lawfully pre-existing building or structure.
- 2. Such antennas and any necessary antenna support structures must be fully enclosed or shielded from view from any point located off the zoning lot on which they are located by a structure otherwise permitted on the zoning lot and all electronic equipment must be fully enclosed in a structure otherwise permitted on the zoning lot.
- 3. Such antennas shall not exceed the following dimensions:
 - a. Omnidirectional or whip antennas shall not exceed six inches in diameter and 12 feet vertically;
 - b. Directional or panel antennas shall not exceed three feet horizontally and six feet vertically.
- 4. All such antennas shall not exceed the maximum height authorized by applicable zoning district regulations.
- 5. The zoning officer may approve without a hearing or approval by the village board or plan commission a personal wireless services antenna on an existing building or additional antennas on a lawfully existing antenna support structure, provided:
 - a. the antenna is mounted directly to a lawfully existing principal structure greater than 40 feet in height;
 - b. the antenna does not extend more than 20 feet above the highest point of the structure;
 - c. the antenna complies with all applicable FCC and FAA, federal, state and local laws, codes, regulations and standards;
 - d. any artificial illumination of the antenna and associated equipment may only be permitted when required by the FCC or the FAA;
 - e. all ancillary equipment to the antenna including, but not limited to, cable, conduit, connectors and/or an equipment enclosure used to house and protect the necessary electronic equipment is screened in accordance with this section; and

- f. a building permit is obtained prior to construction and installation of the antenna.
- J. Lot Size. For purposes of determining whether the installation of a personal wireless services facility or antenna support structure complies with the district bulk regulations, including setback requirements, lot coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the wireless communication facility may be located on leased parcels or easements within such lots.
- K. Color. Every personal wireless services antenna and antenna support structure shall be neutral colors that are harmonious with, and that blend with, the natural features, buildings, and structures surrounding such antenna and antenna support structures; provided, however, that directional or panel antennas and omnidirectional or whip antennas located on the exterior of a building that will also serve as an antenna support structure shall be of colors that match, and cause the antenna to blend with, the exterior of the building.
- L. Landscaping and Fencing. In addition to any other applicable buffer and landscaping requirements of chapter 8 of this title, all ground-mounted antennas, antenna support structures, related electronic equipment, and equipment enclosures shall be subject to the following:
 - 1. In order to minimize the visibility of such facilities, a natural screen or fence shall be erected if not already provided, so as to provide the maximum reasonable achievable screening as determined by the zoning officer.
 - 2. Any natural screen shall be a minimum of six feet in height and a minimum of four feet wide when planted, with dense plantings spaced no more than two feet apart; provided that if the personal wireless services facility is on a wooded lot, natural growth around the perimeter may substitute for parts of the buffer.
 - 3. Any fence shall be a minimum of eight feet in height, except where fence height is otherwise limited by this title, and shall be of a style of construction that provides a visual shield of the facilities.
 - 4. All antenna support structures of a tower design shall be enclosed with security fencing consisting of either a solid wood fence or masonry wall six feet in height.
- M. Protection Against Climbing. Every personal wireless services antenna and antenna support structure shall be protected against unauthorized climbing or other access by the public. Anticlimbing devices may not include barbed wire, razor wire or similar sharp barrier.
- N. Equipment Enclosures. All electronic and other related equipment and appurtenances necessary for the operation of any personal wireless services antenna shall, whenever possible, be located within a lawfully pre-existing structure or completely below grade. When a new structure is required to house such equipment, such structure shall be harmonious with, and blend with, the natural features, buildings, and structures surrounding such structure. Any freestanding structure that is not attached to or within an existing building or located completely below grade shall not exceed a maximum height of 15 feet.
- O. Compliance with Laws. No personal wireless services antenna or antenna support structure shall be permitted in any zoning district in the village unless it complies with all federal laws and regulations concerning its use and operation. The operator of every personal wireless services antenna shall maintain all licenses and permits required by other agencies and governments with jurisdiction over

the design, construction, location and operation of such antenna. In addition, any such operator shall annually provide copies of such licenses and permits, and provide evidence of renewal or extension thereof, to the zoning officer. All personal wireless services facilities and antenna support structures shall comply with applicable federal, state and local laws, ordinance codes, rules, regulations and standards. All personal wireless services facilities and antenna support structures shall comply with applicable federal, state and local laws, ordinance codes, rules, regulations and standards.

- P. Compliance with Plans. Every personal wireless services antenna and antenna support structure shall comply with all plans approved by the village.
- Q. Limited to Applicant. Every ordinance granting approval of a special use permit for a personal wireless services antenna or antenna support structure shall state that any assignment or transfer of the special use permit or any of the rights thereunder may be made only with the approval of the village board.
- R. Term Limitation. Unless otherwise provided by ordinance, every special use permit for a personal wireless services antenna or antenna support structure is subject to the following conditions:
 - 1. Where the provider of personal wireless services is not the owner of the land on which such antenna or structure is located, the term of the special use permit is limited to the term of the lease or other agreement granting rights to use the land; and
 - 2. The special use permit shall be subject to review by the village board, at ten year intervals, to determine whether the technology in the provision of personal wireless services has changed such that the necessity for the special use permit at the time of its approval has been eliminated or modified, and whether the special use permit should be modified or terminated as a result of any such change.
- S. Abandonment and Removal. When one or more antennas, an antenna support structure, or related equipment are not operated for the provision of personal wireless services for a continuous period of 12 months or more, such antenna, antenna support structure, or related equipment will be deemed to be abandoned and must be removed and disposed of in compliance with applicable solid waste regulations, and the site must be restored to its natural condition except that any landscaping and grading may remain. If two or more providers of personal wireless services use the antenna support structure or related equipment to provide personal wireless services, then the period of non-use under this provision shall be measured from the cessation of operation at the location of such antenna support structure or related equipment by all such providers. The village will be entitled to remove such an antenna, antenna support structure, or related equipment if the owner does not remove such items within 90 days following the mailing of written notice that removal is required. Such notice shall be sent by certified mail, return receipt requested, by the village to such owner at the last known address of such owner.
- T. Security Fund. The owner of every personal wireless services antenna shall establish a security fund in a form and in an amount as set forth in this subsection. The security fund shall serve as security for the removal of the antenna. The security fund shall be continuously maintained in accordance with this subsection at the owner's sole cost and expense until the antenna is removed.
 - 1. Form. The owner shall provide the security fund to the village in the form of cash, unconditional letter of credit, or surety bond, in a form acceptable to the zoning officer.

2. Amount. The dollar amount of the security fund shall be equal to the village engineer's reasonable estimated removal cost for the antenna.
 3. Withdrawals. Following a removal notice provided under subsection 9-3-17-S, the village may withdraw an amount from the security fund equal to the village's actual removal costs, provided that the owner or operator has not removed the antenna within the 90-day notice period.
 4. Return. Upon removal of the antenna, the zoning officer will return the security fund, or such portion remaining on deposit, to the owner within a reasonable time after account is taken for all offsets necessary to compensate the village for the owner's failure to remove the antenna upon notice provided by subsection 9-3-17-S.
 5. Rights not limited. The rights reserved to the village with respect to the security fund are in addition to all other rights of the village, whether reserved by this subsection or otherwise authorized by law, and no action, proceeding or exercise of right with respect to said security fund shall affect any other right the village may have.
- U. Insurance. The operator of every personal wireless services antenna must annually tender to the zoning officer proof of public liability insurance covering the facility in an amount not less than \$1,000,000.00.

9-3-16: Small Wireless Facilities

- A. Authorization. Subject to the limitations of this section, all principal or accessory uses and structures that are small wireless facilities shall be subject to the following standards, regulations, and requirements at all times in those zoning districts in which they are permitted or special uses.
- B. Compliance with Laws.
 1. All small wireless facilities must comply with the village code and all other applicable federal, state, and local laws.
 2. For small cell wireless facilities located in the right of way, see village code sec. 7-1-7.
- C. Permitted Use. Small wireless facilities are allowed as permitted uses in all non-residential zoning districts.
- D. Special Use. Small wireless facilities are allowed as a special use in all residential districts and must be:
 1. Designed so as to completely conceal all components of the small wireless facility within a new or existing structure that is architecturally compatible with its surroundings; which may include an antenna behind louvers, or in a false roof on a building, or inside a steeple, clock tower, flagpole (with a maximum diameter of 15 inches), campanile or bell tower; or
 2. Camouflaged so as to blend into its surroundings to such an extent that it is no more obtrusive to the casual observer than the structure on which it is:
 - a. Placed, such as a rooftop, lighting standard or existing tower; or
 - b. Replacing, such as a school athletic field light standard, or other similar structure.
- E. Height.

1. The maximum height of a small wireless facility collocated on an existing structure shall be limited to 10 feet above the structure on which the small wireless facility is collocated.
 2. The maximum height of a new small wireless facility which is not collocated on an existing structure may not exceed:
 - a. 10 feet in height above the tallest existing utility pole that is in place on the date the application is submitted, that is located within 300 feet of the small wireless facility and that is in the same right-of-way within the village; or
 - b. 45 feet above ground level.
- F. Special Floor Area Ratio Exception. A small wireless facility collocated on an existing structure shall not count toward any required floor area ratio.

9-3-17: Adult Business Uses:

- A. Purpose. The purpose of this section is to provide specific regulations for adult business uses, in order to accommodate constitutionally-protected non-obscene sexual expression, while protecting the public health, safety, and general welfare of the village. The village's corporate authorities find that:
1. adult business uses require special supervision from the village's law enforcement and public safety agencies to protect and preserve the public health, safety, morals, and welfare of the patrons and employees of businesses as well as the village's residents;
 2. adult business uses are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature;
 3. sexually transmitted diseases are a legitimate health concern for the village that demands reasonable regulation of adult business uses by the village in accordance with this section;
 4. this section's regulations are a legitimate and reasonable means of accountability to ensure that operators of adult business uses comply with reasonable regulations and to ensure that operators do not allow their establishments to be used as places of illegal sexual activity or solicitation;
 5. there is convincing documented evidence that adult business uses, because of their outward appearance and very nature, a) have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them; b) cause increased crime, particularly during the overnight hours; and c) reduce property values;
 6. the corporate authorities desire to minimize and control these adverse effects by regulating adult business uses in accordance with this section;
 7. by minimizing and controlling these adverse effects, the corporate authorities seek to protect the health, safety, and welfare of the public; protect the public from increased crime; preserve quality of life; preserve property values and the character of the village's neighborhoods; and deter the spread of urban blight;

8. the corporate authorities do not enact this section to suppress or authorize the suppression of any speech activities protected by the First Amendment; rather, this section establishes content-neutral regulations that address the secondary effects of adult business uses;
9. the corporate authorities do not enact this section to restrict, deny, or authorize the restriction or denial of access by adults to sexually oriented materials protected by the First Amendment, or to deny, or authorize denial of, access by the distributors and exhibitors of adult entertainment and adult materials to their intended market;
10. evidence concerning the adverse secondary effects of adult business uses on communities is readily available in many court decisions, including, but not limited to: *Township of Littleton, Colorado v. Z.J. Gifts D-4, LLC*, 541 U.S. 774 (2004); *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002); *Township of Erie v. Pap's A.M.*, 529 U.S. 277 (2000); *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *Township of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theatres*, 426 U.S. 50 (1976); *California v. LaRue*, 409 U.S. 109 (1972); *Illinois One News, Inc. v. City of Marshall*, 477 F.3d 461 (7th Cir. 2007); *Andy's Restaurant & Lounge, Inc. v. City of Gary*, 466 F.3d 550 (7th Cir. 2006); *Joelner v. Village of Washington Park*, 378 F.3d 613 (7th Cir. 2004); *G.M. Enterprises, Inc. v. Town of St. Joseph*, 350 F.3d 631 (7th Cir. 2003); *Pleasureland Museum, Inc. v. Beutter*, 288 F.3d 988 (7th Cir. 2002); *Shultz v. City of Cumberland*, 288 F.3d 831 (7th Cir. 2000); *Genusa v. City of Peoria*, 619 F.2d 1203 (7th Cir. 1980); *Excalibur Group, Inc. v. City of Minneapolis*, 116 F.3d 1216 (8th Cir. 1997); *BBL, Inc. v. City of Angola*, Cause No. 1:13-CV-76-RLM-RBC, 41 (N.D. Ind. Dec. 31, 2013); *City of Chicago v. Pooh Bah Enterprises, Inc.*, 224 Ill. 2d 390 (2006); and *XLP Corporation v. County of Lake*, 359 Ill. App. 3d 239 (2d Dist. 2005); *Northend Cinema, Inc. v. City of Seattle*, 90 Wash. 2d 709 (Wash. Sup. Ct. 1978) (collectively, the "Cases");
11. many academics, municipalities, and other units of government throughout the country have studied and found significant adverse secondary effects associated with adult business uses, including, but not limited to:
 - a. McCord, E. S., & Tewksbury, R., Does the Presence of Sexually Oriented Businesses Relate to Increased Levels of Crime? An Examination Using Spatial Analyses. *Crime & Delinquency*, 59(7), 1108–1125 (2013);
 - b. Reuben J, Serio-Chapman C, Welsh C, Matens R, Sherman SG, Correlates of current transactional sex among a sample of female exotic dancers in Baltimore, MD. *J Urban Health* (2011);
 - c. Metropolis, Illinois, Investigator Affidavits Documenting Paid Sexual Conduct in Adult Entertainment Club, 2011-2012;
 - d. Clarksville, Indiana, Investigator Report re: Live Sexual Conduct in Adult Entertainment Establishment Booth Areas, 2009;
 - e. New Albany, Indiana, Investigator Report re: Illicit Sexual Conduct at Gentlemen's Club, 2009;
 - f. El Paso, Texas, Twenty-One Affidavits re: Illicit Sex Acts and Unsanitary Conditions in Adult Cabarets and Adult Bookstores, 2008;
 - g. Rural Hotspots: The Case of Adult Businesses, 19 *Criminal Justice Policy Review* 153 (2008);

- h. Crime-Related Secondary Effects of Sexually-Oriented Businesses: Report to the Jackson County Legislature, May 9, 2008;
 - i. Rochester/Olmsted Consolidated Planning Department and Office of the Rochester City Attorney, Adult Entertainment, Land Use and Legal Perspectives (1988);
 - j. Adult Cabarets, Factual Record, Phoenix, Arizona (1995-1998);
 - k. Adult Business Study, Planning Department, City of Phoenix (1979);
 - l. Indianapolis Department of Metropolitan Development, Division of Planning, Adult Entertainment Businesses in Indianapolis, An Analysis (1984);
 - m. Indianapolis Department of Metropolitan Development, Division of Planning, Study of Sexually Oriented Businesses and Property Values (1983);
 - n. M. McPherson and G. Silloway, Minnesota Crime Prevention Center, Inc., An Analysis of the Relationship between Adult Entertainment Establishments, Crime, and Housing Values (1980);
 - o. St. Paul, Minnesota, Department of Planning and Economic Development and Community Crime Prevention Project, Effects on Surrounding Area of Adult Entertainment Businesses in St. Paul (1979)
 - p. City of Phoenix Planning Department, Adult Business Study (1979);
 - q. Staff Report, Amendment to Zoning Regulations, Adult Businesses in C-2 Zone with Conditional Use Permit, City of Whittier, California (1978); and
 - r. City of Amarillo, Texas, Planning Department, A Report on Zoning and Other Methods of Regulating Adult Entertainment in Amarillo (1977) (collectively, the "Studies");
12. the United States Congress has heard testimony detailing the negative secondary effects associated with adult business uses on numerous occasions, including 136 Cong. Rec. S. 8987; 135 Cong. Rec. S. 14519; 135 Cong. Rec. S. 5636; 134 Cong. Rec. E. 3750 (collectively, the "Testimony"); and
13. based on secondary effects discussed and found to exist in the cases, studies, and testimony, as well as all evidence presented and matters discussed during all public hearings and meetings conducted by the village, and all other relevant information, including the corporate authorities' own knowledge and experience, the corporate authorities find that:
- a. adult business uses can contribute to increased crime in the area where such businesses are located and burden local law enforcement and public safety efforts. Crimes associated with adult business uses include, but are not limited to:
 - (1) prostitution and other sex related offenses;
 - (2) drug use and dealing; and
 - (3) money laundering;
 - b. adult business uses can contribute to significant public health concerns, including the spread of HIV/AIDS and other sexually transmitted diseases;

- c. adult business uses and their outward appearance can significantly:
 - (1) contribute to the deterioration of residential neighborhoods;
 - (2) increase neighborhood blight;
 - (3) impair the character and quality of residential housing in the surrounding area; and
 - (4) reduce overall housing appeal for potential residents;
- d. the concentration of adult business uses in any one area can greatly impact the area by causing blight, decreasing property values, reducing the village's tax base, making the area less attractive to non-adult business uses (i.e., marketability), and increasing crime;
- e. adult business uses can produce higher levels of noise, traffic, and glare as compared to other businesses by virtue of adult business uses' hours of operation;
- f. serving or otherwise allowing the consumption of alcoholic liquor at adult business uses can lead to increased criminal activity and exacerbate neighborhood deterioration;
- g. requiring adult businesses to be separated from each other and dissimilar uses is a reasonable regulation that will provide for the protection of the image of the village and its property values, and protect the residents of the village from the negative secondary effects of such business uses, while providing to those who desire to patronize adult business uses an opportunity in areas of the village which are appropriate for location of adult business uses;
- h. the findings set forth in this section above constitute substantial governmental concerns;
- i. adult business uses have operational characteristics that require reasonable governmental regulation to address those substantial governmental concerns; and
- j. passing this section will promote and protect the public health, safety and welfare.

B. Restrictions on the Operation of Adult Business Uses:

1. Advertising: No adult business use shall be conducted in a manner that permits the observation of any material depicting, describing or relating to any specified sexual activities or specified anatomical areas by display, decorations, sign, show window or other opening from any public right of way, site development area (SDA) line or property line.
2. Sale of Alcohol: No adult business use shall be located on any premises for which a license to sell alcohol has been issued and no alcohol shall be permitted on such premises.
3. Persons Under Eighteen Years of Age Prohibited:
 - a. Persons under the age of 18 years are prohibited from being in or on the premises of any adult business use.
 - b. Any owner, manager, or other person in charge of any adult business use is prohibited from knowingly permitting any person under the age of 18 years from being in or on the premises.
4. Adult business uses must comply with applicable setback requirements. See Section 9-5-10-F-12.

9-3-18: Accessory Housing for Seniors

- A. Intent: It is recognized that, while persons in Woodridge who are sixty-two (62) years old or older may seek to live independently, insufficient incomes or needs for services may make it impossible

for such persons to maintain separate households. By permitting an accessory unit to be maintained in single-family dwellings in the single-family districts of the village, these individuals will be afforded a means of obtaining the additional income and security which will enable them to remain in the homes they own and occupy. In addition, other persons owning and occupying single-family dwellings in these districts will be provided with a means of caring and providing companionship for relatives who are at least sixty-two (62) years of age.

- B. Requirements for A Permit For Accessory Housing: An accessory unit may be maintained in a single-family dwelling as an accessory use in the R-1, R-2 and R-3 districts, upon issuance of a permit for the accessory unit by the zoning officer. Conversion of the dwelling and maintenance of the accessory unit and primary unit must conform to the following requirements:
1. Only one accessory unit may be maintained in a converted dwelling.
 2. The total floor area of an accessory unit shall not exceed the larger of either seven hundred (700) square feet or thirty-five percent (35%) of the area of the principal structure in square feet. Any new construction to accommodate an accessory unit shall not increase the size of the original structure by more than twenty percent (20%).
 3. The accessory unit shall be structurally part of the converted dwelling; no accessory unit or portion thereof shall be maintained in an accessory building.
 4. The converted dwelling must conform to all applicable yard and bulk requirements.
 5. The converted dwelling must conform to all applicable building code requirements for habitable rooms with respect to privacy, light, ventilation, heating floor area and ceiling height.
 6. Floor plans for the construction of the accessory unit and for reconversion of both the primary unit and the accessory unit to a single-family dwelling after the expiration of the permit must be submitted with the application for the permit.
 7. The exterior of the converted dwelling must retain the appearance of a single-family dwelling. The number of exterior entries on the front of the converted dwelling shall be the same number as prior to its conversion.
 8. At least one of the occupants of a converted dwelling must be the legal or beneficial owner of the property. At least one of the occupants of the converted dwelling must also be sixty-two (62) years old or older. Additionally, the occupants of the primary unit must be related to the occupants of the accessory unit by blood, marriage or adoption.
 9. By January 31 of each year after the occupancy permit for the accessory unit is issued, all owners of the property shall file an affidavit, on a form as supplied and approved by the village, along with the annual renewal fee, with the zoning officer certifying that the property complies with subsections B1 through B8 of this section on the date of the filing.
- C. Expiration Of Permit: Every permit for accessory housing shall expire by its own terms if the property or use fails to conform with any of the requirements of subsections B1 through B9 of this section, or if an affidavit is not filed in accordance with subsection B9 of this section. The expiration date shall be thirty (30) days after the date on which the property or use first fails to conform with these requirements or thirty (30) days after the date on which the affidavit was to have been filed. The permit shall not expire, however, if the property is brought into conformity with the requirements of subsections B1 through B9 of this section, or if the affidavit is filed as required prior to the expiration date. Every permit for accessory housing shall also expire when the owner of the converted dwelling ceases to occupy the converted dwelling or when he or she conveys any portion of his or her interest in the property, unless the conveyance is to a trust of which that owner is a beneficiary or to a person residing in the converted dwelling who is a blood relative of the occupant of the other unit of the converted dwelling and the zoning officer is notified of such transfer.
- D. Reconversion to Single-Family Dwelling: Reconversion of the property to a single-family dwelling shall be completed within one hundred twenty (120) days of any expiration of a permit for accessory

housing. The zoning officer may extend the period of conversion for just cause shown. The property shall be reconverted according to the plans submitted at the time of application for the permit. (Ord. 96-25, 6-13-1996)

9-3-19: Conformance with Stormwater Management Regulations

No building or parcel of land shall be devoted to any use and no building or structure, or part thereof shall be erected, raised, moved, reconstructed, extended, enlarged or altered, except in conformity with the provisions of Title 8, Chapter 1, Article L: Stormwater Management Regulations, of this code, which are expressly incorporated herein by reference.

9-3-20: Utilities and Public Facilities

- A. Public Sanitary Sewer and Water Supply: Each use hereafter established which requires sewage and water facilities shall be served by public sewage and water systems except as may be otherwise permitted by provisions of this code.
- B. Public Service and Utility Uses: The following public service and utility uses are permitted in any district: wires, cables, conduits, vaults, laterals, pipes, mains and valves or other similar transmission and distributing equipment; provided, at least one of the following criteria are met:
 - 1. Is located underground; or
 - 2. Is an aboveground service facility that is less than four feet (4') in all dimensions; or
 - 3. Is for temporary service during a period of new construction; or
 - 4. Is located at the request of the Village; or
 - 5. Is temporary for minor repair of existing facilities.
- C. Emergency warning sirens, operated by an authorized emergency services and disaster agency, not exceeding fifty-five feet (55') in mounted height, shall be a permitted use in every district.
- D. Aboveground Service Facilities:
 - 1. Intent: To specify the location of aboveground service facilities so as to that minimizes their adverse impact on the Village's appearance, community character, and public health safety, and welfare; and provide public utilities the ability to provide services to the community.
 - 2. Applicability: Unless otherwise permitted as part of a special use approval for the property on which they are located or as allowed by another title of the Village Code, no aboveground service facility shall be constructed or installed on except in compliance with the provisions of this section.
 - 3. Dimensions: Aboveground service facilities may not exceed four feet (4') in any dimension.
 - 4. Location: Above ground service facilities may be located:
 - a. In any established utility easement to which the utility has an access right.
 - b. Within the defined building area of a property and not located in any defined yards.
 - c. On property owned, leased or otherwise controlled by the Village of Woodridge provided a lease, franchise or other written agreement is entered into with the Village after September 16, 2007, or where a license authorizing such aboveground service facility has been approved by the village after September 16, 2007.
 - d. Aboveground utility facilities may be a principal use on a property only if approved by the Village as a special use.
 - e. Aboveground service facilities shall not be located in the buildable area between a principal residential building and the front or exterior side yards.

5. Building Permit Requirements: A building permit shall be obtained prior to the installation of any aboveground service facility. Applications for a building permit to install an aboveground service facility shall include any requirements contained in title 8 of this code and additional information as may be required by the Zoning Officer to determine safe installation of equipment.
6. Other Restrictions:
 - a. Buildable Area: Aboveground service facilities shall not be located in the area between a principal residential building and the front or exterior side yards.
 - b. No signage, advertising, or information shall be allowed on or above aboveground service facilities other than four inches by six inches (4" x 6") identifying the service entity.
 - c. No visible or audible signals or lights or illumination shall be permitted on an aboveground service facility except for warning lights on cell towers, monopoles, water towers and similar structures if required by the federal aviation administration.
 - d. Aboveground service facilities shall be of earth tone colors and be maintained in good condition including, but not limited to, being free of peeling paint, rust and graffiti.
 - e. Aboveground service facilities shall be screened in accordance Chapter 8: Landscaping and Screening.
 - f. In the event the use of any aboveground service facility has been discontinued for a period of one hundred eighty (180) consecutive days, the aboveground service facility shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the zoning officer who shall have the right to request documentation and/or affidavits from the service entity regarding the use of the aboveground service facility. Upon the zoning officer's determination and written notification to the service entity of such abandonment, the service entity shall have an additional ninety (90) days within which to:
 - a) reactivate the use of the aboveground service facility or transfer the aboveground service facility to another service entity which makes actual use of the facility, or b) dismantle and remove the aboveground service facility, and notify the zoning officer in writing of the completion of such removal.

9-3-21: Watchman and Caretaker Facilities

Watchman and caretaker facilities are a permitted accessory use in the M-1, RBC, and ORI zoning districts, subject to the requirements for accessory structures listed in this chapter.

9-3-22: Package Lockers

Non post office associated lockers for package drop off and pick up that are located outside of a building should be in an area that is well lit and fully visible to the greatest extent possible, and is not located in a position that would encourage vehicles parking at the structure to block access or fire lanes.

9-3-23: Reserved

9-3-24: Cannabis Dispensaries

- A. Cannabis dispensaries listed herein are subject to the following terms and conditions:
 - a. Cannabis Dispensaries, their "principal officers," as defined and referred to in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, et seq.), as amended, and the Illinois Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1, et seq.), as amended, their agents and their employees shall strictly comply with all laws, regulations, ordinances and directives of the State and the Village, including, but not limited to, licensing

- requirements, registration requirements, operations requirements, zoning approvals, special use conditions and zoning requirements.
- b. No Cannabis Dispensary may operate in the Village of Woodridge without first receiving all the approvals required for the operation of the cannabis business establishment, including, but not limited to, from the Village, the Illinois Department of Financial and Professional Regulation and the Illinois Department of Agriculture. Proof of receipt of all required approvals must be provided to the Zoning Officer prior to operation of a Cannabis Dispensary.
 - c. Any part of a building (also known as a tenant space) that is occupied by a Cannabis Dispensary shall be at least one thousand feet (1,000') from the perimeter lot line of any property within the corporate limits of the Village of Woodridge that is used for a school serving students in any grade level between kindergarten and twelfth grade.
 - d. Any part of a building (also known as a tenant space) that is occupied by a Cannabis Dispensary shall be at least one hundred feet (100') from the perimeter lot line of any property within the corporate limits of the Village of Woodridge that is zoned for or used as a dwelling.
 - e. There shall be a maximum of two (2) Cannabis Dispensaries within the corporate limits of the Village of Woodridge. (Ord. 2000-04, 2-10-2000; amd. Ord. 2001-02, 1-25-2001; Ord. 2003-17, 4-24-2003; Ord. 2007-16, 4-5-2007; Ord. 2011-21, 5-12-2011; Ord. 2022-41, 7-21-2022)

9-3-25: Regulations for Cargo Containers

- A. Outdoor storage of cargo containers may be permitted in the M-1 zoning district subject to the following regulations.
 - a. Access: Cargo containers on or off a chassis shall not be stored in a manner or in a location that impedes access to public rights of way, structures and buildings. Cargo containers shall not be located or stored on any easement.
 - b. Materials Stored: Materials and products stored in the cargo containers shall not include any that decompose by detonation including, but not limited to, those materials and products listed in Chapter 10 Performance Standards. All other materials stored at the facility shall be properly placarded in accordance with the Emergency Response Guidebook (ERG). The facility manager shall maintain adequate and current bills of lading for the contents of all containers stored on site.
 - c. Minimum Lot Area: Notwithstanding anything contained in this chapter to the contrary, cargo container facilities shall have a minimum lot area of twenty (20) acres.
 - d. Paving: Cargo containers shall be stored on an asphalt or concrete surface that complies with all applicable Village of Woodridge drainage and stormwater detention regulations. Gravel, grindings, and tar and chip surfaces are prohibited.
 - e. Parking: No portion of any required off street parking or loading areas shall be used for the storage of cargo containers or similar storage devices.
 - f. Racking Height: Racking of a chassis shall not exceed fifty seven feet (57') in height. For racked chassis that exceed thirty feet (30') in height, one additional foot shall be added to all setbacks from the property line for each one foot (1') of height in excess of thirty feet (30') for the racked chassis.

- g. Screening And Landscaping: Except as otherwise required in this chapter, screening and landscaping shall be provided in accordance with Chapter 8 Landscaping & Screening of this title.
- h. Setbacks And Separations:
 - i. Cargo container and chassis storage shall be located a minimum of one thousand feet (1,000') from any property zoned or used for residential land uses.
 - ii. If containers are stacked, an additional thirty feet (30') shall be added to all setbacks from the property line for each level of stacked containers in excess of one.
 - iii. Cargo container and chassis storage shall be located a minimum of thirty feet (30') from any structure or building on the cargo container facility site.
 - iv. Thirty foot (30') wide paved access drives shall be maintained at all times on all sides of a grouping.
- i. Groupings: Side by side groupings shall not exceed a width of twenty (20) containers, twenty (20) chassis, or any combination of twenty (20) thereof. End to end groupings shall not exceed a length of two (2) containers, two (2) chassis, or a combination of two (2) thereof. The interiors of all containers shall be accessible from the thirty foot (30') wide paved access drive required in subsection 8d of this section.
- j. Stacking Height: Cargo containers shall not be stacked more than three (3) containers high. Empty chassis shall not be stacked more than five (5) chassis high.
- k. Signage: No signage, other than company identification logos and placards required by the ERG, shall be placed on any cargo container.
- l. Container Modifications: Cargo containers shall not be modified or retrofitted for on-site habitation. Containers shall not have windows; heating, cooling, or plumbing systems; or multiple entrances. Cargo containers may have electric and ventilation systems as necessary to meet the minimum codes and standards for lighting and air circulation for storage purposes.
- m. Fire Suppression and Insurance: All cargo container facilities shall provide access for emergency vehicles to all cargo containers both on and off a chassis. All cargo container facilities shall carry adequate insurance in an amount subject to the approval of the Zoning Official and shall provide a certificate of insurance to the Zoning Official prior to issuance of a certificate of occupancy.
- n. Structural Integrity and Surety for Removal:
 - i. All cargo containers shall be safe, structurally sound, stable and in good repair as determined by the Zoning Official.
 - ii. Any cargo container that, in the opinion of the Zoning Official, becomes unsound, unstable, or otherwise dangerous shall be immediately repaired or removed from the property.
 - iii. Any cargo container stored or kept in violation of any applicable laws or regulations shall be deemed to be dangerous and a public nuisance and may be immediately removed by the Village.
 - iv. Any cost or expense associated with the removal of one or more cargo containers shall be the responsibility of the property owner. All associated costs including, but not limited to, legal fees and court costs shall constitute a debt due and owed to the Village and shall be recordable as a lien upon the land of the cargo container facility and/or property owner.

CHAPTER 4: ZONING DISTRICTS AND MAP

SECTION:

- 9-4-1: Districts Established
- 9-4-2: Official Zoning Map
- 9-4-3: District Boundaries
- 9-4-4: Zoning of Unclassified and Annexed Territory
- 9-4-5: Zoning of Vacated Areas
- 9-4-6: Zoning District Bulk Standards

9-4-1: Districts Established: In order to carry out the purposes and provisions of this Title, the Village is hereby divided into the following zoning districts:

- R-1 Detached Single Dwelling Unit District
- R-2 Detached Single Dwelling Unit District
- R-3 Detached Single Dwelling Unit District
- A-1 Attached Dwelling Unit District
- A-2 Attached Dwelling Unit District
- B-1 Neighborhood Commercial District
- B-2 Community Shopping District
- B-3 Highway and Service Business District
- RBC Regional Business Center District
- ORI Office, Research, and Light Industrial District
- M-1 Manufacturing District

9-4-2: Official Zoning Map: On or before March 31 of each year, the Village shall cause to be published a map clearly showing the existing zoning districts of the Village for the preceding calendar year. Said map shall be designed as the Official Zoning Map of the Village. The Official Zoning Map is expressly incorporated in this Title by reference as if fully set forth and described herein. If in any calendar year there are no changes to the Official Zoning Map in the Village, the Mayor and Board of Trustees shall not be required to publish a new Official Zoning Map for such calendar year.

9-4-3: District Boundaries: Where uncertainty exists with respect to the boundaries of the various zoning districts as shown on the Official Zoning Map, the following rules shall apply:

- A. A zoning district boundary line following a street or extension thereof shall be construed to be the center line of such street or extension.
- B. A zoning district boundary line approximately following a lot line or extension thereof shall be construed as following such lot line or extension.
- C. Where the district boundaries do not coincide with the location of streets, lot lines or extensions thereof, the district boundaries shall be determined by the measurements shown on the Official Zoning Map or in the absence of such measurements, the district boundaries shall be determined by scaling the Zoning Map.
- D. Questions concerning the exact locations of zoning district boundary lines shall be interpreted by the Zoning Officer.

9-4-4: Zoning of Unclassified and Annexed Territory: Any land whose classification is not shown on the Official Zoning Map and land hereafter annexed to the Village shall be automatically classified in the R-1 District until differently classified by amendment.

9-4-5: Zoning of Vacated Areas: Whenever any street or public way is vacated by official action of the Village Board, the zoning district adjoining each side of such street or public way shall be automatically extended to the center line of such vacated property (or to the reversionary owner should such reversionary rights be different than the center line of the right of way) and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

9-4-6: Zoning District Bulk Standards: Bulk standards applicable in each of the zoning districts established in Section 9-4-1 shall be as specified in this subsection and Table 4-1, and as may be otherwise regulated in this Zoning Code.

Table 4-1: Woodridge Zoning District Bulk Standards

District	Min Lot Area (sf)	Min Lot Width	Min lot Depth	Min Front Yard Setback	Min Interior Side Yard Setback	Min Rear Yard Setback	Min Exterior Side Yard Setback	Max Lot Coverage	Max Building Height	Max FAR
R-1	43,560	100' for SFD 150' all other	175'	50'	15'	50'	50'	35%	35' or 2 stories (less of)	NA
R-2	12,000	80' for SFD 120' all other	150'	30'	10'	40'	30'	40%	35' or 2 stories (less of)	NA
R-3	8,200	66' for SFD 100' all other	100'	25'	7' 10% of lot width for other uses	25'	15'	50%	35' or 2 stories (less of)	NA
A-1	greater of 4,350 /du or 10,000	80'	100'	25'	10'	35'	25'	50%	35' or 2 stories (less of)	NA
A-2	greater of 2,725 /du or 13,000	90'	100'	25'	10'	30'	25'	50%	45' or 3 stories (less of) for attached units	NA

B-1	20,000	100'	150'	30'	10'	20'	30'	50%	35'	Varies
B-2	20,000	100'	150'	30'	20'	20'	30'	50%	35'	Varies
B-3	20,000	100'	150'	30'	30'	20'	30'	50%	35'	Varies
RBC	Varies	150'	200'	Varies	Varies	Varies	Varies	Varies	Varies	Varies
ORI	87,120	175'	250'	Varies	Varies	Varies	Varies	Varies	40' (Except Hotels/ Offices)	0.6
M-1	43,560	150'	200'	40'	20'	20'	40'	50%	40'	0.6

- A. Minimum Zoning District Sizes: B-1, B-2, RBC, ORI, M-1: The minimum district sizes listed below must be met if any land is to be rezoned, unless the land to be rezoned is contiguous to land with the proposed zoning designation that may or may not meet the minimum district area.
- a. The minimum size of a B-1 zoning district shall be two (2) acres.
 - b. The minimum size of a B-2 zoning district shall be five (5) acres.
 - c. The minimum size of an RBC zoning district shall be three hundred twenty (320) acres (See Section 9-5-9-F-1)
 - d. The minimum size of an ORI zoning district shall be five (5) acres (See Section 9-5-10-F-1)
 - e. The minimum size of an M-1 zoning district shall be ten (10) acres.
- B. Maximum Floor Area Ratio in B-1 and B-2: The following maximum floor area ratios shall apply based on the type of permitted or special use:
1. Banks and financial institutions, business and professional offices, medical and dental clinics and offices, optometrist offices, public or private facilities such as libraries, hospitals, institutions, government buildings and other similar uses, and veterinarian offices: 0.5.
 2. All other uses: 0.25.
 3. Mixed use developments with office building and other uses allowable in the district: 0.5.
- C. Maximum Floor Area Ratio in the B-3 zoning district: The following floor area ratios shall apply based on the type of permitted or special use:
1. Hotels and motels, warehousing and storage facilities, or cartage express facilities: 0.5.
 2. All other uses: 0.25.
 3. Mixed use developments with uses from subsections C1 and C2 of this section: 0.5.

- D. Height in the A-2 district: All uses other than attached dwelling units can be no taller than 35'. or 3 stories.

CHAPTER 5: ZONING DISTRICT REGULATIONS

RESIDENTIAL DISTRICTS:

SECTION:

- 9-5-1: R-1 Detached Single Dwelling Unit District
- 9-5-2: R-2 Detached Single Dwelling Unit District
- 9-5-3: R-3 Detached Single Dwelling Unit District
- 9-5-4: A-1 Attached Dwelling Unit District
- 9-5-5: A-2 Attached Dwelling Unit District

BUSINESS DISTRICTS

SECTION:

- 9-5-6: B-1 Neighborhood Commercial District
- 9-5-7: B-2 Community Shopping District
- 9-5-8: B-3 Highway and Service Business District
- 9-5-9: RBC Regional Business Center District

INDUSTRIAL DISTRICTS

SECTION:

- 9-5-10: ORI Office, Research, and Light Industrial District
- 9-5-11: M-1 Manufacturing District

9-5-12: Uses Not Expressly Allowed

RESIDENTIAL DISTRICTS

9-5-1: R-1 Detached Single Dwelling Unit District:

A. **Purpose:** The R-1 Residential District provides standards for larger lot single-unit housing opportunities in the Village. The district facilitates maintaining environmental features (such as a tree canopy) within Woodridge and allows for recreational and community serving use that are to be sited on large properties.

Permitted Uses: Permitted Uses in the R-1 District are listed in the Zoning District Use Table 5.12.

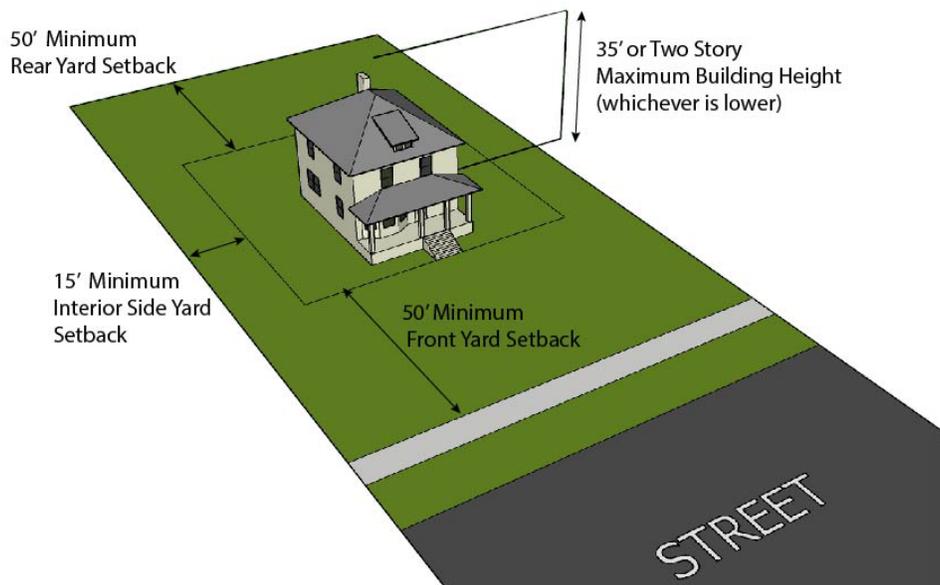
B. **Special Uses:** Special Uses in the R-1 District are listed in the Zoning District Use Table 5.12.

C. **Parking Requirements:** Parking requirements in the R-1 District are listed in Chapter 7.

D. **Bulk Space and Yard Regulations:** Bulk regulations in the R-1 District including regulations regarding lot area, lot width, yard areas, building coverage, and building height are listed in Table 5.1, and illustrated below.

R-1 Residential District	
Minimum Lot Area (sq. ft.)	43,560
Minimum Lot Width (ft.)	100 - Residential 150 - Other Uses
Minimum Lot Depth (ft.)	175
Minimum Front Yard Setback (ft.)	50
Minimum Side Yard (ft.)	15 – Interior 50 – Exterior
Minimum Rear Yard (ft.)	50
Maximum Building Coverage	35%
Maximum Building Height	35 ft. or 2 stories, whichever is lower

Figure 5.1: R-1 Bulk Regulations Illustration

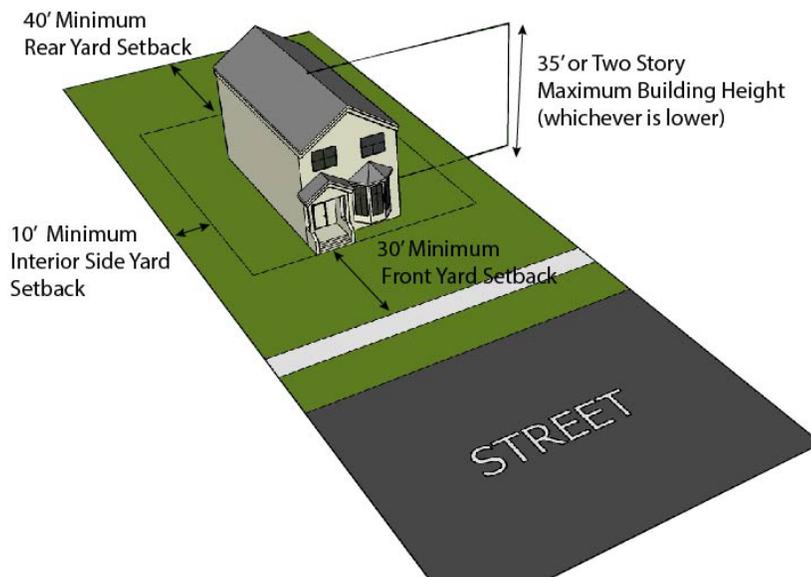


9-5-2: R-2 Detached Single Dwelling Unit District:

- A. **Purpose:** The R-2 Residential District allows for single-unit residential dwellings on smaller lots than the R-1 District. This District is located in portions of the Village where such middle size lots can be sited so as to create neighborhood settings and connect to existing residential areas.
- B. **Permitted Uses:** Permitted Uses in the R-2 District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the R-2 District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the R-2 District are listed in Chapter 7.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the R-2 District including regulations regarding lot area, lot width, yard areas, building coverage, and building height are listed in Table 5.2, and illustrated below.

Table 5.2	
R-2 Residential District	
Minimum Lot Area (sq. ft.)	12,000
Minimum Lot Width (ft.)	80 - Residential 120 - Other Uses
Minimum Lot Depth (ft.)	150
Minimum Front Yard Setback (ft.)	30
Minimum Side Yard (ft.)	10 – Interior 30 – Exterior
Minimum Rear Yard (ft.)	40
Maximum Building Coverage	40%
Maximum Building Height	35 ft. or 2 stories, whichever is lower

Figure 5.2: R-2 Bulk Regulations Illustration



9-5-3: R-3 Detached Single Dwelling Unit District:

- A. **Purpose:** The R-3 Residential District is the predominant and most compact single-unit development District within the Village. Development in the District reflects traditional suburban development, often with curvilinear streets, that supports connectivity to adjacent residential areas and commercial services by auto, bicycle or on foot.
- B. **Permitted Uses:** Permitted Uses in the R-3 District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the R-3 District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the R-3 District are listed in Chapter 7.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the R-3 District including regulations regarding lot area, lot width, yard areas, building coverage, and building height are listed in Table 5.3, and illustrated below.

Table 5.3	
R-3 Residential District	
Minimum Lot Area (sq. ft.)	8,200
Minimum Lot Width (ft.)	66 - Residential 100 - Other Uses
Minimum Lot Depth (ft.)	100
Minimum Front Yard Setback (ft.)	25
Minimum Side Yard (ft.)	7 – Interior (SDU) 10% lot width - Interior (all other uses) 15 – Exterior
Minimum Rear Yard (ft.)	25
Maximum Building Coverage	50%
Maximum Building Height	35 ft. or 2 stories, whichever is lower

Figure 5.3: R-3 Bulk Regulations Illustration

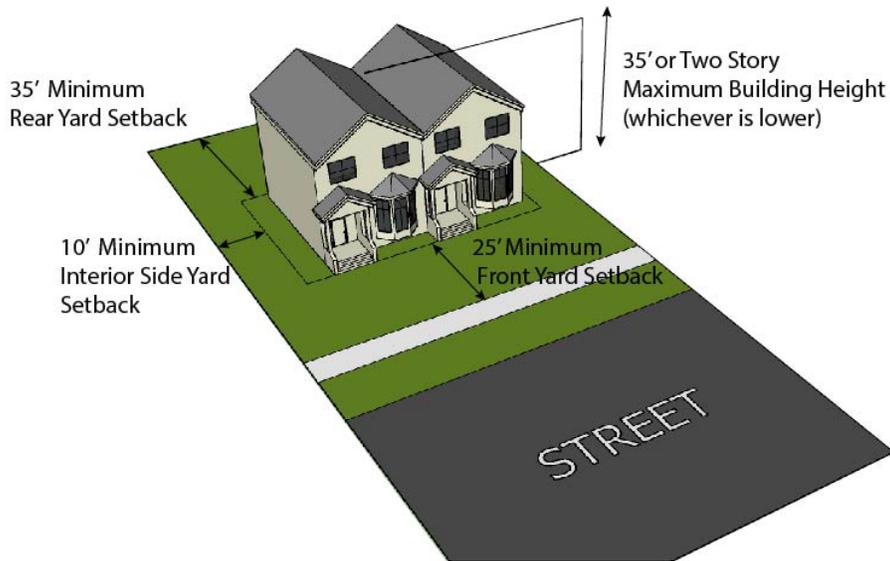


9-5-4: A-1 Attached Dwelling Unit District:

- A. **Purpose:** The A-1 Residential District provides area for attached single dwelling units (duplexes or townhomes) and attached multi-unit (apartments or condos) housing in the Village. While applied in limited parts of the Village, it creates spaces that add to the diversity of housing options in the Village. These residential clusters are generally located near arterial roadways and provide access to a variety of businesses by car or non-motorized travel.
- B. **Permitted Uses:** Permitted Uses in the A-1 District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the A-1 District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the A-1 District are listed in Chapter 7.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the A-1 District including regulations regarding lot area, lot width, yard areas, building coverage, and building height are listed in Table 5.4, and illustrated below.

Table 5.4	
A-1 Residential District	
Minimum Lot Area (sq. ft.). Greater of:	10,000 or 4,350 per dwelling
Minimum Lot Width \ (ft.)	80
Minimum Lot Depth (ft.)	100
Minimum Front Yard Setback (ft.)	25
Minimum Side Yard (ft.)	10 – Interior 25 – Exterior
Minimum Rear Yard (ft.)	35
Maximum Building Coverage	50%
Maximum Building Height	35 ft. or 2 stories, whichever is lower

Figure 5.4: A-1 Bulk Regulations Illustration



9-5-5: A-2 Attached Dwelling Unit District:

- A. **Purpose:** The A-2 Residential District provides areas primarily for attached multi-unit dwellings. This District allows for denser attached single unit dwelling (duplexes or townhomes) and multi-unit (apartments or condos) housing in the Village. Applied in larger development tracts or small / infill areas, the District supports connectivity to other residential areas, commercial uses, and community functions by car or non-motorized travel.
- B. **Permitted Uses:** Permitted Uses in the A-2 District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the A-2 District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the A-2 District are listed in Chapter 7.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the A-2 District including regulations regarding lot area, lot width, yard areas, building coverage, and building height are listed in Table 5.5, and illustrated below.

Table 5.5	
A-2 Residential District	
Minimum Lot Area (sq. ft.). Greater of:	13,000 or 2,275 per dwelling
Minimum Lot Width at front yard line (ft.)	90
Minimum Lot Depth (ft.)	100
Minimum Front Yard Setback (ft.)	25
Minimum Side Yard (ft.)	10 – Interior 25 – Exterior
Minimum Rear Yard (ft.)	30
Maximum Building Coverage	50%
Maximum Building Height	45 ft. or 3 stories, whichever is lower for MUD. 35 feet or 2 stories, whichever is lower for all other uses

Figure 5.5: A-2 Bulk Regulations Illustration



COMMERCIAL DISTRICTS

9-5-6: B-1 Neighborhood Commercial District:

- A. **Purpose:** The B-1 Neighborhood Shopping District supports small- to medium-scale commercial centers throughout the Village. Permitted and special uses in the District primarily support nearby residents' day to day shopping and service requirements.
- B. **Permitted Uses:** Permitted Uses in the B-1 District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the B-1 District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the B-1 District are listed in Chapter 7.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the B-1 District including regulations regarding lot area, lot width, yard areas, building coverage, and building height are listed in Table 5.6, and illustrated below.
- F. **Landscaping Requirements:** Landscape requirements can be found in chapter 8.

Table 5.6	
B-1 Neighborhood Shopping District	
Minimum Lot Area (sq. ft.)	20,000
Minimum Lot Width (ft.)	100
Minimum Lot Depth (ft.)	150
Minimum Front Yard Setback (ft.)	30
Minimum Side Yard (ft.)	10 – Interior 30 – Exterior
Minimum Rear Yard (ft.)	20
Maximum Building Coverage	50%
Maximum Building Height	35 ft.
Maximum FAR	0.25 or 0.5
Minimum District Size:	2 Acres

Figure 5.6: B-1 Bulk Regulations Illustration



9-5-7: B-2 Community Shopping District:

- A. **Purpose:** The B-2 Community Shopping District supports commercial centers that provide for a wide range of businesses for the community and surrounding area. Such centers and individual users may be of a larger scale than found in the B-1 District. The range of retail and service options found in the B-2 District help to create a more desirable community and support a strong tax base.
- B. **Permitted Uses:** Permitted Uses in the B-2 District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the B-2 District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the B-2 District are listed in Chapter 7.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the B-2 District including regulations regarding lot area, lot width, yard areas, building coverage, and building height are listed in Table 5.7, and illustrated below.
- F. **Landscaping Requirements:** Landscape requirements can be found in chapter 8.

Table 5.7	
B-2 Community Shopping District	
Minimum Lot Area (sq. ft.)	20,000
Minimum Lot Width (ft.)	100
Minimum Lot Depth (ft.)	150
Minimum Front Yard Setback (ft.)	30
Minimum Side Yard (ft.)	20 – Interior 30 – Exterior
Minimum Rear Yard (ft.)	20
Maximum Building Coverage	50%
Maximum Building Height	35 ft.
Maximum FAR	0.25 or 0.5
Minimum District Size:	5 Acres

Figure 5.7: B-2 Bulk Regulations Illustration



9-5-8: B-3 Highway and Service Business District:

- A. **Purpose:** The B-3 Highway and Service Business District provides locations for business that may be larger and / or potentially more impactful to adjacent land uses. The District accommodates a range of goods and services that are typically used by consumers for a specific, rather than daily use.
- B. **Permitted Uses:** Permitted Uses in the B-3 District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the B-3 District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the B-3 District are listed in Chapter 7.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the B-3 District including regulations regarding lot area, lot width, yard areas, building coverage, and building height are listed in Table 5.8, and illustrated below.
- F. **Landscaping Requirements:** Landscape requirements can be found in chapter 8.

Table 5.8 B-3 Highway and Service Business District	
Minimum Lot Area (sq. ft.)	20,000
Minimum Lot Width (ft.)	100
Minimum Lot Depth (ft.)	150
Minimum Front Yard Setback (ft.)	30
Minimum Side Yard (ft.)	30 – Interior 30 – Exterior
Minimum Rear Yard (ft)	20
Maximum Building Coverage	50%
Maximum Building Height	35'
Maximum FAR	Varies

Figure 5.8: B-3 Bulk Regulations Illustration

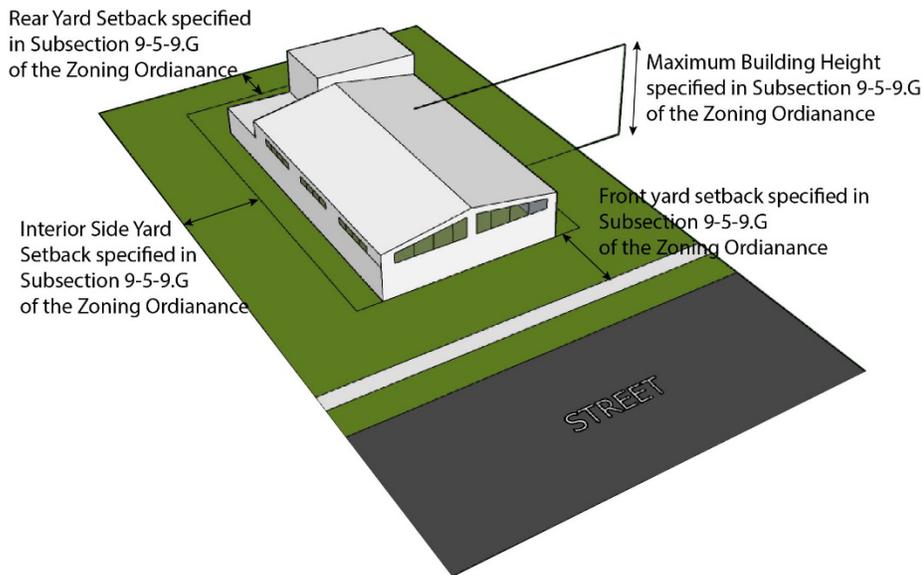


9-5-9: RBC Regional and Business Center District:

- A. **Purpose:** The RBC Regional Business Center District was established to facilitate high quality business park development for industrial, logistic and manufacturing uses. This District incorporated flexible and unique bulk and development standards to apply best practices for development of the area. It is the Village’s policy to not zone additional areas as RBC, but to maintain the district to support new development, redevelopment, and existing operations in the area.
- B. **Permitted Uses:** Permitted Uses in the RBC District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the RBC District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the RBC District are listed in Chapter 7 and in subsection 9-5-9.G.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the RBC District vary based on the location and use of property, and are specified in the subsections that follow.
- F. **Landscaping Requirements:** Landscape requirements can be found in chapter 8.

Table 5.9 RBC Regional and Business Center District	
Minimum Lot Area (sq. ft.)	Varies
Minimum Lot Width (ft.)	150’
Minimum Lot Depth (ft.)	200’
Minimum Front Yard Setback (ft.)	Varies
Minimum Side Yard (ft.)	Varies
Minimum Rear Yard (ft.)	Varies
Maximum Building Coverage	Varies
Maximum Building Height	Varies
Maximum FAR	Varies

Figure 5.9: RBC Bulk Regulations Illustration



G. Additional RBC Bulk Regulations:

1. Minimum District Size: An RBC zoning district shall consist of one or more contiguous tracts of land totaling a minimum of three hundred twenty (320) acres and which also shall have frontage on an interstate highway (properties separated by intervening public right of way, public utilities or railroad rights of way shall be considered contiguous).
2. For the purposes of the RBC District, all Site Development Area (SDA) shall be considered as a Zoning Lot, as defined in this Chapter. In the RBC when any SDA established prior to the adoption of this Chapter has more than one (1) principal building that zoning lot shall be allowed to continue having multiple principal structures.
3. Minimum Zoning Lot Sizes for Permitted or Special Uses: Minimum Zoning Lot sizes for uses in the RBC shall be as noted in this subsection. When 2 or more permitted uses are combined on a single Zoning Lot, the largest area required for any one such permitted use shall be the minimum area for the combined permitted uses.
 - a. Corporate, business and professional offices: One acre (43,560 square feet).
 - b. Hotels and motels: Three (3) acres.
 - c. Retail uses and restaurants in buildings primarily occupied by such uses: Five (5) acres.
 - d. All other uses: One acre.
4. Minimum Zoning Lot width for all uses: One hundred fifty feet (150').
5. Minimum Zoning Lot depth for all uses: Two hundred feet (200').
6. Minimum building setbacks:
 - a. From interstate highway and tollway right of way boundaries: A minimum fifty feet (50') plus one foot (1') for each foot of building height in excess of fifty feet (50') up to a maximum required setback of one hundred feet (100') for all buildings.
 - b. From all other road right of way boundaries: A minimum of thirty-five feet (35') plus one foot (1') for each foot of building height in excess of fifty feet (50') up to a maximum required setback of seventy-five feet (75') for all buildings.
 - c. Setbacks for specific uses:
 - i. Office, hotel and motel buildings: A minimum of thirty feet (30').
 - ii. Freestanding retail and restaurant buildings: A minimum of twenty feet (20').
 - iii. All other buildings: A minimum of twenty feet (20'), except no building setback is required adjacent to railroad rights of way.
 - d. From all residential zoning district boundaries: Fifty feet (50') plus one foot (1') for each foot of building height in excess of thirty-five feet (35') up to a maximum required setback of one hundred twenty-five feet (125') for all buildings.
7. Building separations within RBC Zoning Lots having multiple principal structures:
 - a. Office, hotel and motel buildings: Forty feet (40') plus one foot (1') for each three feet (3') in height in excess of thirty-five feet (35') up to a maximum of sixty feet (60').
 - b. All other buildings: Thirty feet (30').
 - c. Structures connected by an enclosed walkway shall be considered to be a single building.
 - d. Building separation standards in this subsection 7 shall not apply to accessory parking structures.
8. Minimum landscaped setbacks for all parking spaces, loading spaces and drive aisles:
 - a. From interstate highway and tollway right of way: Thirty feet (30').
 - b. From all other road rights of way: Twenty feet (20').
 - c. From all other zoning lot boundary lines: Ten feet (10').
 - d. From abutting residential lot lines: Thirty feet (30').

9. Maximum Building Coverage of RBC Zoning Lots: When an RBC Zoning Lot contains 2 or more principal buildings, the maximum coverage permitted for any one building shall be the greater of the two for all buildings within that RBC Zoning Lot.
 - a. Office, hotel and motel buildings: Forty percent (40%); eighty percent (80%) with accessory parking structure.
 - b. Freestanding retail and restaurant buildings: Thirty-five percent (35%).
 - c. All other buildings: Sixty percent (60%).
10. Maximum Building Height:
 - a. Office, Hotel and Motel Buildings: Three hundred feet (300') or twenty-five (25) stories, whichever is greater.
 - b. Freestanding Retail and Restaurant Buildings:
 - i. Buildings up to one hundred thousand (100,000) square feet of gross floor area shall be no taller than fifty feet (50'). However, up to ten percent (10%) of gross floor area may be located in a portion of the structure having a height up to one hundred feet (100');
 - ii. Buildings greater than one hundred thousand (100,000) square feet of gross floor area shall be no taller than fifty feet (50'). However, up to twenty-five percent (25%) of gross floor area may be located in a portion of the structure having a height up to one hundred feet (100').
 - c. All Other Buildings: Seventy-five feet (75').
11. Maximum Floor Area Ratio (FAR) Within an RBC Zoning Lot: 0.6; provided, that:
 - a. The FAR within an RBC Zoning Lot may be increased to 1.5 if abutting property is designated as being applied to the FAR calculation (as defined in this Code) for that RBC Zoning Lot. Such abutting property:
 - i. shall be reserved by recorded covenant as permanent open space,
 - ii. may be within another RBC Zoning Lot
 - iii. may be improved with the landscaping, ponds, storm water management facilities, pipelines, signage and ground surface parking areas, and
 - iv. may not include buildings or parking structures.
 - b. Any building permit application for a structure with an FAR exceeding 1.0 shall be accompanied by a traffic impact study. Such study shall be prepared by a licensed engineer and evidence that traffic generated by all developments within that RBC Zoning Lot can be accommodated by the existing nearby roadway network without adversely impacting other properties in the area, or that such impact can be offset by roadway network improvements anticipated or to be provided by the property applicant.
12. Setbacks for Adult Business Uses Located in the RBC:
 - a. No adult business use shall be operated:
 - i. Within one thousand feet (1,000') of the property line of another adult business use;
 - ii. Within seven hundred fifty feet (750') of any property in a R-1, R-2, R-3, A-1, or A-2 zoning district;
 - iii. Within seven hundred fifty feet (750') of any dwelling unit;
 - iv. Within seven hundred fifty feet (750') of a zoned residential district lying within another municipality or within unincorporated portions of any county;
 - v. Within seven hundred fifty feet (750') of any educational institution that serves minors;
 - vi. Within seven hundred fifty feet (750') of any daycare center; cemetery; public park; forest preserve; public library; or place of religious worship.

- b. No adult business use may be located in the same building or structure, or on the same lot as any other adult business use.
- c. The distances provided for in this subsection 12 shall be measured by following a straight line, without regard to intervening structures, from a point on the property line of the lot or RBC Zoning Lot upon which the proposed adult business use is to be located that is nearest to the land use district boundary line, or property line of the lot or RBC Zoning Lot, from which the proposed use is to be separated.

H. Additional Development Standards in the RBC District:

1. Retail Buildings:
 - a. Approval: Any building proposed to be occupied primarily by retail and / or restaurant uses shall be:
 - i. reviewed and approved by majority vote of the Mayor and Board of Trustees prior to submittal of a building permit plan.
 - ii. in an RBC Zoning Lot of not less than five (5) acres.
 - iii. shall include a site plan for the entire RBC Zoning Lot in which the building is located, a building elevation, building plan, preliminary engineering plan and a landscape plan.
 - iv. be reviewed and approved by the Mayor and Board of Trustees within thirty-five (35) calendar days of submittal of the required plans to the Zoning Officer. If no action is taken by the Mayor and Board of Trustees within that period, the plans shall be deemed approved.
 - b. Facades: The facades of all buildings proposed to be occupied primarily by retail and / or restaurant uses shall be approved by the Zoning Officer upon finding that such building facades primarily consist of brick and glass.
 - c. Sidewalks: Sidewalks adjacent to the fronts of freestanding, multi-tenant retail and restaurant buildings shall be at least twelve feet (12') wide for buildings with up to fifty thousand (50,000) gross square feet of floor area and at least twenty feet (20') wide for buildings greater than fifty thousand (50,000) gross square feet of floor area; except, that such sidewalks may be twelve feet (12') wide in areas not directly accessed by doors. Planters with landscape material, bicycle racks, benches and waste receptacles may be placed on such sidewalks.
2. Documents Required for Building Permit: Each application for a building permit for a building shall be accompanied by the following documents in addition to those otherwise required by the Village Code:
 - a. Site plan identifying and depicting all buildings, parking, loading space, driveway, landscape and storm water management facilities.
 - b. Site plan identifying and depicting any areas that will be used for storm water management and required landscaping.
 - c. Plans depicting all elevations of buildings principally occupied by retail and / or restaurant uses.
 - d. Landscape plan for the entire property.
 - e. Legal descriptions and proposed easement (or covenant documents) for storm water management areas within an RBC Zoning Lot having two (2) or more buildings shall be required for:
 - i. required storm water management areas located outside the RBC Zoning Lot,
 - ii. required landscape areas located outside the RBC Zoning Lot and
 - iii. permanent open space outside the RBC Zoning Lot for FAR purposes.

- iv. In addition, all such easements and covenants shall be recorded prior to building permit issuance and shall be enforceable by the Village.
- 3. Review of Building Permit Applications and Documents: Applications and accompanying documents for building permits for buildings to be constructed in the RBC, other than buildings primarily occupied by retail and / or restaurant uses, shall not be reviewed by the Mayor and Board of Trustees or Plan Commission.

I. Additional Parking Regulations and Requirements in the RBC District:

- a. In the RBC zoning district parking spaces are permitted in all required building setback areas in conformance with requirements set forth in subsections 9-6E-4H (RBC Minimum parking space, loading space and aisle landscaped setbacks).

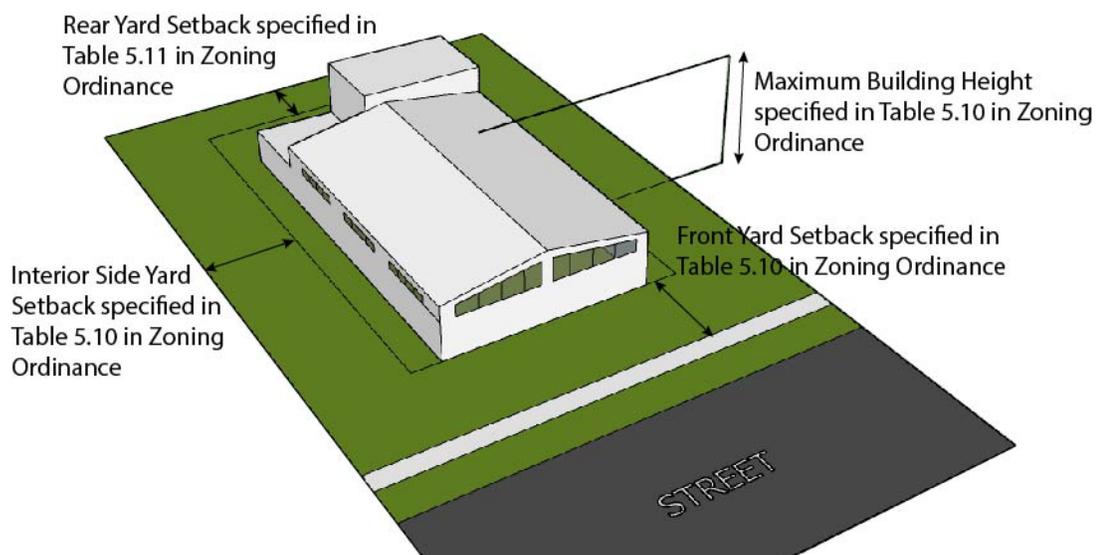
INDUSTRIAL DISTRICTS

9-5-10: ORI: Office, Research, and Light Industrial District:

- A. **Purpose:** The ORI District is primarily intended to provide locations for large format facilities in a business park environment. Uses permitted in the district generally include logistics, distribution, light manufacturing, and assembly facilities. Uses found in office style structures are also appropriate for the District, as are other supporting or accessory commercial activities. The Village's access to interstates and major roadways that attract users commonly in this District.
- B. **Permitted Uses:** Permitted Uses in the ORI District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the ORI District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the ORI District are listed in Chapter 7 and in subsection 9-5-10.H.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the ORI District vary based on the location and use of property, and are specified in the subsections that follow.
- F. **Landscaping Requirements:** Landscape requirements can be found in chapter 8.

ORI Office, Research, and Light Industrial District	
Minimum Lot Area (sq. ft.)	2 acres
Minimum Lot Width (ft.)	175'
Minimum Lot Depth (ft.)	250'
Minimum Front Yard Setback (ft.)	Varies
Minimum Side Yard (ft.)	Varies
Minimum Rear Yard (ft.)	Varies
Maximum Building Coverage	50%
Maximum Building Height	40' (Except Hotels and Offices)
Maximum FAR	0.6

Figure 5.10: ORI Bulk Regulations Illustration



G. Additional ORI Bulk Regulations:

1. Minimum District Size: Five (5) acres. (Note: Any ORI district area may contain more than 1 ORI Zoning Lot.)
2. For the purposes of the ORI District, all Site Development Area (SDA) shall be considered as a Zoning Lot, as defined in this Chapter. In the ORI when any SDA established prior to the adoption of this Chapter has more than one (1) principal building that zoning lot shall be allowed to continue having multiple principal structures.
3. Minimum Zoning Lot Sizes for Permitted or Special Uses: Minimum Zoning Lot sizes for uses in the ORI shall be as noted in this subsection. When 2 or more permitted uses are combined on a single ORI Zoning Lot, the largest area required for any one such permitted use shall be the minimum area for the combined permitted uses.
4. Minimum Zoning Lot Width for All Uses: One hundred seventy-five feet (175').
5. Minimum Zoning Lot Depth for All Uses: Two hundred fifty feet (250').
6. Minimum Gross Floor Area of a Principal Building: Fifteen thousand (15,000) square feet.
7. Minimum Building Setbacks:
 - a. From interstate highway and tollway right of way boundaries: A minimum of fifty feet (50') plus two feet (2') for each one foot (1') of building height in excess of thirty-five feet (35').
 - b. From arterial streets: A minimum of thirty-five feet (35') plus two feet (2') for each one foot (1') of building height in excess of thirty-five feet (35').
 - c. From collector roads and local roads: A minimum of thirty-five feet (35') plus two feet (2') for each one foot (1') of building height in excess of thirty-five feet (35').
 - d. From all other ORI Zoning Lot lines: A minimum of thirty feet (30'), except no building setback is required adjacent to railroad rights of way.
 - e. From all residential zoning district boundaries: Thirty feet (30') plus two feet (2') for each one foot (1') of building height in excess of thirty-five feet (35'). However, adjacent to utility rights of way a setback of twenty feet (20') plus two feet (2') for each one foot (1') of building height in excess of thirty-five feet (35') is required.
8. Building Separations Within ORI Zoning Lots having multiple principal structures:
 - a. Thirty feet (30') plus one foot (1') for each two feet (2') of height in excess of thirty-five feet (35'). The height of the tallest building shall determine the separation distance, where necessary.
 - b. Structures connected by an enclosed walkway shall be considered to be a single building.
 - c. Building separation standards in this subsection 8 shall not apply to accessory parking structures.
9. Minimum Landscaped Setbacks for Off Street Parking Areas:
 - a. From interstate highway and tollway right of way boundaries: A minimum of thirty feet (30').
 - b. From arterial streets: A minimum of twenty-five feet (25').
 - c. From collector roads and local roads: A minimum of twenty feet (20').
 - d. From all other ORI Zoning Lot lines of property: Ten feet (10').
 - e. From abutting residential uses: A minimum of twenty feet (20'). In addition, all loading spaces shall be located not less than thirty-eight feet (38') from residential uses.
 - f. Landscaped setbacks as required by this subsection shall be as required in Chapter 8: Landscaping and Screening.
10. Maximum Building Height:
 - a. Hotels and office buildings (including allowable ancillary uses and commercial uses) having a gross floor area of not less than one hundred seventy-five thousand (175,000) square feet: Eighty feet (80').

- b. All other hotels and office buildings (including allowable ancillary uses and commercial uses): Sixty feet (60').
- c. All other buildings: Forty feet (40').
- 11. Maximum Floor Area Ratio (FAR) Within an ORI Zoning Lot: 0.6.

H. ORI Bulk Plan Submission Requirements: Each application for a building permit for a building within an ORI Zoning Lot shall be accompanied by the following documents in addition to those otherwise required by the Village Code:

- 1. Site plan of the ORI Zoning Lot identifying and depicting all buildings, parking, loading space, driveway, landscape, and stormwater management facilities within the ORI Zoning Lot.
- 2. Site plan identifying and depicting any areas within the ORI Zoning Lot which will be used for stormwater management and required landscaping for the ORI Zoning Lot.
- 3. Drawings depicting all elevations of buildings principally occupied by retail and restaurant uses.
- 4. Landscape plan for the entire ORI Zoning Lot.
- 5. Legal description and proposed easement (covenant documents) for stormwater management areas within an ORI Zoning Lot having two (2) or more buildings shall be required for:
 - a. stormwater management areas located outside the ORI Zoning Lot,
 - b. required landscape areas located outside the ORI Zoning Lot, and
 - c. permanent open space outside the ORI Zoning Lot for FAR purposes.
 - d. In addition, all such easements and covenants shall be recorded prior to building permit issuance and shall be enforceable by the Village.

I. Additional Parking Regulations and Requirements in the ORI District:

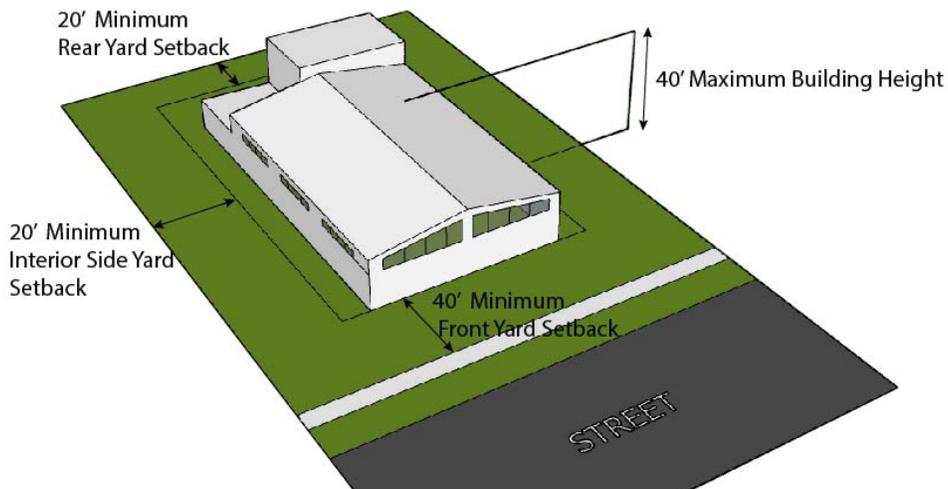
- 1. Location:
 - a. In the ORI zoning district parking spaces are permitted in all required building setback areas in conformance with requirements set forth in subsections 9-5-10.F.7a-e (ORI Minimum Building Setbacks).

9-5-11: M-1 Manufacturing District:

- A. **Purpose:** The M-1 Manufacturing District intends to support the diverse economy of the Village of Woodridge through the creation of industrial and assembly spaces. This District is generally located away from or is buffered from residential areas in order to mitigate effects of noise, traffic, and odors. This District aims to capitalize on the high level of connectivity of the Village to support diverse industrial, light industrial, logistic, and manufacturing uses.
- B. **Permitted Uses:** Permitted Uses in the M-1 District are listed in the Zoning District Use Table 5.12.
- C. **Special Uses:** Special Uses in the M-1 District are listed in the Zoning District Use Table 5.12.
- D. **Parking Requirements:** Parking requirements in the M-1 District are listed in Chapter 7.
- E. **Bulk Space and Yard Regulations:** Bulk regulations in the M-1 District including regulations regarding lot area, lot width, yard areas, building coverage, and building height are listed in Table 5.11, and illustrated below.

Table 5.11	
M-1 Manufacturing District	
Minimum Lot Area (sq. ft.)	43,560
Minimum Lot Width (ft.)	150
Minimum Lot Depth (ft.)	200
Minimum Front Yard Setback (ft.)	40
Minimum Side Yard (ft.)	20 – Interior 40 – Exterior
Minimum Rear Yard (ft)	20
Maximum Building Coverage	50%
Maximum Building Height	40 ft.
Maximum FAR	.06

Figure 5.11: M-1 Bulk Regulations Illustration



9-5-12: Uses Not Expressly Allowed

Except as may be otherwise provided, a use of land that is not specifically listed and allowed as a permitted or special use in a specific zoning district as specified in Table 5.12, such use shall be prohibited in that zoning district, except that the zoning officer may determine a use to be reasonably compatible and similar with other permitted or special uses as described in 9.6.5.

Table 5.12 Permitted and Special Land Uses

(see next page)

Woodridge Zoning Ordinance - Use Table											
Land Use	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Residential District	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Child Care Home	P	P	P								
Community Residence-IL State Licensed	P	P	P	P	P						
Multiple-Unit Dwellings				P	P						
Single-Unit Attached dwellings				P							
Single-Unit Detached dwellings	P	P	P								
Skilled Care Facility				S	S		S	S			
Commercial and Service Uses	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Animal Hospitals				A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Automobile and Truck Rentals											
Automobile Body Shop											
Automobile Repair											
Automobile Sales (New)							S	S	S		S
Automobile Sales (Used)							S	P	P		S
Automobile Service Stations							S	S	S		S
Banks and Financial Institutions							P		P		
Banquet Halls							S	S	P		
Beer or Wine Bar							S	S	P		
Boat Sales & Repair											
Brew Pub							P	S	P		
Business and Professional Offices							P		P	P	P
Business Services							P		P	P	P
Cannabis Dispensary							S	S			
Car and Truck Washes							S	S	S		S
Catering Establishments							S	P	P		
Childcare Centers							S	S			
Contractor Services							S	S	P	S	P
Currency Exchanges							P		P		
Drive Through Facilities							S	S	P		
Equipment Rental							S	S	S	S	P
Funeral Homes							S	S			
Health Club (Large)							S	S	P		

Woodridge Zoning Ordinance - Use Table											
Land Use	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
	Residential District	Neighborhood Shopping District	Community Shopping District	Highway and Service Business District	Regional Business Center District	Office, Research and Light Industrial District	MFG District				
Health Club (small)						P	P	S	P		
Hotels							S	P	P	S	
Hotels, Extended Stay							S	S	S	S	
Retail Sales						P	P	P	P		
Kennel								S		S	
Medical Offices						P	P		P	P	
Motels							S	S	S	S	
Motor Vehicle Storage											S
Parking Garage									P		
Personal Service						P	P				
Pet Care Services						S	S	S		S	
Restaurants						P	P	P	P		
Tattoo Parlors							S	S			
Tobacco Retailers						P	P				
Truck Repair and Service									S		S
Industrial Uses	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Cannabis Production									S	S	S
Cargo Container Facilities											S
Cartage and Express Facilities											S
Computer and Data Processing Facilities									P	P	
Heliports									P	S	S
Laboratory and Testing Facilities									P	P	
Manufacturing									P	P	P
Micro (brewery, winery, or distillery)									P	S	P
Recycling Centers									P		S
Research and Development Facility									P	P	P
Self-Storage									P	S	S
Warehouse									P	P	P
Recreational Uses	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Country Clubs	S										
Indoor Recreational Facilities							S	S	P	S	

	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Woodridge Zoning Ordinance - Use Table											
Land Use											
Outdoor Recreation Facilities (private)	S					S	S	S			
Outdoor Recreation Facilities (public)	P	P	P						P	S	
Government / Cultural / Public Uses											
Colleges and Universities (Public and private)	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Convention Centers								S	P	S	
Cultural Facilities	S	S	S	S	S	S	S	S	S	S	S
Government Buildings and Facilities	S	S	S	S	S	S	S	S	P	S	S
Places of Worship	P	P	P	P	P	S	S	S	S		
Schools - Public and Private (Elementary, Junior High and Senior High)	S	S	S	S	S					S	
Utility / Infrastructure Uses											
Personal Wireless Communication Facilities	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Public Service and Utility in Accordance with Section 9-3-2.1.B	S	S	S	S	S	S	S	S	S	S	S
Public Service and Utility not in Accordance with Section 9-3-2.1.B	P	P	P	P	P	P	P	P	P	P	P
Railroad Yards and Switching Facilities	S	S	S	S	S	S	S	S	S	S	S
Temporary Uses											
Temporary Contractor and Construction Trailers	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Temporary Seasonal Sales (Outdoor)	P	P	P	P	P	P	P	P	P	P	P
Misc. Uses											
Adult Business Uses	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Auditoriums									P		
Business and Technical Schools							S	P	P	P	S
Cemetery	S										
Food Pantries								S			P
Health treatment centers							S				
Hospitals							S				
Planned Unit Development	S	S	S	S	S	S	S	S	S	S	S
Training Studio						P	P		P		

CHAPTER 6: ZONING ADMINISTRATION AND ENFORCEMENT

SECTION:

- 9-6-1: Administrative Officials and Bodies
- 9-6-2: Planning Documents and Procedures
- 9-6-3: Certificates of Zoning Compliance and Certificates of Occupancy
- 9-6-4: Interpretations, Appeals, and Variations
- 9-6-5: Amendments, Special Uses, and Planned Unit Developments
- 9-6-6: Site Plan Review
- 9-6-7: Enforcement and Penalties

9-6-1: Administrative Officials and Bodies

- A. The administration of this title is hereby vested in the following:
 - 1. the zoning officer;
 - 2. the plan commission; and
 - 3. the village board.
- B. Zoning officer.
 - 1. General powers. The zoning officer is charged with the administration and enforcement of this title. In addition to the jurisdiction, authority and duties conferred on the zoning officer by other provisions of state statutes and village codes and ordinances, the zoning officer has all powers necessary for the administration and enforcement of this title and, in particular, has the jurisdiction, authority and duties in this section.
 - 2. Rules; regulations; application forms. The zoning officer, consistent with the express standards, purposes and intent of this title, promulgate, may adopt and issue procedural rules, regulations and forms as are in the zoning officer's opinion necessary for the effective administration and enforcement of the provisions of this title.
 - 3. Staff assistance to the plan commission. The zoning officer will make staff and consulting assistance available to the plan commission, and the zoning officer will in that capacity:
 - a. attend the meetings of the plan commission;
 - b. inform the plan commission of relevant facts and information at the zoning officer's disposal with respect to any matter brought before the plan commission;
 - c. assist the plan commission by performing research and making recommendations on matters brought before the plan commission; and
 - d. perform such other duties as may be assigned to the zoning officer by this title and by the direction of the village administrator.
 - 4. Records. The zoning officer will, subject to village record retention policies, maintain:
 - a. permanent and current records of this title, including all maps; amendments; special use permits; planned development and site plan approvals and denials; interpretations; and decisions rendered by the plan commission, the village attorney and the zoning officer, together with relevant background files and materials and final disposition of the village board; and
 - b. a current file of all certificates of zoning compliance, all certificates of occupancy and notices of violations, terminations, discontinuance or removal, issued by or entrusted to zoning officer's office, for such times necessary to ensure continuous compliance with the provisions of this title.

5. Zoning text; zoning map.
 - a. The zoning officer will prepare and have available for public sale on or before March 31 of each year:
 - (1) the compiled text of this title in book or pamphlet form, including all amendments thereto through the preceding December 31; and
 - (2) the official zoning map, showing the zoning districts, divisions and classifications in effect on the preceding December 31.
 - b. The zoning officer will, at all other times, maintain, and have available for reproduction, at least one up-to-date copy of both the text of this title and the zoning map, showing all amendments through the most recent meeting of a village board for which official minutes have been approved.
6. Applications. Receipt, processing, referral to interested parties and agencies. The zoning officer will receive all applications required to be filed pursuant to this title and determine when any application is complete. Upon receipt of any such application, the zoning officer will see to its processing, including its referral to and retrieval from each official department, board or commission of the village, or other government, with any interest or duty with respect to such application. Unless otherwise provided, the zoning officer may waive any application requirements that require the submission of supporting information where the applicant demonstrates to the satisfaction of the zoning officer that the information required is not relevant to or necessary for the determination of the application submitted.
7. Investigation of applications. Whenever the plan commission or the village board request by general rule or specific direction, the zoning officer will conduct or cause to be conducted such surveys, investigations and field studies, and will prepare or cause to be prepared such reports, maps, photographs, charts and exhibits, as will be necessary and appropriate to the processing of any application filed pursuant to this title.
8. Certificates of zoning compliance and certificates of occupancy. Pursuant to the provisions of subsections 9-6-3-A and 9-6-3-B of this chapter, the zoning officer will review all applications for certificates of zoning compliance and certificates of occupancy and approve or disapprove such applications and issue or refuse to issue such certificates based on compliance or noncompliance with the provisions of this title.
9. Interpretations. Pursuant to the provisions of subsection 9-6-4-A of this chapter, the zoning officer will issue written interpretations of the meaning and applicability of specific provisions of this title. Any interpretation of this title that may be rendered by the zoning officer or the plan commission will be kept on file with the zoning officer and will be a public record of the village.
10. Approval of site plans. Pursuant to the provisions of section 9-6-6 of this chapter, the zoning officer will have authority to review and approve or deny applications for site plan approval in the cases specified in subsection 9-6-6-C-1.
11. Planned development and site plan modifications. Pursuant to the provisions of subsections 9-6-5-C-10 and 9-6-6-E-1-c of this chapter, the zoning officer will have authority to permit amendments to final plans for planned developments and to site plans.
12. Extensions of time.
 - a. The zoning officer may, upon written request, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant or permittee by this title unless an ordinance or resolution expressly provides otherwise. The total period of time granted by such extension or extensions will not exceed the length of the original period or 90 days, whichever is less.

- b. The village board may, upon written request, for good cause shown, and without any notice or hearing, grant extensions of any time limited imposed on an applicant or permittee by this title provided an ordinance or resolution, as appropriate, is duly adopted by a majority vote of the trustees. The total period of time granted by such extension or extensions will be specifically stated in the ordinance or resolution.
 - 13. Inspection and enforcement. In furtherance of the enforcement of this title, the zoning officer will undertake regular and continuing programs of inspection of work approved and underway and of existing structures and uses as may be feasible and proper; will undertake additional inspections as may be necessary to the performance of their duties under this title; will receive from any person complaints alleging, with particularity, a violation of this title; and when appropriate will cause investigations and inspections as may be warranted under the circumstances. Upon finding the existence of any violation of this title, the zoning officer will take or direct all actions necessary or appropriate to penalize and abate such violation under section 9-6-7 of this chapter and other applicable laws.
 - 14. Reports. The zoning officer will, from time to time, prepare and submit a report to the village board and the plan commission concerning the administration of the land use and development regulations of the village, setting forth information and statistical data as may be of interest and value in advancing and furthering the goals and purposes of such regulations and setting forth the zoning officer's recommendations for the improvement of these regulations and their administration.
- C. Plan commission.
- 1. Established. The plan commission established by Title 2, Chapter 2 of the Woodridge Village Code, as amended, is the zoning board of appeals and plan commission referred to in this title. The provisions of this title with respect to the plan commission are supplementary to the provisions of the Woodridge Village Code, as amended. Reference should be made to the Woodridge Village Code for a complete description of the membership, term of office and rules of procedure of the plan commission. Any distinctions made in this title between the zoning board of appeals and plan commission are established for the purposes of defining the authority of the plan commission and in what capacity it is operating on a particular form of relief provided under this title.
 - 2. Plan commission authority and procedures.
 - a. The plan commission is vested with the following powers and duties:
 - (1) to hear, consider, and recommend to the village board matters dealing with amendments to this title;
 - (2) to hear, consider, and recommend to the village board matters dealing with the granting of special uses;
 - (3) to hear, consider, and recommend to the village board variances to this title, including those that may be requested in connection with special uses, rezoning, subdivisions, annexation requests, or other zoning approval requests;
 - (4) to hear, consider, and recommend to the village board matters dealing with the granting of planned developments;
 - (5) to prepare and recommend to the village board a new comprehensive land use plan for the present and future development or redevelopment of the village and contiguous unincorporated territory within one and one-half miles of the corporate limits of the village and not located in any other municipality;
 - (6) to designate, subject to final consideration, evaluation and approval of the village board, land suitable for annexation to the village and the recommended zoning classification for such land upon annexation;

- (7) to recommend to the village board, from time to time, such changes in the comprehensive land use plan or any part thereof, as may be deemed necessary;
 - (8) to prepare and recommend to the village board, from time to time, plans or recommendations for specific improvements in pursuance of the comprehensive land use plan's goals and objectives;
 - (9) to give aid to the officials of the village charged with the direction of projects for improvements embraced within the comprehensive land use plan, or parts thereof, to further the making of such improvements and generally to promote the realization of the comprehensive land use plan;
 - (10) to consider and recommend to the village board all matters which it is required to act upon under the terms of this chapter or under the law;
 - (11) to recommend, subject to final consideration, evaluation and approval by the village board, reasonable standards of design for subdivisions and for resubdivisions of unimproved land and of areas subject to redevelopment with respect to public improvements;
 - (12) to recommend, subject to final consideration, evaluation and approval by the village board, reasonable standards governing the location, width, course and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, streetlights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, storm water drainage, sanitary sewers, and sewage collection;
 - (13) to study and make recommendations regarding matters dealing with the planning of the community;
 - (14) to direct and review, from time to time, studies of the provisions of this chapter, and to make recommendations to the village board regarding any changes to the ordinance;
 - (15) to cooperate with the municipal or regional planning commissions and other agencies or groups to further local planning initiatives and to assure harmonious and integrated planning for the area; and
 - (16) to hear, consider and make final determinations on appeals from decisions and interpretations under this title by the zoning officer.
- b. Necessary vote. The concurring vote of at least four of the currently appointed members will be necessary to take any action or adopt any motion to recommend approval of any matter or application. Any lesser vote on any such motion, even if a majority of those voting, will be considered a final decision to recommend denial of such matter or application.
 - c. Record. The transcript of testimony, if any; the minutes of the secretary; all applications, requests, exhibits and papers filed in any proceeding before the plan commission; and the decision of the plan commission will constitute the record. The plan commission may rely on the personal knowledge of its members, on its inspections of the property and on any reports available to it; provided, however, that the plan commission will make the particular knowledge, inspection or report a matter of record at the public hearing and afford every party reasonable time to respond to it.
 - d. Decisions.
 - (1) Every decision of the plan commission that is deemed to be a final decision on a matter will be in writing and include findings of fact; refer to all the evidence in the record and to the exhibits, plans or specifications upon which the decision is based; specify the reason or reasons for the decision; contain a conclusion or

statement separate from the findings of fact setting forth the specific relief granted or denying relief; and expressly set forth any limitations or conditions imposed on any relief granted or work or use authorized.

- (2) The plan commission will take no final or binding vote on a decision unless it first has before it the written decision or resolution; provided, however, that where special circumstances warrant it, as determined by the plan commission, it may take final action prior to the preparation of the decision or resolution but before taking such action, first state its findings and conclusions at a meeting open to the public and will, in addition, state the special circumstances.
- (3) Every decision of the plan commission that is a recommendation to the village board may be made by written decision, written resolution, or by written report of the chairperson to the mayor and village board in accordance with the provisions of this subsection.
- (4) In any case where this code provides that the failure of the plan commission to act within a fixed period is deemed to be a denial of an application, the failure will, notwithstanding the absence of required findings and conclusions, be considered to be a decision of the plan commission rendered on the day following the expiration of such fixed period.

9-6-2: Planning documents and procedures.

- A. Official comprehensive plan and other special area or subject plans.
 1. Authority. The plan commission has authority to prepare and recommend to the village board a comprehensive plan including the village and unincorporated areas surrounding the village and from time to time to prepare and recommend other special area or subject plans and amendments thereto, any or all of which the village board may adopt as the "The Village of Woodridge Comprehensive Land Use Plan," all in accordance with the procedures set out in this section.
 2. Purpose. The comprehensive plan will be considered an official statement of the policy of the village with respect to the existing and developing character of the various areas of the village and its vicinity; the proper objectives, standards and direction for future maintenance, growth, development and redevelopment of the village; the means to be employed to protect existing character or development and to encourage future development that will be in the best interests of the village; and the actions and programs to be undertaken by the village with respect to its future maintenance and development.
 3. Effect. After the adoption of the comprehensive plan, or a part thereof, no ordinance, regulation or official map relating to the physical maintenance, development or redevelopment of the village or any land within it will be enacted, established, amended or varied and no right-of-way, street, utility or public structure or land will be authorized, established, developed, redeveloped or modified in location or extent except in accordance with the policies, goals, objectives, principles and standards of the comprehensive plan or relevant part thereof unless the village board will first make a specific finding that the facts and circumstances affecting the particular matter justify a departure from the plan.
 4. Procedures.
 - a. Plan development.
 - (1) The plan commission, with the assistance of the zoning officer, will exercise the powers and duties delegated to it by this code in the continuing development and revision of the comprehensive plan. The process of plan development is necessarily an informal one and not readily adaptable to rigid procedures, but the

plan commission and the zoning officer, in developing a plan, will make all reasonable efforts to obtain the views, comments, and criticisms of interested persons. In addition, the plan commission, prior to making any recommendation for the adoption or amendment of a plan or part thereof to the village board, will set, notice and conduct a public hearing thereon in accordance with the provisions of subsection 9-6-2-E of this chapter.

- (2) The village board may, at any time, refer a plan to the plan commission for consideration and recommendation. In the case of such referral, the plan commission will return its recommendation to the village board not later than 90 days following the receipt of the referral. In the event such recommendation is not so delivered, the village board may proceed to consider the amendment without such recommendation.
 - (3) When satisfied that a plan, or a part thereof, is adequate for adoption as the comprehensive plan, or a part thereof or an amendment thereto, the plan commission will transmit the plan or part thereof to the village board together with its recommendations for adoption of such plan as well as any reports or statements deemed necessary to a full consideration of such plan or part thereof. Such reports or statements may include majority and minority positions. Such transmission will be made not later than 15 days following the close of the public hearing concerning such plan.
- b. Plan adoption. Upon receiving any recommendation of the plan commission with respect to adoption or amendment of any plan, or a part thereof, the village board may, by ordinance duly enacted, adopt such plan in whole or in part, with or without amendments; or may refer such plan or any part thereof back to the plan commission for further consideration; or may reject such plan. The board will take such action no later than 90 days following the close of the plan commission public hearing on such plan. The failure of the board to act within such period will be deemed to be a rejection of the plan. Upon the adoption of any such plan or part thereof, it will be designated as the "The Village of Woodridge Comprehensive Land Use Plan, [year adopted]," and if less than a total comprehensive plan, will carry a subheading designating its specific contents.
 - c. Plan amendment. The comprehensive plan, or any part thereof, may be amended at any time in accordance with the provisions of this subsection 9-6-2-A-4-c. Such an amendment may be initiated by the village board, the plan commission, the zoning officer, or by any owner of property affected by the provisions of such plan sought to be amended.
 - (1) Amendments initiated by the village board, the plan commission, or the zoning officer will require no formal application and will be processed as provided in this subsection, except that the time limits specified in subsection 9-6-2-A-4 above will not apply.
 - (2) Amendments initiated by the owner of affected property will be initiated by an application filed pursuant to this subsection 9-6-2-A-4-c and the specified time limits therein will apply.
 - d. Plan filing and notice of adoption. The ordinance adopting the comprehensive plan, or any part thereof, will provide that the zoning officer will cause a certified copy thereof to be placed on file in the office of the village clerk, and will cause a notice evidencing the adoption of such plan, or part thereof, to be filed with the recorder of deeds of each county with property affected by the plan.

- B. Maps.
1. Official Map.
 - a. Authority. The plan commission will have authority to prepare and to recommend to the village board an official map of the village and the unincorporated areas surrounding the village and from time to time to prepare and recommend amendments thereto, all of which the village board may adopt as the "Official Map of the Village of Woodridge."
 - b. Purpose. The official map is adopted to implement the comprehensive plan, to assure the adequacy of the public facilities to which it relates and to secure for the village the authority and benefits provided by state law in connection with such an official map.
 - c. Procedures. The procedures for the development, adoption, amendment and filing of the official map will be the same as those provided in subsection 9-6-2-A-4 of this chapter with respect to the comprehensive plan.
 2. Zoning Map. The location and boundaries of the districts established by this title are indicated upon the map entitled, "official zoning map, Village of Woodridge, Illinois", as amended from time to time, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this title. The official zoning map shall be on file in the office of the village clerk and shall be the final authority as to the current zoning status of land and buildings, subject to such authorized amendments, which may be in effect.
- C. Applications.
1. Place of filing. Unless otherwise provided by this title, applications for certificates of zoning compliance, certificates of occupancy, code interpretations, site plan approvals, appeals, variations, amendments, special use approvals, and planned unit developments will be filed with the zoning officer.
 2. Forms, Number, Scale. All applications filed pursuant to this title will be on forms supplied by the zoning officer and will be filed in a number of duplicate paper and electronic copies as the zoning officer may designate. All plans filed as part of any application will be at a scale sufficient to permit a clear and precise understanding of the contents of said plan and the proposal being made and, if not electronic, will be folded to a convenient size for handling and filing in standard, legal size legal drawers.
 3. Filing Deadlines.
 - a. Applications Requiring Hearings. Applications requiring a public hearing will not be scheduled for such hearing unless and until such applications are filed in a complete and proper form and number and containing all required information.
 - b. Applications Not Requiring Hearing. Applications that do not require a public hearing will be filed, in a complete and proper form and number and containing all required information, at least 35 days prior to the time when action on the application is requested. Applications will be processed on a first-filed, first-processed basis.
 - c. Supplemental Data. Whenever supplemental data in connection with a previously filed application is required by the Village or offered by the applicant, it will be submitted at least seven days prior to the date on which it is to be considered at a hearing or a meeting or acted upon in connection with such application. The filing of this data will, in the discretion of the zoning officer and of the body hearing the application, because to delay a requested or scheduled hearing date.
 4. Fee Established; Lien.
 - a. Every application filed pursuant to this title will be subject to a non-refundable application and filing fee in the amount established by the village board in the fee schedule set forth in subsection 3-1A-3 of the village code.

- b. The owner of the property which is the subject of the application and, if different, the applicant, will be jointly and severally liable for the payment of the application fee, as well as the actual village application processing costs. By submitting the application, owner is deemed to have agreed to pay any fees and processing costs, to consent to the filing, and foreclosure of a lien on the property to ensure collection of any fee and processing costs, plus the costs of collection, which has not been paid within thirty (30) days following the mailing of a written demand for payment to the owner at the address shown on the application. Any lien filed pursuant to this subsection may be foreclosed in the manner provided by statute for mortgages or mechanics liens.
5. Condition of All Applications, Approvals and Permits; Time Periods.
- a. No application filed pursuant to this title will be considered complete unless and until all fees and deposits due have been paid. Every approval granted and every permit issued pursuant to this title will, whether or not expressly so conditioned, be deemed to be conditioned upon payment of fees as required by subsection 3-1A-3 of the village code and subsection 9-6-2-C-4 of this chapter.
 - b. Any period of non-payment by the applicant will toll any time period where this title provides that the passage of time without decision or action will be deemed an approval or a recommendation for approval by the village. Time periods will otherwise continue to run during any period of non-payment.
 - c. The failure to fully pay any such fee or deposit, when due, will be grounds for refusing to process an application and for denying or revoking any permit or approval sought or issued with respect to the land or development to which the unpaid fee or deposit relates.
6. Minimum Application Data Requirements.
- a. All Applications. Every application submitted pursuant to this title will contain at least the following information:
 - (1) The owner's name, email, telephone number and address and the owner's signed consent to the filing of the application.
 - (2) The applicant's name, email, telephone number and address, if different than the owner, and their interest in the subject property.
 - (3) The names, addresses, emails and telephone numbers of all professional consultants, if any, advising the applicant with respect to the application.
 - (4) The name and address and the nature and extent of the financial interest of any village officer or employee in the owner, the applicant, or the subject property.
 - (5) The address and legal description of the property.
 - (6) A description or graphic representation of the proposal for which approval is being sought and of the existing zoning classification, use and development of the property. The scope and detail of the description will be appropriate to the subject matter of the application, with special emphasis on those matters likely to be affected or impacted by the approval being sought in the application.
 - (7) In the case of any application being filed less than two years after the denial of an application seeking essentially the same relief, the statement required by subsection 9-6-2-D.
 - (8) Proof of control or ownership, in the case of site-specific applications.
 - b. Applications for Certificates of Zoning Compliance. Every application for a certificate of zoning compliance filed pursuant to subsection 9-6-3-A of this chapter will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a, provide the following information:

- (1) A description or graphic representation of any development or construction that will occur or any use that will be established or maintained if the requested relief is granted.
 - (2) A table showing the following, if applicable:
 - (a) The total lot area of the subject property, in acres and in square feet;
 - (b) The total existing and proposed lot area, expressed in acres, in square feet and as a percent of the total development area, devoted to residential uses, by type of structure, commercial uses, office uses, industrial uses and institutional uses, open space, rights-of-way, streets, and off-street parking and loading areas; and
 - (3) The existing and proposed:
 - (a) Number of dwelling units, by number of bedrooms and dwelling unit gross floor area; and
 - (b) Gross and net floor area devoted to residential uses, commercial uses, office uses, industrial uses, institutional uses and recreational uses.
 - (4) A table listing all bulk, space and yard requirements, all parking requirements, and all loading requirements applicable to any proposed development or construction and showing the compliance of such proposed development or construction with each such requirement. Where any lack of compliance is shown, the reason therefore must be stated and an explanation of the village's authority, if any, to approve the application despite such lack of compliance must be set forth.
 - (5) The certificate of a registered architect or civil engineer licensed by the State of Illinois, or of an owner-designer, that any proposed use, construction or development complies with all the provisions of this title and other village ordinances or complies with such provisions except in the manner and to the extent specifically set forth in said certificate.
- c. Application for Code Interpretations. Every application for a code interpretation filed pursuant to subsection 9-6-4-A of this chapter will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a, provide the following information:
- (1) The specific provision or provisions of this title for which an interpretation is sought.
 - (2) The facts of the specific situation giving rise to the request for an interpretation.
 - (3) The precise interpretation claimed by the applicant to be correct.
 - (4) Where a use interpretation is sought, the use permitted pursuant to the present zoning classification of the subject property that is claimed by the applicant to include, or to be most similar to, the proposed use.
 - (5) Where a use interpretation is sought, documents, statements and other evidence demonstrating that the proposed use will comply with all use limitations established for the district in which it is proposed to be located.
- d. Applications for Appeals. Every application filed for an appeal pursuant to subsection 9-6-4-B of this title will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a, provide the following information:
- (1) The specific order, decision or determination of failure to act from which an appeal is sought.
 - (2) The facts of the specific situation giving rise to the original order, decision, determination or failure to act and to the appeal therefrom.
 - (3) The precise relief sought.

- (4) A statement of the applicant's position as to alleged errors in the order, decision, determination or failure to act being appealed and as to why the relief sought is justified and proper.
- e. Applications for Variations. Every application for a variation from the regulations of this title filed pursuant to subsection 9-6-4-C will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a, provide the following information:
- (1) The specific feature or features of the proposed use, construction or development that require a variation.
 - (2) The specific provision of this title from which a variation is sought and the precise variation therefrom being sought.
 - (3) A statement of the characteristics of the subject property that prevent compliance with the said provisions of this title.
 - (4) A statement of the minimum variation of the provisions of this title that would be necessary to permit the proposed use, construction or development.
 - (5) A statement of how the variation sought would satisfy the standards set forth in subsection 9-6-4-C-6 of this chapter.
 - (6) An accurate, to scale and full-size survey, certified by a registered land surveyor, showing existing lot lines and dimensions as well as lot area, all easements, all public and private rights-of-way and all streets across and adjacent to the subject property.
 - (7) A statement concerning the conformity or lack of conformity of the approval being requested to the comprehensive plan or the official map. Where the approval being requested does not conform to the comprehensive plan or official map, reasons justifying the approval despite such lack of conformity must be stated.
- f. Applications for Administrative Variations. Every application for an administrative variation filed pursuant to subsection 9-6-4-D of this title requesting an administrative variation will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a provide the following information:
- (1) Plat of survey with legal description.
 - (2) Site plan and architectural renderings, as appropriate.
 - (3) A statement of the characteristics of the subject property that prevent compliance with the said provisions of this title.
 - (4) A statement of the minimum variation of the provisions of this title that would be necessary to permit the proposed use, construction or development.
 - (a) A statement of how the variation sought would satisfy the standards set forth in subsection 9-6-4-D-5 of this chapter.
 - (b) A statement concerning the conformity or lack of conformity of the approval being requested to the comprehensive plan or the official map. Where the approval being requested does not conform to the comprehensive plan or official map, reasons justifying the approval despite such lack of conformity must be stated.
 - (c) Notarized letters or petition from all adjoining property owners stating the following:
 - i. Name of the applicant seeking the variation.
 - ii. Legal description and address of the subject property.
 - iii. Name and address of adjoining property owners.
 - iv. Statement of variation request.

- v. Statement that the adjoining property owner does understand the request and does not object to the variation request.
- g. Applications for Comprehensive Plan or Zoning Text Amendments. Every application for comprehensive plan amendment filed pursuant to subsection 9-6-2-A-4-c or zoning text amendment application filed pursuant to subsection 9-6-5-A of this chapter will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a provide the following information:
 - (1) The exact wording of the proposed text amendment.
 - (2) A statement of the need and justification for the proposed text amendment.
 - (3) If applicable, a survey, certified by a registered land surveyor, showing existing lot lines and dimensions as well as lot area, all easements, all public and private rights-of-way and all streets across and adjacent to the subject property.
 - (4) A statement concerning the conformity or lack of conformity of the approval being requested to the comprehensive plan and official map. Where the approval being requested does not conform to the comprehensive plan or official map, reasons justifying the approval despite such lack of conformity will be stated.
- h. Applications for Special Use Permits. Every special use permit application filed pursuant to subsection 9-6-5-B of this chapter will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a, provide the following information:
 - (1) A written statement of the need for the special use permit.
 - (2) An accurate, to scale and full-size survey, certified by a registered land surveyor, showing existing lot lines and dimensions as well as lot area, all easements, all public and private rights-of-way and all streets across and adjacent to the subject property.
 - (3) A statement concerning the conformity or lack of conformity of the approval being requested to the comprehensive plan and official map. Where the approval being requested does not conform to the comprehensive plan or the official map, reasons justifying the approval despite such lack of conformity will be stated.
 - (4) An application for site plan approval pursuant to subsection 9-6-5 of this chapter.
- i. Applications for Official Map or Zoning Map Amendments. Every application for official map amendment filed pursuant to subsection 9-6-2-A-4 and for zoning map amendment filed pursuant to subsection 9-6-5-A will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a, provide a statement of the need and justification for the proposed official map or zoning map amendment. The statement will address at least the following factors:
 - (1) The existing uses and zoning classifications of properties in the vicinity of the subject property.
 - (2) The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present plan designation or zoning classification.
 - (3) The extent to which the value of the subject property is diminished by the existing plan designation or zoning classification applicable to it.
 - (4) The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.
 - (5) The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.

- (6) The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment.
 - (7) The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.
 - (8) The suitability of the subject property for uses permitted or permissible under its present plan designation and zoning classification.
 - (9) The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.
 - (10) The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under its present plan designation and zoning classification.
 - (11) The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.
 - (12) The community need for the proposed map amendment and for the uses and development it would allow.
 - (13) A survey, certified by a registered land surveyor, showing existing lot lines and dimensions as well as lot area, all easements, all public and private rights-of-way and all streets across and adjacent to the subject property.
- j. Applications for Planned Unit Development Preliminary Plan Approval. Every application for planned unit development preliminary plan approval filed pursuant to subsection 9-6-5-C of this chapter will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a, provide the following information:
- (1) A development name unique to the area for identification purposes.
 - (2) Evidence that the applicant has sufficient control over the subject property to effectuate the proposed planned unit development, including a statement of all legal, beneficial, tenancy and contractual interests held in or affecting the subject property, and a recent commitment for title insurance or ownership search certificate.
 - (3) A map depicting municipal and special district boundaries where adjacent to or within the subject property.
 - (4) A written statement addressing the following matters:
 - (a) A general description of the proposed planned unit development, the planning objectives to be achieved by it, including the rationales and assumptions of the applicant supporting the proposed planned unit development, and the market it is intended to serve.
 - (b) How the proposed planned unit development is to be designed, arranged and operated so as not to adversely affect the development and use of neighboring property in accordance with applicable regulations of this title.
 - (5) Schematic, soft-line drawings of the proposed planned unit development preliminary plans, including public or private rights-of-way on or adjacent to the subject property, the proposed dimensions and locations of vehicular and pedestrian circulation and parking elements, public and private open space, and residential, commercial, office, industrial and other land uses, and the general locations of and purpose of all easements.
 - (6) A Tax Impact Study indicating the possible tax consequences the proposed planned unit development will have upon the village and other affected taxing bodies.

- (7) A Traffic and Transit Impact Study including a list of new street construction, traffic impacts, and traffic control improvements necessary to accommodate the estimated increase in traffic and traffic related changes occasioned by the proposed development and a statement of the applicant's proposals for providing those needed improvements. If the traffic related changes are on County or State routes, the zoning officer may require the applicant to request relevant information from those respective agencies.
 - (8) A preliminary engineering study showing the location and adequacy of existing and proposed sanitary sewer, storm sewer and water distribution systems.
 - (9) A written statement identifying existing natural and environmental resources and features on the subject property, including its topography, vegetation, wetlands and other special management areas, soils, geology, and scenic view, and the impact of the proposed planned unit development on such resources and features, including proposals to preserve or protect such resources and features.
 - (10) Schematic, soft-line architectural elevations indicating the general style of architecture and typical building materials.
 - (11) A statement of the applicant's intent with respect to the ownership, sale and leasing of the various completed units, structures, spaces and areas within the proposed planned unit development.
 - (12) A development schedule for each and every stage of construction stating the approximate beginning and completion date, proportion of total public or common open space to be provided for each use and with each development stage.
 - (13) A detailed description of the financial assurances to be presented to guarantee completion of all public improvements and private open space to be provided in connection with the proposed planned unit development.
 - (14) Evidence of the financing plan the applicant proposes to use to complete the proposed planned unit development. The applicant's prior success in completing projects of similar scope may be offered in support of this requirement.
 - (15) A preliminary plat of subdivision if required pursuant to the subdivision ordinance.
- k. Application for Planned Unit Development Final Plan Approval. Every application for final planned unit development approval filed pursuant to subsection 9-6-5-C of this chapter will, in addition to the data and information required pursuant to subsection 9-6-2-C-6-a, provide the following information:
- (1) The date on which Development Preliminary Plan approvals were granted.
 - (2) A statement and plan of the proposed treatment of the perimeter of the proposed planned unit development, including materials and techniques to be used.
 - (3) When the proposed planned unit development, or stage thereof, includes provision for public or common open space, a statement describing the provision made for the dedication or care and maintenance of such open space. If it is proposed that such open space be owned or maintained by any entity other than a governmental authority, copies of the proposed articles of incorporation and by-laws of such entity will be submitted. When the property is to be dedicated, a draft of the instrument of dedication will be submitted.
 - (4) Copies of any restrictive covenants to be recorded with respect to property included in the Final Plan.

- (5) A statement summarizing all changes that have been made, or have occurred, in any document, plan, data or information previously submitted, together with a revised copy of any such documents, plan or data.
 - (6) A final plat of subdivision if required pursuant to the subdivision ordinance.
 - (7) All engineering data and drawings required in connection with an application for final subdivision approval under the subdivision ordinance.
 - (8) All certificates, seals and signatures required for the dedication of land and recordation of documents.
 - (9) Hard line elevations and scaled floor plans.
 - (10) Proof from appropriate governmental agencies that all taxes on the subject property have been paid and that all special assessments, taxes, and other levies against the subject property or any part thereof have been paid in full.
- I. Applications for Site Plan Approval. Whenever an application filed pursuant to any provision of this chapter involves any use, construction or development requiring the submission of a site plan pursuant to 9-6-6 of this chapter, a site plan illustrating the proposed use, construction or development and providing at least the following data and information, on one or more sheets, will be submitted as part of the application:
- (1) A graphic rendering of the existing conditions, which depicts:
 - (a) All significant natural, topographical and physical features of the subject property including topographical contours at one-foot intervals;
 - (b) The location and extent of tree cover, including all qualifying trees as defined by this title;
 - (c) The location and extent of water bodies and courses, wetlands, marshes and special flood hazard areas, floodplains, and floodways on or within 100 feet of the subject property;
 - (d) The location and extent of any buffer areas for wetlands required by county ordinances on or within 100 feet of the subject property;
 - (e) Existing drainage structures and patterns; and
 - (f) Soil conditions as they affect development.
 - (2) The location, use, size and height in stories and feet of structures and other land uses on properties within 250 feet of the subject property.
 - (3) For areas within any required yard or setback, any proposed regarding of the subject property.
 - (4) Data concerning proposed structures and existing structures that will remain, including:
 - (a) location, size, use and arrangement, including height in stories and feet;
 - (b) where relevant, floor area ratio, gross floor area and net floor area;
 - (c) where relevant, number and size of dwelling units, by dwelling unit type and number of bedrooms;
 - (d) building coverage and lot coverage; and
 - (e) description of the calculation method utilized in computing all required statistics shown.
 - (5) Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width and depth of any structure.
 - (6) A vehicular and pedestrian circulation plan showing the location, dimensions, gradient and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs and curb cuts; parking spaces, loading spaces and circulation aisles; sidewalks, walkways and

pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.

- (7) All existing and proposed surface and sub-surface drainage and retention and detention facilities and existing and proposed water, sewer, gas, electric, telephone and cable communications lines and easements and all other utility facilities.
- (8) Location, size and arrangements of all outdoor signs and lighting.
- (9) Location and height of fences or screen plantings and the type or kind of building materials or plantings to be used for fencing or screening.
- (10) Location, designation and total area of all usable open space.
- (11) A detailed landscaping plan, showing location, size and species of all trees, shrubs and other plant material.
- (12) A traffic study, if the zoning officer finds the development may exceed the capacity or design of surrounding streets.
- (13) An erosion control plan for the period during which construction will be taking place, if required by the zoning officer finds the expected earth disturbance cannot be maintained on site.
- (14) Hard line elevations and floor plans.

7. Special Data Requests. In addition to the data and information required pursuant to subsection 9-6-2-C-6, every applicant will submit any other and additional data, information or documentation as the zoning officer or the plan commission may deem necessary or appropriate to a full and proper consideration and disposition of the particular application.
 8. Concurrent Applications. Where a proposed use or development requires more than one approval pursuant to this title, applications for all approvals may be filed concurrently notwithstanding the fact that approval of one application may be a precondition to approval of other applications. Such applications may, in the discretion of the official, officials, body, or bodies charged with review of such applications be processed together; provided, however, that no application will be approved unless all applications that are a precondition to its approval have first been approved.
 9. Withdrawal of Application. An applicant may withdraw an application at any time prior to a final decision having been rendered with respect thereto; provided that the applicant will have paid all applicable fees and costs due the village pursuant to subsection 9-6-2-C-4 and made the request to withdraw in writing. A withdrawal will be without prejudice to the applicant's right to refile such application, but any refiling will be treated as an entirely new filing and will be subject to the procedures and fees of this chapter in the same manner as any other new application.
 10. Administrative Discretion. Notwithstanding anything to the contrary in this chapter, the zoning officer or the plan commission may waive any application requirements otherwise set forth in this subsection 9-6-2-C-6 where the applicant demonstrates to the satisfaction of the zoning officer or plan commission before which its application is pending that the information required is not relevant to or necessary for the determination of the application submitted.
- D. Successive Applications.
1. Second Applications Without New Grounds Barred. Whenever any application filed pursuant to this chapter has been finally denied on its merits and all appeals with the village have been exhausted, a second application, seeking essentially the same relief, whether or not in the same form or on the same theory, will not be brought within two years after the date upon the last village action on the application, unless, in the opinion of the zoning officer or the

plan commission substantial new evidence is available or a mistake of law or fact significantly affected the prior denial.

2. New Grounds to be Stated. Any second application will include a detailed statement of the grounds justifying consideration of the application.
3. Exception. Whether or not new grounds are stated, any second application filed more than two years after the final denial of a prior application will be heard on the merits as though no prior application had been filed. The applicant will, however, be required to place in the record all evidence available concerning changes of conditions or new facts that have developed since the denial of the first application. In the absence of such evidence it will be presumed that no new facts exist to support the new petition that did not exist at the time of the denial of the first application.

E. Public Hearings and Meetings.

1. Setting Hearing or Meeting; Time Limitation. When the provisions of this chapter require a public hearing or meeting in connection with any application filed pursuant to this chapter, the plan commission will, upon receipt of a properly completed application, fix a reasonable time and place for such hearing or meeting; provided, however, that such hearing or meeting will be commenced no later than 60 days, and will be concluded no later than 120 days, following the receipt of the subject application unless the applicant agrees to an extension or unless the hearing or meeting agenda of the body is completely committed during that time.
2. Notice.
 - a. Notice to be Given. Notice of public hearings and meetings set pursuant to this subsection 9-6-2-E-2 will be given by the zoning officer or the applicant, as the case may be, in the form and manner and to the persons herein specified.
 - b. Content of Notice. All notices will include the date, time and place of such hearing or meeting, a description of the matter to be heard or considered, and the common street address and property index number(s) ("PIN"). The notice may also include a description of the particular location of the subject property.
 - c. Notice Procedures for all Hearings and Meetings. Notice of every hearing or meeting set pursuant to subsection 9-6-2-E-1 will be given by the zoning officer:
 - (1) By first class mail or personal delivery to the applicant or, with the applicant's consent, by email to the applicant; and, if a specific parcel is the subject of the application, to the owner of the subject property.
 - (2) By first class mail to any newspaper or person that will have filed a written request, accompanied by an annual fee as established from time to time by the zoning officer to cover postage and handling, for notice of all hearings or meetings held pursuant to this title. Such written request will automatically expire on December 31 of the year in which it is made unless a written request for renewal, accompanied by the annual fee, is submitted prior to such date.
 - (3) By first class mail, personal delivery, email, or interdepartmental delivery to the affected village board, commissions, departments, or officials.
 - d. Hearings on Amendments, Special Use Permits and Variations. In addition to notice as required by subsection 9-6-2-E-2-c, the following notice will be given for every hearing set for a text amendment to this title, amendment to the zoning map, a special use permit, special use permit renewal, special use permit amendment, planned unit development, or variance:
 - (1) Content of Notice. The notice required pursuant to this subsection will contain, at a minimum, the following information:

- (a) The street address, property index number(s), and street intersection location description (if applicable) of the property that is the subject of the application;
 - (b) A brief statement of the nature of the relief being requested;
 - (c) The name and address of the applicant;
 - (d) The name and address of the legal and beneficial owner of the property, if any, that is the subject of the application.
 - (2) Notice by Newspaper Publication. The zoning officer will cause a notice to be published in a newspaper published in, or of general circulation within, the village at least once no less than fifteen (15) days, nor more than thirty (30) days, in advance of the hearing date.
 - (3) Notice by Sign. If a specific property is the subject of the application, the zoning officer or applicant will post the subject property with a ground sign of approximately six square feet of gross surface area containing the legibly written notice. The sign will be located on the subject property so as to be visible from at least one right-of-way abutting the subject property. The zoning officer or applicant will remove the sign within three days after the hearing is closed.
 - (4) Notice by Mail. The zoning officer shall cause to be sent, where applicable, notice mailed via first class mail to all the property owners within five hundred feet (500), exclusive of any right-of-way, of the specific property. Any irregularity or mistake concerning mailed notice shall not otherwise affect the validity of any legislative action.
 - (5) Report to Hearing Body. At the hearing, the zoning officer or applicant will present to the plan commission an affidavit, certification or other evidence satisfactory to the plan commission, demonstrating, to the satisfaction of the plan commission, that the applicable notice requirements of this subsection have been satisfied.
 - e. Hearing on Comprehensive Plan Amendment. In addition to notice as required by subsection 9-6-2-E-2-c above, notice of every hearing set pursuant to subsection 9-6-2-A-4-c hereof in connection with the amendment of the comprehensive plan will be given by publication in a newspaper of general circulation in the affected counties at least fifteen (15) days before such hearing.
3. Referral to Plan Commission and Departments for Hearings and Meetings Regarding Appeals, Variations, Amendments, Special Use Permits, and Planned Unit Developments.
 - a. Zoning Officer to Refer Applications. The zoning officer will, not later than the time set pursuant to subsection 9-6-2-E-2 for giving public notice, refer every application for an appeal pursuant to subsection 9-6-4-B of this chapter, for a variation pursuant to subsection 9-6-4-C of this chapter, for an amendment pursuant to subsection 9-6-5-A of this chapter, for a special use permit pursuant to subsection 9-6-5-B of this chapter, and for a planned unit development pursuant to subsection 9-6-5-C of this chapter to all relevant village departments with review authority over any application. The zoning officer may also refer any application to any affected fire district or other state, county, or local government for comment.
 - b. Review and Comments. Each department to which an application is referred pursuant to this subsection 9-6-2-E-3-a will review the application and submit its comments to the zoning officer. The comments will, whenever possible, be submitted at least two business days prior to the date set for the hearing and will be made available to any person on request prior to the hearing.

4. Conduct of Hearings. The plan commission, in accordance with the authority set forth in Section 11-13-22 of the Illinois Municipal Code, 65 ILCS 5/11-13-22, may adopt such rules of procedure as necessary and appropriate to govern any public hearing required under this chapter.

9-6-3: Certificates of Zoning Compliance and Certificates of Occupancy.

- A. Certificate of Zoning Compliance.
 1. Authority. The zoning officer will have authority to issue certificates of zoning compliance, but only in accordance with the provisions of this section.
 2. Purpose.
 - a. The certificate of zoning compliance is intended to serve two general purposes:
 - (1) to provide a procedure for reviewing plans for conformance with this title and a means for evidencing conformance; and
 - (2) as an adjunct procedure all other applications filed pursuant to this chapter with respect to a specific use or development proposal.
 - b. When an application for a certificate of zoning compliance is filed, it serves as a vehicle for routine plan review by the zoning officer prior to consideration of special requests by other officials, departments or the plan commission, thus avoiding needless special reviews of defective plans.
 3. Certificate Required. Except where expressly waived by another provision of this title, a certificate of zoning compliance must have first been obtained from the zoning officer prior to:
 - a. commencement of construction, reconstruction, remodeling, alteration, or moving of any structure;
 - b. commencement of grading, excavation, or improvement of land preliminary to any construction on or use of such land; or
 - c. village issuance of building or other permits pertaining to the construction, reconstruction, remodeling, alteration, or moving of any structure or the use of any land or structure.
 4. Certificate not Required. In any case where a certificate of zoning compliance is not required under this chapter, the zoning officer will, upon written request, issue a certificate of such fact.
 5. Relation to Other Applications. No application for a zoning variation, application for a special use permit, application for an amendment or application for approval of a planned development preliminary plan will be processed unless an application for a certificate of zoning compliance will first have been received, processed, and approved or denied solely on one or more grounds that form the basis for the application. It is the intent of this Section 9-6-3 that no application filed pursuant to this chapter with respect to a specific use or development proposal will be processed until the zoning officer is satisfied that the proposed use or development complies with the provisions of this title in all respects except those within the scope of such application.
 6. Procedure.
 - a. Application. Applications for certificates of zoning compliance will be filed in accordance with the requirements of subsection 9-6-2-C-6-b of this chapter.
 - b. Action on Application. Within 10 days following receipt of a complete application for a certificate of zoning compliance, the zoning officer will cause the application and related submissions to be reviewed for compliance with this title and will inform the applicant whether the application has been granted or denied.

- c. Application Granted; Contents of Certificate. In any case where an application is granted, the zoning officer will issue a certificate of zoning compliance that will state the specific use of the property for which it is issued; identify the specific plans, if any, pursuant to which it is issued; set forth any conditions imposed in connection with any approval granted pursuant to this chapter; and will read on its face:

THIS CERTIFICATE DOES NOT SIGNIFY BUILDING CODE REVIEW OR APPROVAL AND IS NOT AUTHORIZATION TO UNDERTAKE ANY WORK WITHOUT SUCH REVIEW AND APPROVAL WHERE EITHER IS REQUIRED.

BEFORE ANY STRUCTURE TO WHICH THIS CERTIFICATE IS APPLICABLE MAY BE OCCUPIED OR USED FOR ANY PURPOSE, A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED.

- d. Application Denied. In any case where an application is denied, the zoning officer will state specific reasons therefor and will cite the specific provisions of this title upon which such denial is based.
 - (1) If relief from such denial would be available pursuant to a companion application filed in connection with the application for a certificate of zoning compliance, the zoning officer will inform the applicant and will promptly process such companion application. If the application is approved, the zoning officer will issue the requested certificate of zoning compliance in accordance with the terms and conditions of such approval.
 - (2) If relief from the zoning officer's denial of a certificate of zoning compliance would be available by variation, special use permit or site plan review, but no application therefor has been filed, the zoning officer will so state and refer the applicant to the appropriate provisions of this title.
 - e. Filing of Certificates. Every certificate issued pursuant to this subsection will be kept on file with the zoning officer and will be a public record open to inspection in accordance with the provisions of the Freedom of Information Act, 5 ILCS 140/1 et seq., as amended.
- 7. Effect of Issuance of Certificate. The issuance of a certificate of zoning compliance will not authorize the establishment, expansion, or extension of any use nor the development, construction, relocation, alteration, or moving of building or structure, but will merely authorize the preparation, filing, and processing of applications for any additional permits and approvals that may be required by the codes and ordinances of the village, including, but not limited to, a building permit, a certificate of occupancy and subdivision approval.
 - 8. Limitations on Certificates. Subject to an extension of time granted by the zoning officer pursuant to subsection 9-6-1-B-12 of this chapter, a certificate of zoning compliance will become null and void six months after the date on which it was issued unless within such period construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.
 - 9. Void Certificates. Any certificate of zoning compliance issued in violation of the provisions of this chapter, whether intentionally, negligently or innocently, will be void and confer no rights whatsoever.
- B. Certificate of occupancy.
 - 1. Authority. The zoning officer will have authority to issue certificates of occupancy; provided, however, that no such certificate will be issued except in accordance with the provisions of this subsection and the other relevant provisions of the Woodridge Village Code, including this title and title 8 governing development, building and related matters.

2. Purpose. For the purposes of this title, the certificate of occupancy provides a procedure for the inspection of completed premises to ensure their compliance with this title and approved plans prior to commencement of the use or occupancy of such premises. The certificate may also evidence compliance with other relevant provisions of this title and the Woodridge Village Code, as set forth in those provisions.
3. Certificate required. Unless a certificate of occupancy is obtained certifying compliance with the provisions of this title:
 - a. no structure, or addition thereto, constructed, reconstructed, remodeled, altered or moved after the effective date of this title will be occupied or used for any purpose; and
 - b. except for changes involving only substitution of occupants in existing dwelling units, no use or occupancy of any land or structure will be changed to any other use or occupancy, whether or not construction, remodeling, alteration, or moving is involved.
4. Procedure.
 - a. Application. Where no certificate of zoning compliance is required, applications for certificates of occupancy will be filed in accordance with the requirements of subsection 9-6-2-C-6-b of this chapter.
 - b. Where a certificate of zoning compliance has been issued, the application for that certificate will also be treated as the application for a certificate of occupancy and will be processed as such at such time as the applicant or village inspector notifies the zoning officer that the subject structure or use is ready for a certificate of occupancy in accordance with the certificate of zoning compliance.
 - c. Action on application. Within 10 days following the receipt of a complete application, the zoning officer will cause the subject structure or premises to be inspected and will take the following actions based on the inspection:
 - (1) If all work has been completed and the structure and use thereof are in full and complete compliance with all applicable provisions of this title, other relevant codes and ordinances of the village, the applicant's plans as approved and any conditions attached to any approval issued pursuant to this chapter, the zoning officer will issue a certificate of occupancy.
 - (2) If, however, all work is not complete or is in any manner not in full compliance with all applicable requirements, the zoning officer will deny the application and inform the applicant in writing of the specific deficiencies on which the denial is based, citing the particular provisions of the codes and ordinances of the village, the particular items in the applicant's plans or the applicable special approval conditions with respect to which compliance is lacking.
 - d. Contents of certificates. In addition to the matters required to be contained in a certificate of occupancy pursuant to other applicable provisions of the Woodridge Village Code, each certificate of occupancy issued pursuant to this subsection will state the specific use of the subject property for which it is issued; identify the specific plans, if any, pursuant to which it is issued and set forth any conditions imposed in connection with any approval granted pursuant to this chapter.
 - e. Filing of certificates. Every certificate issued pursuant to this subsection will be kept on file with the zoning officer and will be a public record open to inspection pursuant to the provisions of the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq., as amended.
5. Temporary certificate of occupancy. Notwithstanding the provisions of subsection 9-6-3-B-3 above, where construction, reconstruction, remodeling or alteration of a structure does not require the vacating of the structure, or where parts of the structure are finished and ready for occupancy before the completion of such construction, reconstruction, remodeling or alteration

and are certified upon inspection to be safe for use or occupancy and to be in full compliance with all applicable provisions of this title, other relevant codes and ordinances of the village, the applicant's plans as approved and any conditions attached to any approvals issued pursuant to this chapter with respect to such structure or its premises, a temporary certificate of occupancy may be issued for a period not to exceed six months from its date, which temporary certificate will bear on its face, in bold type, a statement of its temporary nature; provided, however, that no such certificate will be issued except in accordance with the provisions of this subsection and the other relevant provisions of the Woodridge Village Code, including this title and title 8 governing development, building and related matters.

6. Certificate of occupancy for existing uses. The zoning officer may issue a certificate of occupancy certifying the lawful existence and use of any existing structure or use in the same manner, and subject to the same standards and limitations, as authorized by this subsection with respect to new structures and uses. The certificate will be prima facie evidence of the facts contained in it with respect to any structure or use as of the date of its issue and remain effective for that purpose for so long as neither the use or structure nor the applicable provisions of this title are changed.
7. Certificate of occupancy for legal nonconformities. The zoning officer may issue a certificate of occupancy certifying the lawful existence and use of any nonconforming use, structure, lot or sign in the same manner, and subject to the same standards and limitations, as authorized by this subsection with respect to new structures and uses.
8. Void certificates. Any certificate of occupancy issued in violation of the provisions of this chapter, whether intentionally, negligently, or innocently, will be void ab initio and will confer no rights whatsoever.

9-6-4: Interpretations, Appeals and Variations.

- A. Interpretations.
 1. Authority. The zoning officer may, subject to the procedures, standards and limitations of this Section, render interpretations, including use interpretations, of the provisions of this title and of any rule or regulation issued pursuant to it.
 2. Purpose. The interpretation authority established by this section is intended to recognize that the provisions of this title though detailed and lengthy, cannot possibly address every specific situation to which they may have to be applied. Many such situations can, however, be readily addressed by an interpretation of the specific provisions of this title in light of the general and specific purposes for which those provisions have been enacted. Because the interpretation authority of this title is an administrative rather than a legislative authority, it is not intended to add to or change the essential content of this title but, rather, it is intended only to allow authoritative application of that content to specific cases.
 3. Parties Entitled to Seek Interpretations. Applications for interpretations may be filed by any person having an interest in the circumstances giving rise to the need for an interpretation; provided, however, that interpretations will not be sought by any person based solely on hypothetical facts or where the interpretation would have no effect other than as an advisory opinion.
 4. Procedure.
 - a. Application. Applications for interpretations of this title will be filed in accordance with the requirements of subsection 9-6-2-C-6-c of this chapter.
 - b. Action on Application.
 - (1) Within 35 days following the receipt of a properly completed application for interpretation, the zoning officer will inform the applicant in writing of their

interpretation, stating the specific precedent, reasons and analysis upon which the determination is based.

- (2) The failure of the zoning officer to act within 35 days, or such further time to which the applicant can agree, will be deemed to be a decision denying the application rendered on the day following the 35-day period.
 - c. Appeal. Appeals from interpretations rendered by the zoning officer may be taken to the plan commission as provided in subsection 9-6-4-B of this chapter.
 5. Standards for Use Interpretations. The following standards govern the zoning officer, and the plan commission on appeals from the zoning officer, in issuing use interpretations:
 - a. Any use defined in this title will be strictly interpreted as therein defined.
 - b. No use interpretation will permit a use not already listed as a permitted or special use in the district proposed for that use.
 - c. No use interpretation will permit any use in any district unless evidence is presented that demonstrates that it will comply with each use limitation established for that particular district.
 - d. No use interpretation will permit any use in a particular district unless such use is substantially similar to other uses permitted in such district.
 - e. If the proposed use is most similar to a use permitted only as a special use in the district in which it is proposed to be located, then any use interpretation permitting such use will be conditioned on the issuance of a special use permit for such use pursuant to subsection 9-6-5-B of this chapter.
 - f. No use interpretation will permit the establishment of any use that would be inconsistent with the statement of purpose of the district in question.
 6. Effect of Favorable Use Interpretation. No use interpretation finding a particular use to be permitted or specially permitted in a particular district will authorize the establishment of that use nor the development, construction, reconstruction, alteration, or moving of any building or structure but will merely authorize the preparation, filing and processing of applications for any permits and approvals that may be required by the codes and ordinances of the village, including, but not limited to, a special use permit, a certificate of zoning compliance, certificate of occupancy, a building permit, subdivision approval, and site plan approval.
 7. Limitations on Favorable Use Interpretations.
 - a. Subject to an extension of time granted by the zoning officer pursuant to subsection 9-6-1-B-12 of this chapter, no use interpretation finding a particular use to be permitted or specially permitted in a particular district will be valid for a period longer than six months from the date of issue unless a building permit is issued, and construction is actually begun within that period and is diligently pursued to completion, or a certificate of occupancy is obtained and a use commenced within that period.
 - b. A use interpretation finding a particular use to be permitted or specially permitted in a particular district will be deemed to authorize only the particular use for which it was issued, and such permit will not be deemed to authorize any claimed similar use for which a separate use interpretation has not been issued. The permit will automatically expire and cease to be of any force or effect if the particular use for which it was issued will, for any reason, be discontinued for a period of six consecutive months or more.
- B. Appeals.
1. Authority. The plan commission will hear and decide appeals from, and review orders, decisions, determinations, or the failure to act, of the zoning officer acting pursuant to their authority and duties under this title and to that end the plan commission will have the same

powers and be subject to the same standards and limitations as the zoning officer with respect to any order, decision or determination being appealed. When considering and acting on appeals, the plan commission will be considered a zoning board of appeals, and possess the statutory powers and limitations set forth in Section 11-13-3 and Section 11-13-12 of the Illinois Municipal Code, 65 ILCS 5/11-13-3 and 65 ILCS 5/11-13-12, as amended.

2. Purpose. The appeal procedure is provided as a safeguard against arbitrary, ill-considered, or erroneous administrative decisions. It is intended to avoid the need for resort to legal action by providing a local procedure for the review and correction of administrative errors. It is not, however, intended as a means to subvert the clear purposes, intent or meaning of this title or the rightful authority of the zoning officer to enforce this title. To these ends, the plan commission will give all proper deference to the spirit and language of this title and to the reasonable interpretations of those charged with its administration.
3. Parties Entitled to Appeal. An application for appeal to the plan commission may be filed by any person aggrieved or adversely affected by an order, decision, determination, or failure to act of the zoning officer acting pursuant to their authority and duties under this title.
4. Procedure.
 - a. Application. An application for appeal to the plan commission will be filed not later than 45 days following the action being appealed and in accordance with the requirements of subsection 9-6-2-C-6-d of this chapter.
 - b. Action by Zoning Officer. Upon receipt of a properly completed application for an appeal, the zoning officer will transmit to the plan commission the application together with all papers constituting the record upon which the action appealed from was taken.
 - c. Public Hearing. The zoning officer will provide notice and the plan commission will conduct a public hearing in accordance with subsection 9-6-2-E of this chapter.
 - d. Action by Plan Commission.
 - (1) Within 35 days following the close of the public hearing, the plan commission will render a decision on the appeal in the manner and form specified in subsection 9-6-1-C-2-d of this chapter. The decision may reverse, affirm, or modify, in whole or in part, the action appealed from and may include such order or determination as, in the opinion of the plan commission, is proper to be made in the premises.
 - (2) The failure of the plan commission to act within 35 days, or such further time to which the applicant may agree, will be deemed to be a decision denying the appeal.
5. Stay of Proceedings. An application for appeal properly filed pursuant to subsection 9-6-4-B-4-a above will stay all proceedings in the action appealed from, unless the zoning officer submits a certificate to the plan commission supported by facts that a stay would, in the zoning officer's opinion, cause imminent peril to life or property. In that case, the applicant may request a restraining order from the plan commission or the circuit court to stay the proceedings, which may be granted upon reasonable written notice to the zoning officer and on due cause shown.
6. Right to Grant Variation in Deciding Appeals. In any case where the application for appeal is accompanied by an application for variation in accordance with subsection 9-6-2-C-6-e, the plan commission will have the authority to grant, as part of the relief, a variation but only in strict compliance with each provision of subsection 9-6-4-C.
7. Conditions and Limitations on Rights Granted by Appeal. In any case where this title imposes conditions and limitations upon any right, any such right granted by the plan commission on appeal will be subject to such conditions and limitations in the same manner and to the same extent as if secured without the necessity of an appeal.

C. Variations.

1. Authority. The village board will have the authority to grant variations from the provisions of this title, by ordinance duly adopted, and only in compliance with the procedures set forth in this subsection 9-6-4-C and in those specific instances enumerated in subsection 9-6-4-C-5 and then only in accordance with each of the standards enumerated in subsection 9-6-4-C-6.
2. Purpose. The variation procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of this title that create practical difficulties or particular hardships. When such difficulties or hardships are more appropriate for remedy, if at all, pursuant to other provisions of this chapter, the variation procedure is inappropriate.
3. Parties Entitled to Seek Variations. Applications for variations may be filed by the owner of, or any person having a contractual interest in, the subject property.
4. Procedure.
 - a. Application. Applications for variations will be filed in accordance with the requirements of subsection 9-6-2-C-6-e of this chapter.
 - b. Public Hearing. The zoning officer will provide notice and the plan commission will conduct a public hearing in accordance with subsection 9-6-2-E of this chapter.
 - c. Action by Plan Commission.
 - (1) Within 35 days following the close of the public hearing, the plan commission will render its recommendations granting or denying the variation, in the manner and form specified by subsection 9-6-1-C-2-d of this chapter.
 - (2) The failure of the plan commission to act within 35 days, or such further time to which the applicant may agree, will be deemed to be a decision to recommend denial of the variation.
 - (3) When considering and acting on variations, the plan commission will be considered a zoning board of appeals, and possess the statutory powers and limitations set forth in Section 11-13-3 and Section 11-13-5 of the Illinois Municipal Code, 65 ILCS 5/11-13-3 and 65 ILCS 5/11-13-5, as amended.
 - d. Action by Village Board. Within 60 days following the receipt of the recommendation of the plan commission, or its failure to act as above provided, the village board will either deny the application or, by ordinance duly adopted, will grant the variation, with or without modifications and conditions.
5. Authorized Variations.
 - a. Permitted Variations. Subject to the prohibitions set forth in subsection 9-6-4-C-5-b below, and subject to the other provisions of this section, the plan commission may only consider and recommend the following variations:
 - (1) To vary the applicable lot area, lot width, and lot depth requirements, subject to the following limitations:
 - (a) The minimum lot width and lot depth requirements shall not be reduced more than fifty percent (50%).
 - (b) The minimum lot area for a single-family or two-family dwelling shall not be reduced more than forty-five percent (45%).
 - (c) The minimum lot area per dwelling unit required for multiple-family dwellings shall not be reduced so as to permit more dwelling units than would be permitted by strict application of minimum lot area requirements.
 - (2) To vary applicable bulk regulations, including maximum height, lot coverage, and floor area ratio and minimum yard requirements.

- (3) To vary applicable off-street parking and off-street loading requirements.
 - (4) To vary regulations relating to restoration of damaged or destroyed nonconforming structures.
 - (5) To vary the regulations relating to signs.
 - (6) To vary the regulations relating to fences.
 - b. Prohibited Variations. Notwithstanding any other provision of subsection 9-6-4-C, no variation will be granted that:
 - (1) Is intended as a temporary measure only; or
 - (2) Is greater than the minimum variation necessary to relieve the particular hardship or practical difficulty demonstrated by the applicant.
6. Standards for Variations.
- a. General Standard. No variation will be granted pursuant to this subsection 9-6-4-C unless the applicant establishes that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty. Such a showing will require proof that the variation being sought satisfies each of the standards set forth in this subsection.
 - b. Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.
 - c. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or their predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title, for which no compensation was paid.
 - d. Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.
 - e. Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship will not be a prerequisite to the grant of an authorized variation.
 - f. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.
 - g. Essential Character of the Area. The variation would not result in a use or development on the subject property that:
 - (1) would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity;
 - (2) would materially impair an adequate supply of light and air to the properties and improvements in the vicinity;

- (3) would substantially increase congestion in the public streets due to traffic or parking;
 - (4) would unduly increase the danger of flood or fire;
 - (5) would unduly tax public utilities and facilities in the area; or
 - (6) would endanger the public health and safety.
 - h. No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.
 - 7. Variation Less Than Requested. A variation less than or different from that requested may be granted when the record supports the applicant's right to some relief but not to the relief requested.
 - 8. Conditions on Variations. The plan commission may recommend and the village board may impose such specific conditions and limitations concerning use, construction, character, location, landscaping, screening and other matters relating to the purposes and objectives of this title upon the premises benefited by a variation as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject property or upon public facilities and services. Such conditions will be expressly set forth in the recommendation or ordinance granting the variation. Violation of any such condition or limitation will be a violation of this title and will constitute grounds for revocation of the variation.
 - 9. Affidavit of Compliance with Conditions; Fee. Whenever any variation authorized pursuant to subsection 9-6-4-C-5 is made subject to conditions and limitations to be met by the applicant, the applicant will upon meeting such conditions file an affidavit with the zoning officer so stating. Such affidavit will be accompanied by a nonrefundable fee, to be fixed in each case by the zoning officer, to recover the village's actual direct cost of an inspection to verify that such conditions and limitations have been met.
 - 10. Effect of Grant of Variation. The grant of a variation will not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure but will merely authorize the preparation, filing, and processing of applications for any permits and approval that may be required by the codes and ordinances of the village, including, but not limited to, a certificate of zoning compliance, a building permit, a certificate of occupancy, subdivision approval, and site plan approval.
 - 11. Limitations on Variations.
 - a. Subject to an extension of time granted by the zoning officer or village board pursuant to subsection 9-6-1-B-12 of this chapter, no variation from the provisions of this title will be valid for a period longer than 180 days, and no variation from the provisions of this title that is granted concurrently with a special use permit will be valid for a period longer than one year, unless a building permit application is submitted within that period and is diligently pursued to completion or unless a certificate of occupancy is issued and a use is commenced within that period.
 - b. A variation will be deemed to authorize only the particular construction or development for which it was issued and will automatically expire and cease to be of any force or effect if such construction or development will be removed and not replaced within six months following such removal.
- D. Administrative Variations.
- 1. Authority. The zoning officer will have the authority to grant administrative variations from the provisions of this title pertaining to (a) dimensional zoning relief related to setbacks and height and (b) off-street parking requirements. Administrative variations will only be

- permitted where the requested relief does not exceed a five percent (5%) reduction of the required dimensional or parking regulation. Administrative variations will only be granted by the zoning officer in compliance with the procedures set forth in this subsection 9-6-4-D.
2. Purpose. The administrative variation procedure is intended to provide a narrowly tailored and streamlined process to grant minimal variations resulting from unforeseen particular applications of this title that create practical difficulties or particular hardships. When such difficulties or hardships are more appropriate for remedy, if at all, pursuant to other provisions of this chapter, the administrative variation procedure is inappropriate.
 3. Parties Entitled to Seek Administrative Variations. Applications for administrative variations may be filed by the owner of, or any person having a contractual interest in, the subject property.
 4. Procedure.
 - a. Application. Applications for administrative variations will be filed in accordance with the requirements of subsection 9-6-2-C-6-f of this chapter.
 - b. Application Notification. Upon receipt of a complete application conforming to the requirements set forth in subsection 9-6-4-D-4-a, the zoning officer will review the application within 30 days and notify the applicant via mail of their decision. If an application for an administrative variation is denied, the zoning officer will explain the reasons for the denial and advise the applicant that he or she may petition for a variation pursuant to subsection 9-6-4-C of this chapter.
 - c. Adjoining Property Owner Objection. In the event that an immediately adjoining property owner objects to the administrative variation, the application for an administrative variation will be subject to the requirements for a public hearing for a variation with the plan commission, as set forth in subsection 9-6-4-C-4-b.
 - d. Approval. If the zoning officer finds the variation request to meet the standards contained in this section, the zoning officer will:
 - (1) notify the applicant via first class mail;
 - (2) notify the village board; and
 - (3) record or cause to be recorded the variation with the county recorder of deeds for the subject property. The applicant will bear all costs of recording the administrative variation.
 5. Standards for Administrative Variations. Administrative variations will only be granted when the request is consistent with the general purpose and intent of this title and the applicant has demonstrated in writing the satisfaction of the following three (3) standards:
 - a. Hardship or Unintentional Human Error. That a particular hardship or practical difficulty exists that is unique to the subject property and does not apply generally to properties in the zoning district, and that the strict enforcement of the zoning requirement deprives the applicant of the reasonable use of the property.
 - b. Prohibitions. That the granting of the variation will not:
 - (1) impair an adequate supply of light and air to the adjacent property;
 - (2) increase the hazard from fire or other dangers to said property;
 - (3) diminish the value of land and buildings in the immediate neighborhood;
 - (4) unduly increase traffic congestion in the public streets and highways;
 - (5) increase the potential for flood damages to adjacent property; or
 - (6) otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the village.
 - c. Essential Character of the Neighborhood. That the granting of the variation will be in harmony with the essential character of the neighborhood.

9-6-5: Amendments, Special Use, and Planned Unit Developments.

A. Amendments.

1. **Authority.** The plan commission may recommend, and the village board may approve by duly enacted ordinance, amendments to this title and the zoning map in accordance with the procedures set out in this subsection 9-6-5-A.
2. **Purpose.** The amendment process established by this subsection 9-6-5-A is intended to provide a means for making changes to the text of this title and on the zoning map that have more or less general significance or application. It is not intended to relieve particular hardships or to confer special privileges or rights. Rather, it is intended as a tool to adjust the provisions of this title and zoning map in light of changing, newly discovered, or newly important conditions, situations, or knowledge.
3. **Parties Entitled to Seek Amendments.** An application for an amendment may be filed by the village board, the plan commission, the zoning officer, the owner of, or any person having a contractual interest in, any property to be affected by a proposed amendment to the zoning map, or any person interested in a proposed amendment to the text of this title.
4. **Procedure.**
 - a. **Application.** An application for an amendment to this title or the zoning map will be filed in accordance with the requirements of subsection 9-6-2-C-6-g and Section 9-6-2-C-6-i of this chapter.
 - b. **Referral.** Every properly filed and completed application for an amendment to this title or the zoning map will be referred by the zoning officer to the plan commission.
 - c. **Public Hearing.** In any case where an application for an amendment to this title or the zoning map is referred by the zoning officer, the zoning officer will provide notice and the plan commission will conduct a public hearing in accordance with subsection 9-6-2-E of this chapter.
 - d. **Action by Plan Commission.**
 - (1) Within 21 days following the conclusion of the public hearing, the plan commission will transmit to the village board its recommendation in the form specified by subsection 9-6-1-C-2-d of this Chapter.
 - (2) The failure of the plan commission to act within 21 days following the conclusion of such hearing, or such further time to which the applicant may agree, will be deemed a recommendation for the approval of the proposed amendment as submitted.
5. **Action by Village Board; Protest.**
 - a. Within 60 days following the receipt of the recommendation of the plan commission, or its failure to act as above provided, the village board will either deny the application or, by ordinance duly adopted, adopt the proposed amendment, with or without modifications; provided, however, that in the event a duly signed and acknowledged protest against a proposed amendment is filed with the village clerk before the adoption of such amendment by the owners of twenty percent (20%) or more of the frontage to be affected by the proposed amendment, or by the owners of twenty percent (20%) or more of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent (20%) or more of the frontage directly opposite the frontage to be affected, such amendment will not be passed except by a two-thirds vote of the village board.

- b. The failure of the village board to act within 60 days or such further time to which the applicant may agree, will be deemed to be a decision denying the application.
 - 6. Standard for Amendments. The wisdom of amending the zoning map or the text of this title is a matter committed to the legislative discretion of the village board and is not dictated by any set standard. However, in determining whether a proposed amendment should be granted or denied, the village board will be guided by the principle that its power to amend the zoning map or this title is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the village board will weigh the factors that subsection 9-6-2-C-6-g or 9-6-2-C-6-i requires the applicant to address.
- B. Special Use Permits.
 - 1. Authority. The village board may, in accordance with the procedures and standards set out in this subsection and by ordinance duly adopted, grant special use permits authorizing the development of uses listed as special uses in the regulations applicable to the district in which the subject property is located.
 - 2. Purpose. Special uses are those uses having some special impact or uniqueness that require a careful review of their location, design, configuration and special impact to determine, against fixed standards, the desirability of permitting their establishment on any given site. They are uses that may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the local impact and effect.
 - 3. Parties Entitled to Seek Special Use Permits. An application for a special use permit may be filed by the owner of, or any person having a contractual interest in, the subject property.
 - 4. Procedure.
 - a. Optional Pre-application Meeting. Potential special use permit applicants may, but are not required, to request a pre-application meeting with the zoning officer or the village board. The purpose of a pre-application meeting is to enable the potential applicant to present a development concept before investing significant time and resources for an application submittal under this title and obtain feedback from the zoning officer or village board on any possible issues or areas of concern. The pre-application meeting is optional and non-binding and does not commit the applicant, the zoning officer, plan commission, village board, or any other department, commission, board, or other official of the village in any way whatsoever. The applicant may use the information from a pre-application meeting to prepare their application, but each application will be reviewed, and all recommendation and decisions will be conducted in accordance with the terms of this title.
 - b. Application. An application for a special use permit will be filed in accordance with the requirements of subsection 9-6-2-C-6-h of this chapter.
 - c. Referral. Every properly filed and completed application for a special use permit will be referred by the zoning officer to the plan commission.
 - d. Public Hearing. In any case where an application for a special use permit is referred to the plan commission, the zoning officer will provide notice and the plan commission will conduct a public hearing in accordance with subsection 9-6-2-E of this chapter.
 - e. Action by Plan Commission.
 - (1) Within 21 days following conclusion of the public hearing, the plan commission will transmit to the village board its recommendation in a form specified by subsection 9-6-1-C-2-d of this chapter, recommending either granting the

- application for a special use permit; granting the application subject to conditions, as specified in subsection 9-6-5-B-6 below; or denying the application.
- (2) The failure of the plan commission to act within 21 days, or such further time to which the applicant may agree, will be deemed a recommendation for the approval of the proposed special use permit.
- f. Action by Village Board. Within 60 days following the receipt of the recommendation of the plan commission, or its failure to act as above provided, the village board will either deny the application or, by ordinance duly adopted, will grant the special use permit, with or without conditions.
 - g. Approval by Village Board After Recommendation to Deny. In the event the plan commission recommends denial of a special use permit, the village board may approve the special use permit, by ordinance duly adopted, upon their favorable majority vote.)
5. Standards for Special Use Permits.
- a. General Standards. No special use permit will be recommended or granted pursuant to this subsection unless the applicant establishes that:
 - (1) Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the comprehensive plan.
 - (2) No Undue Adverse Impact. The proposed use, drainage, and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.
 - (3) No Interference with Surrounding Development. The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.
 - (4) Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.
 - (5) No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.
 - (6) No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss or damage of natural, scenic, or historic features of significant importance.
 - (7) Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this title authorizing such use.
 - (8) Public Benefit. Whether, and to what extent, the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.
 - (9) Mitigation of Adverse Impacts. Whether, and to what extent, all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

- b. Special Standards for Specified Special Uses. Where the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district will not be recommended or granted unless the applicant will establish compliance with such special standards.
6. Conditions; Periodic Review; Term.
- a. Conditions on Special Use Permits. In order to prevent or minimize substantial or undue adverse effects upon neighboring and adjacent properties and improvements, substantial or undue or upon public facilities and services, the plan commission may recommend, and the village board may impose, and expressly include in the ordinance granting a special use permit, conditions and limitations upon the premises benefited by a special use permit. Such conditions, restrictions, and limitations may include, without limitation, the following:
 - (1) limitations and restrictions of the use of the subject property;
 - (2) restrictions on construction activity that will occur on and around the subject property;
 - (3) conditions concerning the character and design of the proposed use and development;
 - (4) the location of the use within the subject property;
 - (5) the provision of landscaping and screening, with specific regarding to design, quantity, quality, size and location;
 - (6) restrictions on the hours of operation of the use;
 - (7) a requirement that the subject property be developed and used in strict accordance with a site plan that is attached to the ordinance granting the special use permit; and
 - (8) any other matters relating to the purposes and objectives of this title.
 - b. Violation of Conditions. Violation of any of the conditions imposed pursuant to subsection 9-6-5-B-6 of this chapter will be a violation of this title and will constitute grounds for revocation of the special use permit.
 - c. Periodic Review. The plan commission may recommend, and the village board may impose, a requirement that the special use permit be publicly reviewed periodically pursuant to and in accordance with such procedures as are set forth in the ordinance granting the special use permit. In every instance, such procedures will provide the applicant with advance notice of, and an opportunity to be heard at, such periodic review.
 - d. Term of Special Use Permit. Because of the unique operational nature, and potential unknown adverse impacts, of certain special uses, the plan commission may recommend, and the village board may impose, a term limitation on the duration of certain special uses. Such term limitation will (a) be set forth in the ordinance granting the special use permit and (b) will be subject to renewal in accordance with subsection 9-6-5-B-11 of this chapter.
7. Affidavit of Compliance with Conditions. Whenever any special use permit granted pursuant to this subsection is made subject to conditions or limitations to be met by the applicant, the applicant will, upon meeting such conditions, file an affidavit with the zoning officer so stating. Such affidavit will be accompanied by a nonrefundable fee, to be fixed in each case by the zoning officer, to recover the village's actual direct cost of an inspection to verify that such conditions and limitations have been met.

8. Effect of Issuance of a Special Use Permit. The granting of a special use permit will not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but will merely authorize the preparation, filing, and processing of applications for any permits or approvals that may be required by the codes and ordinances of the village, including but not limited to, a certificate of zoning compliance, a building permit, a certificate of occupancy and subdivision approval.
 9. Limitations on Special Use Permits. Subject to an extension of time granted by the zoning officer pursuant to subsection 9-6-1-B-12 of this chapter, no special use permit will be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a certificate of occupancy is issued and a use commenced within that period. A special use permit will be deemed to authorize only the particular use for which it was issued, and such permit will automatically expire and cease to be of any force or effect if such use will, for any reason, be discontinued for a period of six consecutive months or more. Except when otherwise provided in the ordinance granting a special use permit, a special use permit will be deemed to relate to, and be for the benefit of, the current owner or operator of the use or lot in question rather than to the lot itself.
 10. Amendments to Special Use Permits. A special use permit may be amended, varied, or altered only pursuant to the procedures and subject to the standards and limitations provided in this subsection 9-6-5-B for its original approval.
 11. Renewal of Special Use Permits. The village board may, in accordance with the procedures and standards set out in this subsection 9-6-5-B-11, consider requests for renewal of special use permits that have been term limited pursuant to subsection 9-6-5-B-6-d. An application for the renewal of a special use permit must be filed by the party to whom a special use permit was granted, or a permitted successor thereto or assignee thereof, and must be filed prior to the date on which the term of the special use permit is scheduled to expire. The village board may consider such request at a public hearing following notice pursuant to subsection 9-6-2-E of this chapter. The village board may, but will have no obligation to, seek the recommendation of the plan commission prior to such consideration. In the event that the party requesting a renewal demonstrates, to the satisfaction of the village board, that the standards and circumstances under which the special use permit was originally approved have not materially changed, then the village board will, by ordinance duly adopted, renew the special use permit for the same period of time for which the special use permit was first valid. In the event that the village board determines that the standards and circumstances under which the special use permit was originally approved have materially changed, the village board will have no obligation to renew the special use permit, or may do so with additional conditions.
- C. Planned Unit Developments.
1. Authority. The village board may, in accordance with the procedures and standards set out in this section, and by ordinance duly adopted, grant special use permits authorizing the development of planned developments, but only in the districts where such developments are listed as an authorized special use.
 2. Purpose. Planned developments are included in this title as a distinct category of special use. As such, they are authorized for the same general purposes as all other special uses. The planned development is intended to allow the relaxation of otherwise applicable substantive requirements of this title based upon procedural protections providing for detailed review of individual proposals for significant developments. This special regulatory

approach is included in this title in recognition of the fact that traditional regulations, which may be useful in protecting the character of substantially developed and stable areas, may impose inappropriate regulations and rigidities upon the development or redevelopment of parcels or areas that lend themselves to an individual, planned approach.

Through the flexibility of the planned development technique, the village seeks to achieve the following specific objectives:

- a. Creation of a more desirable environment than would be possible through strict application of other village land use regulations.
 - b. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities.
 - c. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation, and geologic features, and the prevention of soil erosion.
 - d. Combination and coordination of architectural styles, building forms, and building relationships.
 - e. Provision for the preservation and beneficial use of open space.
 - f. An increase in the amount of open space over that which would result from the application of conventional subdivision and zoning regulations.
 - g. Encouragement of land uses that promote the public health, safety, and general welfare.
3. Parties Entitled to Seek Planned Development Approval. An application for special use for a planned development may be filed by the owner of, or any person having a contractual interest in, the subject property.
 4. Procedure.
 - a. Informal Review: To initiate the planned development process for developments greater than five acres, the owner or developer will meet with village staff for an informal review of the potential development, its compliance with the village's Comprehensive Plan and development ordinances, appropriateness for the site and surrounding areas, the approval process, and related matters. The owner or developer of proposed planned developments of five acres or less may request an optional informal review. This informal review does not require formal application, fee, or filing of a planned development plan. To make the discussion productive, prospective applicants are advised to provide information describing the land use, property size, and character of the anticipated development.
 - b. Village Board Pre-Application Review: Prior to the applicant filing for planned development consideration for developments greater than five acres, a pre-application review meeting shall be held with the village board as an agenda item of a regularly scheduled meeting. The owner or developer of proposed planned developments of five acres or less may request an optional pre-application review. This meeting is to benefit the applicant and provide insights and understanding as to the village board's overall perspective on how the proposed planned development adheres to the village's Comprehensive Plan, what information will be useful to the village board as part of the formal approval process, and what issues the village board notes merit consideration during the process. This information will allow the applicant to prepare necessary and appropriately detailed information for the development pre-application plan approval. The following materials shall be provided to the village prior to scheduling and conducting the village board pre-application review, as well as other materials that may be required by the zoning officer as needed to provide useful background for the village board:

- (1) General Site Information: Data regarding site conditions, drainage, land and soil characteristics, available community facilities and utilities, existing covenants, and other related information.
 - (2) Sketch Plan: A scaled drawing in sketch form showing the proposed location and extent of the land uses, major streets, lots, environmental areas, stormwater management facilities, and other features as needed to convey the proposed form of development.
 - (3) Property Survey: A property survey and description of the site proposed for development.
 - (4) Proof of Ownership or Interest: Evidence of property ownership or control.
 - (5) Any views expressed in the course of the village board's pre-application review is only advisory and only the individual views of the member expressing them. Nothing said or done in the course of the pre-application review will be deemed to create, or to prejudice, any rights of the applicant or to obligate the plan commission, or any member of it, to recommend approval or denial of any formal application following full consideration as required by this chapter.
- c. Technical Review: A formal meeting to review proposed planned developments greater than five acres will be held with village staff for preliminary consideration of the proposed development in light of the requirements of this title and the village code. The owner or developer of proposed planned developments of five acres or less may request an optional technical review. Materials required prior to scheduling and conducting the technical review, shall be the same as the plan commission pre-application review, as well as other materials that may be required by the zoning officer as needed to provide useful background for the review team.
- d. Development Preliminary Plan:
- (1) Purpose. The development preliminary plan is intended to provide the applicant an opportunity to submit a plan showing the basic scope, character, and nature of the entire proposed planned development without incurring undue cost. The development preliminary plan is the basis on which the required public hearing is held, thus permitting public consideration of the proposal at the earliest possible stage. In order to permit the village and the applicant to proceed with some assurance, approval of the development preliminary plan binds the applicant and the village with respect to the following basic elements of development:
 - (a) categories of uses to be permitted;
 - (b) general location of residential and nonresidential land uses;
 - (c) overall maximum density of residential uses and intensity of nonresidential uses;
 - (d) general architectural style of the proposed development;
 - (e) general location and extent of public and private open space, including recreational amenities;
 - (f) general location of vehicular and pedestrian circulation systems;
 - (g) staging of development; and
 - (h) nature, scope, and extent of public dedications, improvements, or contributions to be provided by the applicant.
 - (2) Application. Subsequent to the technical review, as set forth in subsection 9-6-5-C-4-c of this chapter, but in no event more than six months thereafter, a formal application for approval of a development preliminary plan shall be filed on applications as established by subsection 9-6-2-C and subsections 9-6-2-C-6-j.

- (3) Public Hearing. The zoning officer will provide notice and the plan commission will conduct a public hearing in accordance with subsection 9-6-2-E of this chapter.
- (4) Action by Plan Commission. Within 35 days following the conclusion of the public hearing, the plan commission will transmit to the village board its recommendation, in the form specified by subsection 9-6-1-C-2-d of this chapter that the development preliminary plan either be approved, be approved subject to modifications, or not be approved.

The failure of the plan commission to act within 35 days, or such further time to which the applicant may agree, shall be deemed a recommendation for the approval of the development preliminary plan as submitted.
- (5) Action by Village Board. Within 35 days following the receipt of the recommendation of the plan commission, or its failure to act as above provided, the village board will either deny the application for approval of the development preliminary plan; remand it back to the plan commission for further consideration of specified matter; or shall, by resolution duly adopted, approve the development preliminary plan, with or without modifications and conditions to be accepted by the applicant as a condition of such approval, and refer the matter to the plan commission for processing of the final plan.

The failure of the village board to act within 35 days, or such further time to which the applicant may agree, shall be deemed to be a decision denying approval of the development preliminary plan.
- (6) Coordination with Subdivision Regulations Ordinance. When a subdivision of land subject to the provisions of title 10 of the village code is proposed in connection with a planned development, review of the preliminary plat of the proposed subdivision shall be carried out simultaneously with review of the development preliminary plan.
- (7) Optional Submission of Final Plan. The applicant may, at their option, submit a final plan for the proposed planned development pursuant to the requirements of subsection 9-6-5-C-4-e of this chapter simultaneously with the submission of the development preliminary plan. In such case, the applicant will comply with all provisions of this code applicable to submission of the development preliminary plan and to submission of the final plan. The plan commission and the village board will consider the development preliminary plan and final plan simultaneously and grant or deny final plan approval in accordance with the provisions of subsection 9-6-5-C-4-e of this chapter.

e. Final Plan.

- (1) Purpose. The final plan is intended to particularize, refine, and implement the development preliminary plan and to serve as a complete, thorough, and permanent public record of the planned development and the manner in which it is to be developed.
- (2) Application. Subsequent to approval of the development preliminary plan, but in no event later than 12-months after approval of the development preliminary plan, the applicant shall file an application for final plan approval in accordance with the requirements of subsection 9-6-2-C-6-k of this title. The application shall refine, implement, and be in substantial conformity with the approved development preliminary plan.

- (3) Public Meeting. The zoning officer will provide notice and the plan commission will conduct a public meeting in accordance with subsection 9-6-2-E-2.
- (4) Coordination with Subdivision Ordinance. When a subdivision of land subject to title 10 of the village code is proposed in connection with a planned development, review of the final plat of the proposed subdivision shall be carried out simultaneously with review of the final plan.
- (5) Phasing of Final Plan Approval. An application for final plan approval may include the entire area included in the approved development preliminary plan or one or more phases, stages, or units thereof; provided, however, that the following matters must be addressed and provide in the first phase, stage, or unit submitted for final plan approval:
 - (a) all public improvements required or proposed for the entire area included in the approved development preliminary plan.
 - (b) all open space required or proposed for the entire area included in the approved development preliminary plan.
 - (c) all land dedications required or proposed for the entire area included in the approved development preliminary plan.
 - (d) the payment of all fees required by this title and other titles of the village code.
- (6) Action by Plan Commission.
 - (a) Evaluation. Within 60 days following the filing of an application for approval of a final plan, the plan commission will with such aid and advice of such village staff and consultants as may be appropriate, review and act on the plan. This review will consider:
 - i. whether the final plan is in substantial conformity with the approved development preliminary plan;
 - ii. the merit or lack of merit of any departure of the final plan from substantial conformity with the approved development preliminary plan;
 - iii. whether the final plan complies with any and all conditions imposed by the approval of the development preliminary plan; and
 - iv. whether the final plan complies with the provisions of this title and all other applicable federal, state, and village codes, ordinances, and regulations.
 - (b) Approval Based on Substantial Conformity. If the plan commission finds substantial conformity between the final plan and the approved development preliminary plan and further finds the final plan to be in all other respects complete and in compliance with any and all conditions imposed by approval of the development preliminary plan and with the provisions of this title and all other applicable federal, state, and village codes, ordinances, and regulations, it shall transmit the plan to the village board with its recommendation, in the form specified in subsection 9-6-1-C-2-d of this chapter, that the village board approve the final plan, with or without modifications and conditions to be accepted by the applicant as a condition of approval.
 - (c) Recommendation of Denial. In any case where the plan commission finds that the final plan is not in substantial conformity with the approved

development preliminary plan and does not merit approval, or in any case where it requires modifications of a plan that are not accepted by the applicant, the plan commission will transmit the plan to the village board together with its recommendation and specific reasons in support of its recommendation, in the form specified in subsection 9-6-1-C-2-d of this chapter, that the final plan not be approved.

- (d) Failure to Act. The failure of the plan commission to act within the 60-day period specified in subsection 9-6-5-C-4-e-6-a of this section, or such further time to which the applicant may agree, will be deemed to be a recommendation to the village board to approve the final plan as submitted.
- (7) Action by Village Board. Within 60 days following the receipt of the recommendation of the plan commission, or its failure to act as above provided, the village board shall take action in accordance with the following paragraphs:
- (a) Approval Based on Substantial Conformity. If the plan commission has recommended approval of a final plan pursuant to subsection 9-6-5-C-4-e-6-b of this chapter, the village board will, unless it specifically rejects one or more of the findings of the plan commission on the basis of expressly stated reasons, approve the final plan by a duly adopted ordinance.
 - (b) Approval Notwithstanding Plan Commission Recommendation of Denial. If the plan commission has recommended denial of a final plan pursuant to subsection 9-6-5-C-4-e-6-c of this chapter, the village board may, if it finds that the final plan merits approval and otherwise conforms to the requirements of this title, approve the final plan by a duly adopted ordinance.
 - (c) Referral Back to Planning and Zoning Commission. In any case other than that specified in 9-6-5-C-4-e-6-c, the village board may refer the final plan back to the plan commission for further consideration of specified matters.
 - (d) Conditions on Final Plan Approval. The approval of any final plan may, in addition, be granted by the village board, with or without modifications and conditions to be accepted by the applicant as a condition of approval.
 - (e) Failure to Act. The failure of the village board to act within 60-days, or such further time to which the applicant may agree, will be deemed to be a decision denying final plan approval.
- (8) Recording of Final Plan. When a final plan is approved, the village clerk will cause the final plan, or the portions thereof as are appropriate, to be recorded with the County Recorder of Deeds where the property is situated, at the applicant's expense.
- (9) Limitation on Final Plan Approval. Construction must commence in accordance with the approved final plan within one year after the final plan approval, or within such shorter time as may be established by the approved development schedule. Failure to commence construction within this period will, unless an extension of time has been granted by the village board pursuant to subsection 9-6-1-B-12 of this chapter, automatically render void the final plan approval and all approvals of the planned development and all permits based on such approvals, and the village board will, without further direction, initiate an appropriate application to revoke the special use permit for all portions of the planned development that have not yet been completed. The special use permit

will be revoked by ordinance duly adopted by the village board, and the village clerk will cause the ordinance, or the portions thereof as are appropriate, to be recorded with the in the County Recorder of Deeds where the property is situated, at the expense of the owner or operator of the uses or lots in question.

(10) Building and Other Permits. Upon final plan approval, but not before, appropriate officials of the village may, upon proper application by the applicant, issue building and other permits to the applicant for the development, construction, and other work in the area encompassed by the approved final plan; provided however, that no permit will be issued unless the appropriate official is first satisfied that the requirements of any codes, ordinances, rule, or regulation of the village, in addition to this title, that are applicable to the permit sought have been satisfied.

Building permits may, however, be withheld at the discretion of the village board or appropriate village official at any time it is determined that the development of the planned development is not proceeding in strict compliance with the approved final plan.

5. Standards for Planned Developments.

- a. Special Use Permit Standards. No special use permit for a planned development will be recommended or granted pursuant to this section unless the applicant establishes that the proposed planned development will meet each of the standards made applicable to special uses pursuant to subsection 9-6-5-B-5.
- b. Additional Standards for All Planned Developments. No special use permit for a planned development will be recommended or granted unless the applicant establishes that the proposed planned development will meet each of the following additional standards:
 - (1) Unified Ownership Required. The entire property proposed for planned development treatment is in single ownership or under unified control to ensure that the entire property will be developed as a unified whole. All owners of the property will be included as joint applicants on all applications and all approvals will bind all owners. The violation of any owner as to any tract will be deemed a violation as to all owners and all tracts.
 - (2) Minimum Area. Unless a specific standard is set, the applicant will have the burden of establishing that the property is of sufficient size and shape to be planned and developed as a unified whole capable of meeting the objectives for which planned developments may be established pursuant to this section.
 - (3) Covenants and Restrictions to be Enforceable by Village. All covenants, deed restrictions, easements, and similar restrictions to be recorded in connection with the planned development will provide that they may not be modified, removed, or released without the express consent of the village board and that they may be enforced by the village as well as by future landowners within the proposed planned development.
 - (4) Public Open Space and Contributions. Whenever the comprehensive plan or official map indicates that development of a planned development will create a need for land for public purposes of the village within the proposed planned development, the village board may require that such area be designated and to the extent such need is specifically and uniquely attributable to the proposed planned development, dedicated to the village for such use. In addition, the village board may require evidence that all requirements of village ordinances

pertaining to the dedication of land or the contribution of cash in connection with subdivisions or developments of land have been met as respects the proposed planned development.

(5) Common Open Space.

- (a) Amount, Location, and Use. The failure of a planned development to provide common open space shall be considered to be an indication that it has not satisfied the objectives for which planned developments may be approved pursuant to this section. When common open space is provided in a planned development, the amount and location of open space will be consistent with its intended function as set forth in the application and planned development plans. No open space will be used for the construction of any structure or improvement except such structures and improvements as may be approved in the final plan as appropriate to the intended leisure and recreational uses for which the open space is intended.
- (b) Preservation. Adequate safeguards, including recorded covenants or dedication of development rights, will be provided to prevent the subsequent use of common open space for any use, structure, improvement, or development other than that shown on the approved final plan. The restrictions must be permanent and not for a given period of years, and must run with the land.
- (c) Ownership and Maintenance. The final plan will include such provisions for the ownership and maintenance of open space and improvements as are reasonably necessary to ensure their continuity, care, conservation, maintenance, and operation in accordance with predetermined standards and to ensure that remedial measures will be available to the village if such open space or improvements are permitted to deteriorate or are not maintained in a condition consistent with the best interests of the planned development or the village.
- (d) Property Owners' Association. When the requirements of subsection 9-6-5-C-5-b-5-c of this chapter are to be satisfied by the ownership or maintenance of such open space or improvements by a property owners' association, the association must meet each of the following standards:
 - i. The by-laws and rules of the association and all declarations, covenants, and restrictions to be recorded must be approved as part of the final plan prior to becoming effective. Each document will provide that it will not be amended in any manner that would result in it being in violation of the requirements of this subparagraph.
 - ii. The association must be established and all covenants and restrictions recorded prior to the sale of any property within the area of the planned development designated to have the exclusive use of the proposed open space or improvements.
 - iii. The association must be responsible for casualty and liability insurance, taxes, and the maintenance of the open space and improvements to be deeded to it.
 - iv. Membership in the association must be mandatory for each property owner, and any successive owner, having a right to the use or enjoyment of such open space or improvements.

- v. very property having a right to the use or enjoyment of such open space or improvements must pay its pro rata share of the cost of the association by means of an assessment to be levied by the association that meets the requirements for becoming a lien on the property in accordance with statutes of the State of Illinois.
 - vi. The association must have the right to adjust the assessment to meet changed needs. The membership vote required to authorize such a change shall not be fixed at more than 51 percent of the members voting on the issue.
 - vii. The Village must be given the right to enforce the covenants.
 - viii. The Village must be given the right, after ten days' written notice to the association, to perform any maintenance or repair work that the association has neglected to perform, to assess the membership for such work and to have a lien against the property of any member failing to pay such assessment. For this purpose alone, the Village will have all the rights and powers of the association and its governing body under the agreements and declarations creating the association.
 - ix. The association may not be dissolved without notice to the zoning official and consent of the village board.
- (6) Landscaping and Perimeter Treatment. Any area of a planned development not used for structures or circulation elements shall be landscaped or otherwise improved. The perimeter of the planned development shall be treated so as to ensure compatibility with surrounding uses by means such as provision of compatible uses and structures; setbacks; screening; or natural or manmade buffers. Every planned development shall provide a perimeter landscaped open space along each of its boundaries; each such open space shall have a minimum depth equal to the minimum applicable yard required in the district in which it is located.
- (7) Private Streets. Private streets may be permitted in a planned development provided that:
- (a) the streets are treated as public streets and rights of way for purposes of all setbacks, yards, and calculations under this title;
 - (b) said streets shall be owned and maintained by a property owners' association meeting the requirements set forth in subsection 9-6-5-C-5-b-5-d of this chapter; and
 - (c) a covenant shall be recorded against the property acknowledging that the village will at no time be under any obligation to provide maintenance for or accept dedication of the streets.
- (8) Utilities. All utility lines shall be installed underground.
- (9) Additional Standards for Specific Planned Developments. Where the district regulations authorizing any planned development use in a particular district impose additional standards to be met by a planned development in that district, a special use permit for such development will not be recommended or granted unless the applicant establishes compliance with these additional standards.
6. Conditions on Planned Development Approvals. The approval of either a development preliminary plan or a final plan may be conditioned on such matters as the approving body

may find necessary to prevent or minimize any possible adverse effects of the proposed planned development; or to ensure its compatibility with surrounding uses and development and its consistency with the general purposes, goals, and objectives of this title, title 10 of the village code, and the comprehensive plan. Such conditions shall be expressly set forth in the ordinance or resolution granting the approval in question. Violation of any such condition or limitation shall be a violation of this title and shall constitute grounds for revocation of all approvals granted for the planned development.

7. Affidavit of Compliance with Conditions; Fee. Whenever any planned development approval granted pursuant to this section is made subject to conditions or limitations to be met by the applicant, the applicant will, upon meeting such conditions, file an unconditional agreement and consent with the village clerk acknowledging and agreeing to these conditions and limitations. The unconditional agreement and consent will be accompanied by a nonrefundable fee, to be fixed in each case by the village board, to recover the village's actual direct cost of an inspection to verify that such conditions and limitations have been met.
8. Regulation During and Following Completion of Development. Following final plan approval, in the event of an express conflict between the provisions of the final plan and this title, the final plan will control. This title will control in all other instances.
9. Inspections During Development.
 - a. Inspections by Village Board. Following approval of the final plan of a planned development, or any stage thereof, the village board will, at least annually until the completion of development, review all permits issued and construction undertaken and compare actual development with the approved plans for development and with the approved development schedule.
 - b. Action by Village Board. If the village board finds that development is not proceeding in accordance with the approved schedule, or that it fails in any other respect to comply with the final plan, the village board will immediately notify the owner or applicant of such fact and may, if necessary to protect the public health, safety, or welfare or to prevent further violation of this title and the final plan, issue an order stopping any and all work on the planned development until such time as any noncompliance is cured.
 - c. Action by Village Board. Within 60-days following notification by the village board, the village board will either:
 - (1) take such steps as it deems necessary to compel compliance with the final plan;
or
 - (2) require the owner or applicant to seek an amendment to the final plan as provided in subsection 9-6-5-C-10-a of this chapter.
10. Amendments to Final Plan During Development
 - a. Minor Amendment. During the development of a planned development, the zoning officer may authorize minor amendments to the final plan when such amendments appear necessary in light of the technical or engineering considerations first discovered during actual development. Such minor amendments will be consistent with the intent and purpose of this title and the final plan as approved, will be the minimum necessary to overcome the particular difficulty and shall not be approved if they would result in a violation of any standard or requirement of this title. Such minor amendments will be limited to the following:
 - (1) altering the location of any one structure or group of structures by not more than five-feet or one-fourth of the distance shown on the approved final plan between such structure or structures and any other structure or any vehicular circulation element or any boundary of the planned development, whichever is less;

- (2) altering the location of any circulation element by not more than five feet or one-fourth of the distance shown on the approved final plan between such circulation element and any structure, whichever is less;
 - (3) altering the location of any open space by not more than 20-feet;
 - (4) altering any final grade by not more than 10% of the originally planned grade; and
 - (5) altering the location or type of landscaping elements;
 - (6) altering the location of aboveground service facilities;
 - (7) changes to building facades;
 - (8) the installation of emergency warning sirens;
 - (9) alterations to, or the installation of, fencing;
 - (10) the installation of private generators, compressors, condensers, storage tanks, and similar equipment;
 - (11) alterations to approved landscaping plans;
 - (12) alterations to approved signage;
 - (13) installation of or alterations to refuse disposal areas, rooftop mechanicals, traffic control gates, security guard shelters, and sidewalks; and
 - (14) an alteration in the approved development schedule or phasing plan.
- b. Major Amendment. Any changes to the final plan not authorized by subsection 9-6-5-C - 10-a will be considered to a major amendment and will be granted only upon application to and approval by, the village board. The village board may, by ordinance duly adopted, grant approval for a major change without a hearing upon finding that any changes in the final plan as approved will be in substantial conformity with said final plan. If the village board determines that a major change is not in substantial conformity with the final plan as approved, then the village board may refer the request to the plan commission for further hearing, review, and recommendation.
11. Amendments to Final Plan Following Completion of Development. After completion of a planned development, an approved final plan may be amended, varied, or altered only pursuant to the procedures and subject to the standards and limitations provided in this section for approval of the planned development.

9-6-6: Site Plan Review

A. Authority. Except in the cases of uses and developments requiring a special use permit pursuant to the provisions in this title, the zoning officer may, as a matter of original jurisdiction and in accordance with the procedures and standards set out in this section 9-6-6, grant site plan approval to uses and developments requiring such approval pursuant to subsection 9-6-6-C-1. In case of uses and developments requiring a special use permit pursuant to subsection 9-6-5-B or Section 9-6-5-C of this chapter, and in cases of appeal from a denial of approval by the zoning officer, the plan commission or village board may grant site plan approval in accordance with the procedures and standards set out in this section.

B. Purpose. The site plan review process recognizes that even those uses and developments that have been determined to be generally suitable for location in a particular district are capable of adversely affecting the purposes for which this title was enacted unless careful consideration is given to critical design elements. It is the purpose of this section to provide a vehicle for the review of the developer's attention to such elements.

C. Site Plan Review Required.

- 1. Zoning officer review. Site plan review by the zoning officer in accordance with this section will be required in connection with the following developments:
 - a. any multiple-family residential development located in the village;

- b. any non-residential development located in the village; and
 - c. any development containing a use identified in this title as requiring site plan review.
2. Plan Commission Review. Site plan review by the Plan Commission in accordance with this section will be required in connection with the following developments:
- a. Any proposed structure within the ORI or M-1 zoning districts that is 150,000 square-feet or greater and either abuts a residentially zoned property or is located across a road or unimproved right-of-way from a residentially zoned property;
- b. Any site plan review by the plan commission may be sought in any case of a denial of site plan approval by the zoning officer.
- D. Parties Entitled to Seek Site Plan Approval. Application for site plan review may be filed by the owner of, or any person having a contractual interest in, the subject property.
- E. Procedure.
- 1. Zoning officer approvals.
 - a. Application. Applications for site plan approval by the zoning officer will be filed in accordance with the requirements of subsection 9-6-2-C-6-l of this chapter.
 - b. Action by zoning officer. Within 30 days following receipt by the zoning officer of a properly completed application, the zoning officer will cause such application and the attached site plan to be reviewed, in terms of the standards established by subsection 9-6-6-F of this subsection. The zoning officer will then either:
 - (1) approve the site plan as submitted;
 - (2) on the basis of written findings in accordance with subsection 9-6-6-F below, approve it subject to specific modification; or
 - (3) on the basis of such written findings, deny approval of the site plan.
 - c. Zoning officer decision. Immediately upon concluding review, the zoning officer will return one copy of the site plan to the applicant marked to show either approval, approval subject to modification, which modification will be clearly and permanently marked on such plans, or denial of approval. The zoning officer will maintain a similarly marked set of such plans in the zoning officer's files for any further processing that may be required.
 - d. Failure to act. The failure of the zoning officer to act within said 30 days, or such further time to which the applicant may agree, will be deemed to be a decision approving the site plan as submitted.
 - e. Effect of zoning officer's action.
 - (1) The action of the zoning officer in approving a site plan or in approving a site plan subject to modifications that are acceptable to the applicant will constitute a final administrative action and will not be subject to further review by, or appeal to, any village board or commission.
 - (2) The action of the zoning officer in denying an application for site plan approval or in approving a site plan subject to modifications that are not acceptable to the applicant (which action the applicant may treat as a denial) will not be considered final action by the village but will only be authorization for the applicant to seek approval of the site plan from the plan commission by way of the appeal procedure set forth below.
 - f. Appeals. Within 45 days following a denial of site plan approval by the zoning officer, the applicant may seek approval of the site plan by filing an application for appeal to the plan commission in accordance with the requirements of subsection 9-6-2-C-6-d of this chapter; provided that any such appeal will be processed in accordance with the provisions of subsection 9-6-6-E-2- below.
 - 2. Appellate jurisdiction.

- a. Application. Applications for site plan approval by the plan commission under its appellate jurisdiction must be filed in accordance with the requirements of subsection 9-6-2-C-6-d of this chapter. In cases where review is sought by way of an appeal of a denial of site plan approval by the zoning officer, the application for appeal must be filed within 45 days following such denial.
 - b. Action by zoning officer in appeal cases. Upon receipt of a properly completed application for an appeal of a denial of site plan approval by the zoning officer, the zoning officer will forthwith transmit to the plan commission the application for appeal, the original application for site plan approval, all papers constituting the record upon which the zoning officer's denial was based and a copy of the zoning officer's decision denying the application for site plan approval.
 - c. Public meeting. The zoning officer will provide notice and the plan commission will conduct a public meeting in accordance with subsection 9-6-2-E of this chapter.
 - d. Action by plan commission.
 - (1) Within 35 days following the conclusion of the public meeting, the plan commission will, either approve the site plan and design as submitted, make modifications acceptable to the applicant and approve such modified site plan or approve or disapprove it in the manner hereinafter specified.
 - (2) The failure of the plan commission to act within 35 days, or such further time to which the applicant may agree, will be deemed to be a decision denying site plan approval.
 - (3) The action of the plan commission in denying an application for site plan and design approval or in approving a site plan subject to modifications that are not acceptable to the applicant (which action the applicant may treat as a denial) will not be considered final action by the village but will only be authorization for the applicant to seek approval of the site plan from the village board by way of the appeal procedure set forth below.
 - e. Right to final appeal. Within 45 days following denial of site plan approval by the plan commission, the applicant may seek approval of the site plan by filing an application for appeal to the village board consistent with the applicable requirements of subsection 9-6-2-C-6-d of this chapter. Within 35 days of receiving a properly prepared and filed notice of appeal, including, without limitation, all documents provided to the plan commission, the village board shall, without further hearing, affirm, reverse, or modify the decision of the plan commission. The failure of the village board to act within 35 days shall be deemed to be a final decision of the village denying the appeal and affirming the decision of the plan commission. The decision of the village board shall in all instances be considered a final decision.
- F. Standards for site plan disapproval.
- 1. Standards. The zoning officer, plan commission, and the village board will not disapprove a site plan submitted pursuant to this section except on the basis of specific written findings directed to one or more of the following standards:
 - a. The application is incomplete in specified particulars or contains or reveals violations of this title or other applicable regulations that the applicant has, after written request, failed or refused to supply or correct.
 - b. The application is submitted in connection with another application, the approval of which is a condition precedent to the necessity for site plan review, and the applicant has failed to secure approval of that application.

- c. The site plan fails to adequately meet specified standards required by this title with respect to the proposed use or development, including special use standards, where applicable.
 - d. The proposed site plan or design interferes with easements or rights-of-way.
 - e. The proposed site plan or design is unreasonably injurious or detrimental to the use and enjoyment of surrounding property.
 - f. The proposed site plan or design creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan or design unreasonably create hazards to safety on or off site or disjointed or inefficient pedestrian or vehicular circulation path on or off site.
 - g. The screening of the site does not provide adequate shielding from or for nearby uses.
 - h. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned drainage system serving the village.
 - i. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate site utilities into the overall existing and planned utility systems serving the village.
 - j. The proposed site plan or design does not provide for required public uses designated on the official map.
 - k. The proposed site plan or design otherwise adversely affects the public health, safety, or general welfare.
2. Alternative approaches. In citing any of the foregoing standards, other than those of subsections 9-6-6-F-1-a and 9-6-6-F-1-b, as the basis for disapproving a site plan, the zoning officer, plan commission, or the village board may suggest alternative site plan approaches that could be developed to avoid the specified deficiency or may state the reasons why such deficiency cannot be avoided consistent with the applicant's objectives.
- G. Effect of site plan approval.
- 1. Approval of a site plan will not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but will merely authorize the preparation, filing, and processing of applications for any permits or approvals that may be required by the codes and ordinances of the village, including, without limitation, a certificate of zoning compliance, a building permit, a certificate of occupancy, and subdivision approval.
 - 2. A copy of every approved site plan will be filed with the zoning officer and the development of the site will be in substantial conformity with such approved and filed plan.
- H. Limitations on site plan approval. Subject to an extension of time granted by the zoning officer pursuant to subsection 9-6-1-B-12 of this chapter, no site plan approval will be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a certificate of occupancy is issued and a use commenced within that period.
- I. Amendments to site plan or design during development.
- 1. Site plans approved by the zoning officer. During the development of the site, the zoning officer will have authority to authorize any amendments to a site plan approved by the zoning officer that the zoning officer could have authorized in the course of the zoning officer's original review.
 - 2. Site plans approved by the plan commission or village board.
 - a. Minor amendments. During the development of the site, the zoning officer may authorize minor amendments to a site plan or design approved by the plan commission or village

board under their appellate jurisdiction when such amendments appear necessary in light of technical or engineering considerations first discovered during actual development. Such minor amendments will be consistent with the intent and purpose of this title and the site plan as approved, will be the minimum necessary to overcome the particular difficulty and will not be approved if they would result in a violation of any standard or requirement of this title. Such minor amendments will be limited to the following:

- (1) Altering the location of any one structure or group of structures by not more than five feet or one-fourth of the distance shown on the approved site plan between such structure or structures and any other structure or any vehicular circulation element or any boundary of the site plan, whichever is less.
- (2) Altering the location of any circulation element by not more than five feet or one-fourth of the distance shown on the approved site plan between such circulation element and any structure, whichever is less.
- (3) Altering the location of any open space by not more than 20 feet.
- (4) Altering any final grade by not more than ten percent of the originally planned grade.
- (5) Altering the location or type of landscaping elements.

- b. Major amendments. Any amendment to a site plan approved by the plan commission or village board under their appellate jurisdiction that is not authorized by subsection 9-6-6-1-2-a above will be considered a major amendment and will be granted only upon application to and approval by the plan commission or village board. The village board may, by ordinance duly adopted, grant approval for major amendment without referral to the plan commission upon finding that any changes in the site plan as approved will be in substantial conformity with said plan.

J. Amendments to site plan following completion of development. After a site is developed in accordance with an approved site plan, the approved site plan may be amended, varied, or altered in the same manner and subject to the same limitations as provided for the original approval of site plans.

9-6-7: Enforcement and Penalties

A. General Enforcement Authority and Duty. Upon finding the existence of any violation of this title, the village board and the zoning officer shall have the authority and duty to take or direct all actions necessary or appropriate to punish and abate such violation.

B. Stop and Cease-and-Desist Orders. Upon finding the existence of any violation of this title, the zoning officer shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it; specifically, the zoning officer shall order the discontinuance of any illegal use of land or structures; the removal of illegal structures, additions or alterations; and the discontinuance of illegal work being done.

C. Legal Actions. In the enforcement of this title, the village board shall exercise all the powers authorized by the statutes of the State of Illinois and the codes and ordinances of this village to ensure compliance with, or to prevent or abate any violation of, the provisions of this title, and in particular, shall, where necessary or appropriate, institute or cause to be instituted by the village attorney in the name of the village any and all actions, legal or equitable, including appeals, that may be required for the enforcement of this title.

D. Abatement; Liens. The village board may order any work necessary to abate any violation of this title and shall assess the cost of such work to the property owner. Upon the failure of the owner to pay such cost, the zoning officer shall file a lien for such costs, and for all costs of collection, against the property in question where authorized by state statute.

E. Revocation of Permits. The violation of any provision of this title, or of any permit or approval granted pursuant to it, or of any condition imposed pursuant to it shall be grounds for the revocation of any rezoning, permit, variation, or approval granted pursuant to this title and affecting the property involved in the violation. The zoning officer may recommend, and the village board may order such revocation; provided, however, where the original rezoning permit, variation, or approval was granted following a public hearing required pursuant to this title, the revocation shall be preceded by a similar hearing.

F. Fines. In the enforcement of this title, the zoning officer shall, where necessary and appropriate, order the issuance and enforcement of citations to recover fines and penalties for the violation of this title as authorized by state law and the village code.

CHAPTER 7: OFF STREET PARKING AND LOADING

SECTION:

- 9-7-1: General Parking and Loading Regulations
- 9-7-2: Design and Construction of Parking and Loading Facilities
- 9-7-3: Maintenance of Parking and Loading Facilities
- 9-7-4: General Parking Regulations
- 9-7-5: Schedule of Parking Requirements
- 9-7-6: Loading Regulations and Requirements
- 9-7-7: Traffic Control Gates

9-7-1: General Parking and Loading Regulations

- A. Purpose: The purpose of this Chapter is to provide for the safe and efficient parking of vehicles in Woodridge. This will support needs of residents' convenience and advance economic development in the Village by meeting the parking needs of business uses. Effective parking regulations also provide the benefits of mitigating congestion of the public streets and promoting the safety and welfare of the public.
- B. Applicability: The off street parking and loading provisions in this Chapter shall apply as follows:
 - 1. For all structures erected, use of structures, or uses of land established after the effective date of this Title, accessory parking and loading facilities shall be provided as required by the regulations of the zoning district in which such buildings or uses are located.
 - 2. Any parking or loading facility constructed shall meet the requirements of the Title.
 - 3. Increased Intensity of Existing Use or Structure:
 - a. When the use of any building, structure or premises is increased or expanded through the addition of dwelling units, gross floor area, increased intensity of use, or other units of measurement specified in this Chapter for required parking or loading facilities, additional parking and loading facilities shall be provided for that increase in intensity as required in this Chapter.
 - b. When such building, structure or premises was lawfully established prior to the effective date of this Title, additional parking or loading facilities shall not be required unless and until the activity increases the additional required parking requirement by fifteen percent (15%) or more, as measured by the requirements existing prior to the effective date of this Title. If the requirement exceeds fifteen percent (15%), parking or loading facilities as required by this Chapter shall be provided.
 - 4. Existing accessory off street parking or loading facilities shall not be reduced below the requirements of this Title. If the parking provided is already less than required, the amount of parking shall not be reduced further.
 - 5. Damage or Destruction:
 - a. Any conforming structure damaged by fire, collapse, explosion or other cause, that is reestablished by repair or reconstruction, shall be provided with accessory off street parking and loading facilities equivalent to, at least, that amount of parking and loading facilities that existed at the time of such damage.

- b. In the event such structure is damaged or destroyed beyond fifty percent (50%) of its replacement value, sufficient off-street parking and loading facilities shall be provided as required by this Chapter as if the facility were newly built.
- c. Any nonconforming structure damaged by fire, collapse, explosion or other cause, that is reestablished by repair or reconstruction, shall be provided with accessory off street parking and loading facilities as required by this Chapter as if the facility were newly built.

9-7-2: Design and Construction of Parking and Loading Facilities

The design and construction of off street parking and loading areas shall conform to the standards contained in this Chapter and other relevant sections of the Village Code.

- A. Submission of Site Plan: Any application for a building permit or for a certificate of occupancy where no building permit is required shall include a fully dimensioned site plan drawn to a scale as specified by the Zoning Officer.
- B. Site Plan Requirements. Any parking site plan submitted as required by this Section shall indicate:
 - 1. Location of any parking or loading facilities,
 - 2. driveways, to be provided in compliance with the provisions of this Title and Village Code,
 - 3. ingress and egress to the area,
 - 4. traffic patterns on adjacent street,
 - 5. a landscape plan; and
 - 6. additional information may be required by the Zoning Officer. NOTE: The Zoning Officer may waive required site plan submittal elements that they find unnecessary to complete a full review of the site plan.
- C. Preparation of Plans: All plans provided in conjunction with the construction of accessory off street parking and loading required by this Chapter shall be prepared by an Illinois registered professional engineer, registered architect, or landscape architect.
- D. Size and Geometrics: The size and configuration of off street parking facilities shall be in accordance with the standards as shown on Table 1 of this Section.

E. Driveway and Drive Aisle Standards. Driveway and drive aisle configuration and type of construction shall be in accordance with Table 2 of this Section.

F. Pavement Standards: Type of construction for parking lots shall be in accordance with the Standards and Specifications Manual [needs reference location].

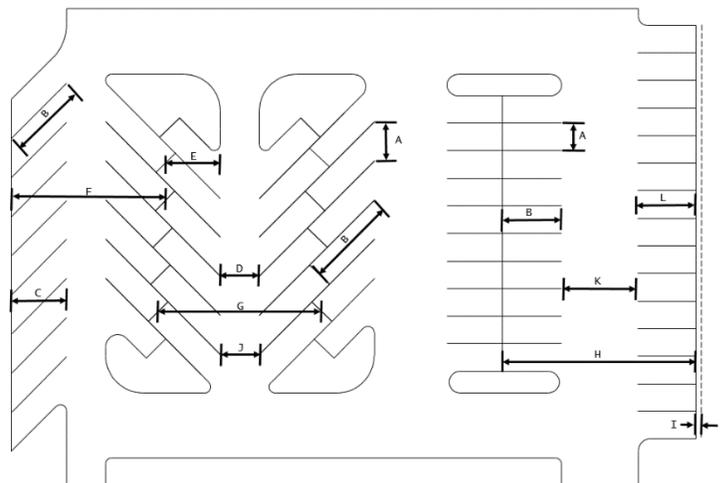


Table 1: Parking Layout Dimensions

	Degree Of Angle of Space to Drive Aisle	45° (in feet)	60° (in feet)	90 ° (in feet)
A.	Stall width, parallel to drive aisle	12.7	10.4	9.0
B.	Stall length of line	27.0	23.2	18.0
C.	Stall depth to wall	19.1	20.1	18.0
D.	Drive aisle width (between stall lines)	13.0	18.0	24.0
E.	Stall depth, interlock	15.9	17.8	18.0
F.	Module, wall to interlock (C+D+E)	48.0	55.9	60.0
G.	Module, interlocking (D+2E)	44.8	53.6	60.0
H.	Module, interlock to curb face (D+E+L)	46.6	54.2	58.0
I.	Bumper overhang (measured 90 degrees to curb)	1.4	1.7	2.0
J.	One-way drive aisle	13.0	18.0	24.0
K.	Two-way drive aisle	24.0	24.0	24.0
L.	Stall depth to curb (C-I)	17.7	18.4	16.0

Table 1 Notes:

- 1) Parking lots shall be bordered with IDOT type B6:12 curb and gutter.
- 2) Parking spaces located in parking structures and parking spaces designated for employee use only may be not less than 8 1/2 feet wide for 90 degree parking.
- 3) If a 2 foot bumper overhang is to be utilized, the parking space length may be reduced to 16 feet for 90 degree parking.
- 4) Parallel parking stalls shall measure 10 feet by 23 feet with a 12 foot drive aisle.

Table 2: Two Way Driveway Dimensions

TABLE NO. 2 TWO-WAY DRIVEWAY DIMENSIONS ¹						
Type Of Development	Width On Private Property at Street Right-Of-Way Lines		Width Measured at Street Curb Line		Curb ² Required	Minimum Ingress and Egress Curb Radius
	Minimum	Maximum	Minimum	Maximum		
Single-unit residential uses	10 ft.	22 ft. or 30% of lot width (up to 30 ft.) whichever is greater ⁴	16 ft.	28 ft. or 30% of lot width plus 6 ft. (up to 36 ft.) whichever is greater ⁴	No	n/a
Multi-unit residential uses and nonresidential uses	24 ft.	35 ft.	n/a		Yes	25 ft.

Table 2 Notes:

- 1) One-way driveway is permitted having a minimum width of 15 feet and minimum inside turning radius of 25 feet. One-way driveway shall increase to 22 feet at the back of street curbs.
- 2) Curb shall be IDOT type B6:12 curb and gutter.
- 3) Drive-through vehicle reservoir/stacking lanes shall have a minimum width of 10 feet.
- 4) Notwithstanding any provision contained herein to the contrary, existing driveways constructed prior to May 8, 1986, which are not in conformance with the driveway dimensions for single-family residential uses as set forth in the table above, may be repaired or reconstructed to a width which is no greater than the width of the existing driveway, or 30 feet at the right-of-way and 36 feet at the street curb, whichever is less.
- 5) The minimum width of a driveway at any point shall not be less than 10 feet for a single-family residential use.

TABLE 3: Minimum Pavement Construction Requirements

TABLE NO. 3 MINIMUM PAVEMENT CONSTRUCTION REQUIREMENTS				
Type Of Development	Parkway Flexible	Rigid	Private Property Flexible	Rigid
Residentially zoned districts containing 4 or less units	3" bituminous concrete 8" crushed stone	6" Portland cement concrete 3" crushed stone	2" bituminous concrete 8" crushed stone	5" Portland cement concrete 3" crushed stone
Residentially zoned districts containing more than 4 units	3" bituminous concrete 8" crushed stone	6" Portland cement concrete 3" crushed stone	3" bituminous concrete 8" crushed stone	6" Portland cement concrete 3" crushed stone
Business, office and light industrial zoned districts	3" bituminous concrete 10" crushed stone	7" Portland cement concrete 3" crushed stone	3" bituminous concrete 10" crushed stone	8" Portland cement concrete 3" crushed stone
Manufacturing	3" bituminous concrete 10" crushed stone	8" Portland cement concrete 3" crushed stone	3" bituminous concrete 10" crushed stone	8" Portland cement concrete 3" crushed stone

Table 3 Notes:

- 1) 2 inch bituminous concrete shall be surface course class I.
- 2) 3 inch bituminous concrete shall be 2 inches of binder coarse and 1 inch surface coarse class I.
- 3) Crushed stone shall be CA-6 grade compacted in not more than 4 inch thick layer.
- 4) Reserved.
- 5) Brick pavers may be used for driveway surfaces in lieu of Portland cement or bituminous asphalt materials in accordance with the following design standards:
- 6) Brick paver depth = 8 centimeters.
Base = 1 inch sand and 8 inches crushed stone.

G. Access:

1. Each required off street parking space shall open directly to a drive aisle as specified in Table 1 and as may be required by Title 10: Subdivisions of the Village Code.
2. All off street parking facilities shall be designed with safe, efficient, and appropriate means of vehicular access to a dedicated street and be designed in such a manner as will least interfere with the movement of traffic.
3. Every parking space located adjacent to a pedestrian doorway shall provide adequate distance from the edge of any parking space or vehicle overhang to the outside of a pedestrian doorway.

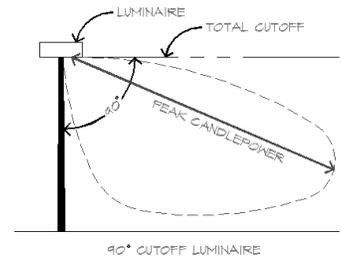
H. Drainage:

1. All off street parking areas constructed for the purposes of parking five (5) or more vehicles shall be drained utilizing underground storm sewers, barrier curb and gutter and other necessary appurtenances.

2. The design of all storm sewer facilities and curb and gutter shall comply with the village standards found in Title 10: Subdivisions of the Village Code.
3. All storm water detention shall be accomplished in accordance with Article L: Stormwater Management Regulations of the Village Code.

I. Slopes: For all parking lots, drive aisles and driveways, whether constructed on public parkways or private property, the minimum and maximum allowable vertical slopes shall be one percent (1%) and five percent (5%) respectively, excluding single-family homes which may have a maximum allowable vertical slope for driveways of eight percent (8%) and parking deck ramps, which may have a maximum allowable vertical slope of twelve percent (12%).

J. Lighting. All illumination in parking and loading facilities shall be directed or shielded away from residential properties and public streets such that the light source is not visible from the property line. Lighting associated with parking and loading facilities shall not exceed 1 foot candle measured at the property line. No lighting used to illuminate off-street parking and loading facilities shall create a nuisance as defined by the Village Code.



1. All lighting shall be recessed, shielded or cut off fixtures, with a cut off angle of 90 degrees or less as shown below.
2. All lighting system designs shall be part of the Site Plan Review process.

K. Parking Space and Drive Aisle Designation:

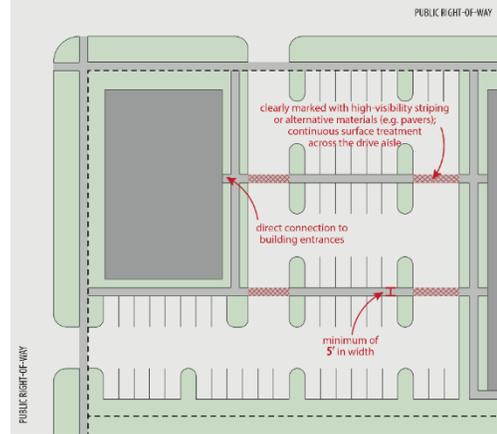
1. Parking spaces shall be designated with a painted stripe to define each parking space and be a minimum of four inches (4") in width for the length of each parking space.
2. The direction of traffic in drive aisles or driveways to and from public rights of way for non-single-unit residential development shall be designated with a painted arrow or other indication of direction as may be approved by the Zoning Officer.

L. Construction Specifications: All work shall be done in accordance with the applicable provisions of the "Standard Specifications for Road and Bridge Construction", adopted by the Illinois department of transportation, October 1, 1979, as may be amended. All bituminous concrete shall consist of bituminous concrete surface class I modified or bituminous concrete binder course class I. All topsoil shall be removed prior to the construction of the pavement. All fill shall consist of granular material or clay and shall be compacted to a density of at least ninety five percent (95%) of the ASTM modified proctor.

M. Safe Pedestrian Access

1. All parking lots with two (2) or more double-loaded rows must provide dedicated pedestrian walkways within the parking area.

2. The walkway must be a minimum of five feet (5') wide.
3. One walkway is required for every two (2) double loaded aisles;
4. The walkway must be located so as to serve the maximum number of parking stalls;
5. All walkways must meet ADA accessibility requirements;
6. All parking lots must include walkways that provide direct connections to building entrances from the spaces furthest from the entrance. At least one walkway must provide a direct connection between the building entrances and the adjacent public rights-of-way and associated sidewalk.
7. All pedestrian walkways must be clearly marked with high-visibility striping or alternative materials as approved by the Zoning Officer as being equally visible and effective at promoting pedestrian safety. Where walkways cross a drive aisle, the walkway must have a continuous surface treatment across the drive aisle.



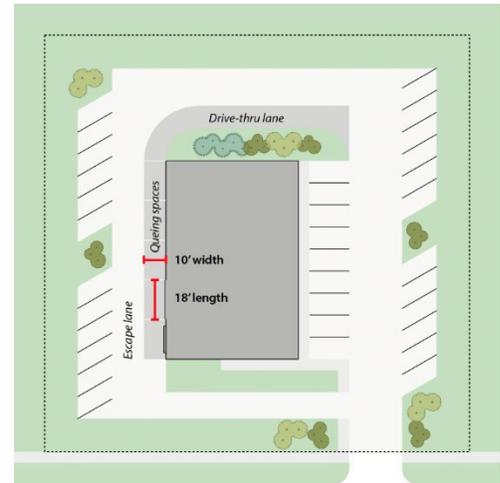
N. Bicycle Parking

1. All nonresidential developments providing automobile parking facilities shall provide bicycle parking facilities (bike racks) at a ratio of at least one (1) bicycle parking space for every ten (10) automobile parking spaces.
2. Multi-family developments shall provide interior bicycle parking facilities for building residents at a ratio of at least one (1) bicycle parking space for every three (3) dwelling units. Such bicycle parking facilities must be provided near the building entrance accessible to the street.
3. No development required to have bicycle parking shall have fewer than three (3) bicycle parking spaces or be required to exceed ten (10) bicycle parking spaces.
4. Required bicycle parking facilities for nonresidential developments shall be located within fifty (50) feet from the building entrance or at least as close as the closest automobile space.
5. The style of bicycle parking facility (bike rack) shall be approved by the Zoning Officer to ensure security and safety of bicyclists, pedestrians, and motorists.

O. Drive Through Facilities and Stacking Spaces: To support safe on-site circulation for drivers and pedestrians, and to minimize potential impact on off-site traffic flow, all drive-through facilities and other land uses that require stacking of vehicles, whether new or added to existing structures, shall meet the requirements of this section and the Village Code.

1. Required Number of Stacking Spaces:

- a. Food Service Establishments: Five (5) spaces at and prior to an order board, and three (3) additional spaces after the ordering position, which may include the space at the delivery window. Two (2) additional stacking spaces should be provided for every additional order screen. If there are no order screens, just three (3) spaces must be provided.
- b. Financial Institutions (teller or automated services lanes): three (3) spaces per lane, which may include the space at the service window or machine.
- c. Car Wash Automated – principal use: Ten (10) spaces approaching the wash structure, five (5) spaces post washing to allow for drying.
- d. Car Wash Automated – accessory use: Five (5) spaces approaching the wash structure.
- e. Car Wash Manual – Two (2) spaces approaching each wash bay.



2. Design of Drive Through Facilities and Stacking Spaces:

- a. Vehicle access to and from stacking lanes shall not interfere with use of on-site parking or impact safe pedestrian travel on a site.
- b. Stacking lanes shall be a minimum of ten feet (10') in width and nineteen feet (19') in length.
- c. Drive-throughs shall be designed with a "escape lane", or comparable alternative, that allows drivers to exit the site or to opt out of the drive through lane without having to remain in the drive-through lane.
- d. Access to and from stacking lanes shall be readily identified with means such as signs, pavement markings and or curbing.
- e. Stacking lanes within 25 feet (25') of a residential use or residential zoning district shall provide visual screening and sound attenuation as defined through the site plan review and special use processes.
- f. Drive-through ordering boards, intercoms and related appurtenances shall not be located between the principal structure and the front lot line of the property.
- g. Drive-through stacking lanes located between the principal structure and the front lot line of the property shall be screened to mitigate views from the right of way.

P. Joint Parking Facilities: Off street parking spaces required for any building or use may be located off the premises served, but not across an arterial street, only when combined into a joint parking facility serving two (2) or more separate buildings or uses. Joint parking facilities may be privately or publicly owned. The nearest point of a joint parking facility shall lie within four hundred feet (400') of the nearest point of the premises served. The plan commission may recommend to the mayor and village board the total amount of parking spaces required for all buildings and uses to be served by such joint parking facility.

The applicant shall provide such evidence as is acceptable to the village's legal counsel evidencing the applicant's right to utilize any joint parking facility.

Application for the approval of a joint parking facility shall be made to the plan commission. Joint parking facilities may only be permitted upon the recommendation of the plan commission and approval of the village board.

9-7-3: Maintenance of Parking and Loading Facilities

- A. Shared Parking in all districts except ORI and RBC.
 - 1. Shared Parking on Multiple Properties: Shared parking allows for off-street parking requirements to be satisfied by sharing parking spaces between two or more nonresidential properties or uses on a single property with different peak-hour parking demands sharing parking spaces to satisfy parking requirements. The Zoning Officer may approve shared parking under the following conditions:
 - a. Eligible Uses. Shared parking is allowed among different use types or among uses with different hours of operation. Only those properties having and able to maintain parking in excess of minimum parking requirements may participate in shared parking arrangements.
 - b. Ineligible Uses. Accessible parking spaces (for persons with disabilities) may not be shared and must be located on-site.
 - c. Location. Shared parking spaces shall be located within 750 feet of the primary entrance of all uses served, unless shuttle bus service is provided to the parking lot.
 - d. Shared Parking Study. Applicants wishing to use shared parking as a means of satisfying parking requirements shall submit a shared parking analysis to the Zoning Officer to demonstrate shared parking feasibility. The analysis shall indicate the size and type of the proposed or existing development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic for all uses that will be sharing parking spaces.
 - e. Agreement. Applicants shall provide a shared parking agreement in a form approved by the Village attorney and executed by the parties establishing the shared parking spaces and the Village of Woodridge. Shared parking privileges will continue in effect only while the agreement remains in force. Should the agreement end for any reason, parking must be provided as otherwise required within this Article. Shared parking agreements shall be recorded for all properties involved in the agreement with Recorder of Deeds of the County in which the properties are located.
 - 2. Shared Parking on a Single Property except in ORI and RBC. Cumulative parking requirements for properties with multiple occupancies in nonresidential zoning districts may be reduced where it can be determined that the peak requirement of the multiple occupancies occur at different times during the day. For a shared parking arrangement, the Zoning Officer may make an administrative adjustment that reduces the off-street parking requirements for each participating commercial property. To approve such an administrative adjustment, the Zoning Officer shall find:
 - a. Convenient, safe, accessible and visible pedestrian connections are located between the facilities and all of the shared properties.

- b. The shared parking spaces are located within 750 feet walking distance of each of the uses, as measured from the entrance of each use to the nearest shared parking space.
 - c. The commercial properties do not have the same hours of operation, for example:
 - (1) Business 1: Monday to Friday: open 9:00 a.m. to 5:30 p.m., closed Saturday, Sunday.
 - (2) Business 2: Monday to Saturday: open 11:00 a.m. to 7:00 p.m., closed Sunday.
 - d. Applicants have provided a shared parking agreement in a form approved by the Village attorney and executed by the parties establishing the shared parking spaces
3. Shared Parking regulations in the RBC and ORI Districts:
- a. In the ORI zoning district, when two (2) or more uses are located on the same lot or within the same building, parking areas equal in number to the sums of the separate requirements for each such use shall be provided. No parking space or portion thereof shall serve as a required space for more than one use unless combined into a Joint Parking Facility. In mixed use developments, uses with different peak hour demand may share the same parking spaces. A reduction of up to twenty-five percent (25%) of the total required parking for the individual uses may be allowed for a shared use situation. The petitioners must complete and submit to the plan commission an analysis and substantial projection of peak hour parking demand for the entire development to justify the sharing of parking spaces for separate uses. Such reduction with respect to mixed uses shall only be permitted upon recommendation of the plan commission and approval of the village board.
 - b. For ORI lots in the zoning district with more than one use, a reduction of up to thirty percent (30%) of the total required parking spaces for individual uses is allowed if shared access to such spaces is demonstrated by easement or covenant of record, and the village zoning officer approves of such reduction. The area required to accommodate the number of parking spaces required without the reduction shall be reserved as open space. If, at any point, the village zoning officer determines that those spaces are necessary, the property owner is required to develop those parking spaces.
 - c. In the RBC zoning district, when two (2) or more uses are located on the same lot or within the same building, parking areas equal in number to the sums of the separate requirements for each such use shall be provided. No parking space or portion thereof shall serve as a required space for more than one use unless combined into a Joint Parking Facility. In mixed use developments, uses with different peak hour demand may share the same parking spaces. A reduction of up to twenty-five percent (25%) of the total required parking for the individual uses may be allowed for a shared use situation. The petitioners must complete and submit to the plan commission an analysis and substantial projection of peak hour parking demand for the entire development to justify the sharing of parking spaces for separate uses. Such reduction with respect to mixed uses shall only be permitted upon recommendation of the plan commission and approval of the village board.
 - d. For RBC Zoning Lots with more than one use, a reduction of up to thirty percent (30%) of the total required parking spaces for individual uses is allowed if shared access to such spaces is demonstrated by easement or covenant of record, and the village zoning officer approves of such reduction. The area required to accommodate the number of parking spaces required without the reduction shall be reserved as open space. If, at any point, the village zoning officer determines that those spaces are necessary, the property owner is required to develop those parking spaces.

4. Joint Parking Facilities: Off street parking spaces required for any building or use may be located off the premises served, but not across an arterial street when combined into a joint parking facility serving two (2) or more separate buildings or uses. Joint parking facilities may be privately or publicly owned. The nearest point of a joint parking facility shall lie within four hundred feet (400') of the nearest point of the premises served. The plan commission may recommend to the mayor and village board the total amount of parking spaces required for all buildings and uses to be served by such joint parking facility.

The applicant shall provide such evidence as is acceptable to the village's legal counsel evidencing the applicant's right to utilize any joint parking facility.

Application for the approval of a joint parking facility shall be made to the plan commission. Joint parking facilities may only be permitted upon the recommendation of the plan commission and approval of the village board.

B. Landbanked Parking:

1. Landbanked Parking Authorized: The Woodridge Board of Trustees may authorize to be landbanked up to fifty percent (50%) of the off street parking spaces required for uses in the RBC, ORI, and M-1 zoning districts and up to twenty- five percent (25%) of the off street parking spaces required for uses in the A-1, A-2, B-1, B-2 or B-3 zoning districts. Landbanked parking spaces shall be left as lawn or a landscaped area which can readily be converted into parking facilities. Landbanked parking areas shall not count toward the minimum landscaped area required on the site.
2. Landbanked Parking Calculations: The calculation of maximum landbanked parking which may be permitted shall be as follows:
 - a. All Buildings: The calculation of landbanked parking shall be based on the parking table and the use(s) proposed for the site. Prior to the issuance of any building permits, the applicant shall provide in writing to the Zoning Officer the total square footage of the use(s) for the site.
 - b. Speculative Buildings: The calculation of landbanked parking for buildings without identified tenants at the time of construction shall be estimated. Prior to the issuance of any building permit, the applicant shall provide the Zoning Official a detailed estimate of parking requirements for the site, for which the Village may allow reduced parking and a landbanked area to be provided. Prior to the issuance of an interior building permit, the tenant shall submit information, such as a parking study, as to the highest expected number of employees and guests for the proposed use that may be on the property at one time so the landbanked parking can be reevaluated. This calculation shall consider peak hours of operation and shift changes.
3. Landbanked Parking Plans Required: At the time of Site Plan Review for the property in question, the required plans shall indicate the proposed landbanked parking area. A preliminary design for providing parking on the landbanked area shall be provided as part of that submittal to indicate that all required parking can later be constructed on the landbanked area in a safe and logical manner.

4. Landbanked Parking Agreement: The applicant shall provide the Village a landbanked parking agreement, in a form approved by the Village Attorney. Once approved by the Village Board of Trustees, the agreement shall be recorded with the Recorder of Deeds of the County in which the property is located.
 5. Termination of Landbanked Parking: As shall be stated in the landbanked parking agreement, the landbanked parking shall be terminated when either:
 - a. The owner of the property with an approved landbanked parking agreement chooses to construct parking on the landbanked parking area. Such parking area shall be constructed in keeping all requirements for off street parking contained in this Title and the Village Code.
 - b. The property owner is notified by the Zoning Officer that they are required to construct some or all of the required parking. Permit plans for such construction shall be provided to the Village within 30 days and construction completed within 30 days of issuing a permit during construction season. The Zoning Officer may use the following events to determine if the landbanked parking should be constructed:
 - (1) Upon inspection and determination that utilization of constructed parking spaces has averaged more than ninety percent (90%) of the parking spaces provided (exclusive of handicapped spaces), and/or that overflow parking on streets, lawns or adjacent lots resulted on two (2) or more occasions within any one-year time period after the issuance of a final certificate of occupancy for the property in question; or
 - (2) The building(s) or use(s) upon the property in question is (are) changed or expanded and the Zoning Officer, upon review and reconsideration of the parking demand, determines that some or all of the landbanked parking spaces are required to meet the new predicted parking demand for the property in question. Additional required spaces (over and above the number of spaces landbanked) and/or a new landbanked parking agreement may be required by the expansion or change in use.
- C. Cross Access Easements: Where parking lots for separate and compatible commercial, industrial, or multi-unit residential uses are adjacent to one another and the opportunity for connected cross-access exists, such access is encouraged. Cross-access should be done in a logical manner that results in safe and efficient circulation between adjacent parking facilities.
- D. Accessible Parking
1. ADA Compliance. All Off-Street Parking Areas must comply with the State of Illinois Accessibility Code and the Americans with Disabilities Act of 1990 (ADA) concerning the number and design of accessible vehicle parking spaces required in parking lots and structures.
 2. Required Spaces. Parking spaces for persons with disabilities shall be provided in all off-street Parking Areas where parking is provided for employees, visitors or both, with the exception of single family detached and townhomes uses. The number of accessible parking spaces shall be included in the total number of required parking spaces and shall be in accordance with the applicable requirements of the Illinois Accessibility Code, as amended from time to time, and all additional governing codes and applicable laws.
 3. Dimensions and Design. Such spaces shall comply with the design standards presented in the State of Illinois Accessibility Code, provided that in no instance shall the width of any one (1) space be less than sixteen (16) feet, nor the length less than twenty (20) feet. Such spaces shall be identified by a sign and pavement markings indicating parking for persons with disabilities

only. Such spaces shall be the spaces closest to the entrance of the building or structure, and shall be connected by a paved surface designed to provide safe and easy access. Such spaces shall otherwise be in accordance with the Illinois Vehicle Code.

4. Table 3: Accessible Parking Space Requirements (Source: www.IllinoisAttorneyGeneral.gov)

Table 3: Accessible Parking Spaces	
Total Off-Street Parking Spaces Provided	# of Accessible Parking Spaces Required
1 to 25*	1*
26 to 50*	2*
51 to 75*	3*
76 to 100*	4*
101 to 150*	5*
151 to 200*	6*
201 to 300*	7*
301 to 400*	8*
401 to 500*	9*
501 to 1,000*	2% of Total Number*
Over 1,000*	20 plus 1 for each 100 over 1,000*
Rehab facilities and outpatient physical therapy	20% of total number of parking spaces*
Outpatient hospital facilities	10% of total number*

* Any update to State of Illinois or National regulations regarding Accessible Parking shall supersede these requirements.

E. Maintenance Requirements: The owner and/or occupant of business, commercial, office, research, industrial uses or multiple-family uses of six (6) dwelling units or greater shall be responsible for the maintenance of all driveways and parking and loading facilities serving such use, including such portions located in public rights of way. All pavement that represents a hazard to vehicular or pedestrian travel shall be repaired.

1. The Village shall notify the property owner and/or occupant of any violations of this Subsection requiring repair. Such notification shall indicate the nature of the hazard and an amount of time given to correct same. Time to comply shall not exceed a maximum of thirty (30) days during the construction season. Upon receipt of said notice, the property owner and/or occupant shall notify the zoning officer in writing of plans for corrective action. The property owner and/or occupant shall identify the areas of pavement to be removed and replaced by marking with painted lines or arrows. An inspection may be performed by the Zoning Officer of areas to be replaced prior to the repairs being initiated, if indicated on the violation notice described here.
2. Hazards shall be defined as including, but not limited to, one or more of the following:
 - a. A pothole three inches (3") or more in depth covering one square yard or more in area. Potholes must be repaired within the time frame indicated on the notice of violation. During winter months a temporary patch must be provided and maintained until permanent repairs can be performed. Materials used for cold patching must be approved by the zoning officer.
 - b. A rut two inches (2") or more in depth.
 - c. A fault with a one inch (1") or greater difference in elevation.
 - d. A crack one-half inch (1/2") or greater in width.
 - e. Settlement or sinking one inch (1") or greater in depth.
 - f. Disintegration covering a one square yard or greater area or any other condition that is determined by the zoning officer to be a hazard.

9-7-4: General Parking Regulations

- A. Residential Boundary Line: Trucks having a capacity of twelve thousand (12,000) pounds gross vehicle weight or greater used in conjunction with the operation of any use permitted in nonresidential zoning districts shall not be parked or stored outdoors within one hundred fifty feet (150') of a residential zoning district boundary line between eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M.
- B. Commercial Vehicles: Where permitted, all commercial vehicles shall be parked completely within the striped lines designating the approved parking space. Trucks and trailers shall be parked only within docks, striped loading areas, or such spaces specifically striped and designated as truck parking on an approved site plan.
- C. Parking and Storage of Commercial and Recreational Vehicles:
 - 1. In Residential Zoning Districts:
 - a. Commercial vehicles bearing a designation of class B under provisions of paragraph 5/3-815 of the Illinois Compiled Statutes shall be permitted to be parked, provided that they meet the applicable parking and storage provisions contained elsewhere in this title.
 - b. The outdoor storage or parking of any vehicles requiring a State of Illinois vehicle license other than a class B (except recreational vehicles), any vehicle in excess of eight thousand (8,000) pounds as regulated by the State of Illinois, or buses designed for more than sixteen (16) occupants, is prohibited within all residential zoning districts. However, this requirement shall not apply to vehicles engaged in relocations, deliveries, repairs, construction, maintenance, or service calls between the hours of seven o'clock (7:00) A.M. and nine o'clock (9:00) P.M.
 - c. Outdoor storage or parking of commercial vehicles used to transport individuals for hire (taxicab, limousine, or other type of similar vehicle) shall be limited to one such vehicle per property at any time. This limitation shall not apply to or include personal vehicles used to transport individuals for hire (such as Uber or Lyft). Commercial vehicles used to transport people for hire and a vehicle having a class B state vehicle license or greater may not be stored or parked on a property at the same time.
 - d. Off street parking shall not be located in any front yard, except that off street parking accessory to single-unit or multiple-unit dwelling may be located on any driveway serving such dwellings, unless otherwise prohibited by this Code.
 - e. Off street parking shall not be located in any side or rear yards; except, that off street parking accessory to single-unit and multiple-unit dwellings may be located in an enclosed garage or on any driveway serving such dwellings, unless otherwise provided by this Code.
 - f. Parking of Recreational Vehicles
 - (1) Only one of the following: a) one (1) recreational vehicle, b) one boat, c) two off road vehicles or personal watercraft on a trailer, or d) one trailer, may be parked or stored in any required interior side or rear yard on a lot used for single-family purposes. At no time may any of these vehicles be occupied.
 - (2) No recreational vehicle, boat, off road vehicle or personal watercraft on a trailer, or trailer may be parked or stored:
 - (a) in any required front or exterior side yard;
 - (b) between the principal structure and the front lot line; or
 - (c) between the principal structure and any exterior side lot line.

- (3) No recreational vehicle, boat, off road vehicle or personal watercraft, or trailer parked (inclusive of its load), stored or located on any single-family residential lot may exceed nine feet (9') in height (measured from the underside of the tire to the top of the vehicle or load) or exceed twenty feet (20') in length.
 - (4) Notwithstanding the other requirements of this subsection, the Zoning Officer may grant a permit allowing the temporary parking or storage of one recreational vehicle or boat that exceeds the size limitations set forth in this subsection. Such permit may be issued provided that the vehicle is parked on the driveway of a lot used for a single-unit dwelling, is parked there for a period not to exceed ten (10) days in any consecutive thirty (30) day period.
2. In Business and Industrial Zoning Districts:
- a. Off street storage of commercial vehicles shall not be located in any front yard.
 - b. Off street storage of commercial vehicles shall only be located in side or rear yards, and is subject to screening requirements as provided for in this Title.
 - c. In the ORI and RBC zoning districts, a commercial vehicle shall be considered to be "stored" if it remains on a parcel for more than seventy-two (72) consecutive hours.
 - d. In the B-1, B-2, B-3 zoning districts, the following standards shall apply:
 - (1) Commercial vehicles having a capacity of less than twelve thousand (12,000) pounds gross vehicle weight used in conjunction with the operation of any permitted use may only be parked and/or stored on the property where the use permitted is located.
 - (2) Commercial vehicles having a capacity of twelve thousand (12,000) pounds gross vehicle weight or greater shall not be stored, parked, or otherwise permitted to stand in any business zoning district unless engaged in loading/unloading operations, unless otherwise regulated in this Title.

9-7-5: Schedule of Parking Requirements: The number of accessory off-street parking spaces provided for all properties shall be based on the standards set in this section.

- 1. Computation:
 - a. Parking requirements calculated on square footage, shall be based Net Floor Area (NFA) as defined in this Title.
 - b. When the required number of off street parking spaces results in a fractional space, any fraction of one-half (1/2) or less may be disregarded while a fraction greater than one-half (1/2) shall be counted as one parking space.
- 2. Uses Not Listed in Table 4: For uses not listed in Table 4 Schedule of Parking Requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, as determined by the Zoning Officer.

Table 4: Off Street Parking Requirements

LAND USE	PARKING REQUIRED
Residential and Dwelling Uses	
Dwelling, detached and attached single-unit	2 spaces per dwelling unit – Not less than one required space in a completely enclosed building
Dwelling, multiple-unit, community residence	1.5 spaces per dwelling unit – Not less than one required space in a completely enclosed building
Skilled Care Facility	.75 spaces per dwelling unit
Recreational Uses	
Country Club	1 per 3 persons of capacity
Golf Courses	40 spaces per each nine holes, plus additional parking spaces as applicable to any accessory retail, service, office, or banquet area
Indoor Recreation Facilities	1 per 3 seats, game stations, or other unit so determined by the Zoning Administrator, plus parking as required in this Section for restaurants or other accessory uses
Outdoor Recreation Facilities, Public and Private	1 space per 3 persons of design capacity
Government / Cultural / Public Uses	
Cultural Facilities	One parking space for each five hundred (500) square feet of net floor area
Places of Worship	1 per 3 persons of design capacity
Government Buildings and Facilities	3.3 spaces per 1,000 square feet NFA
Schools - Public and private (elementary, junior high and senior high)	0.4 spaces per total students, faculty and staff at capacity

LAND USE	PARKING REQUIRED
Convention Centers	1 parking space for each two hundred (200) square feet of net floor area or one parking space for each three (3) seats based on design capacity, whichever is greater
Colleges and universities (Public and private)	As determined by the Zoning Officer or Village Board for an SUP
Misc. Uses	
Adult Business Uses	4 spaces per 1,000 square feet NFA
Auditoriums	1 per 3 persons of design capacity
Botanical Gardens	1 per 3 persons of design capacity
Health Treatment Centers	5 spaces per 1,000 square feet NFA
Hospitals	1 space per bed + 4 spaces per 1,000 square feet NFA of administrative office plus additional spaces as required per labs, clinics, or other accessory use.
Business and Technical Schools	One parking space for each two (2) employees, plus one parking space for each four (4) students based on rated design capacity
Cemetery	2.5 spaces per 1,000 square feet NFA of office area plus 1 per 3 person capacity in chapel areas
Training Studio	One parking space for each two (2) employees, plus one parking space for each four (4) students based on rated design capacity
Commercial and Service Uses	
Animal Hospitals	4.5 per 1000 square feet NFA
Automobile Service Stations	4 parking space 1,000 square feet NFA of total retail space plus spaces required per this Section for restaurants or other accessory spaces. Half the number of gas pumps may be counted as parking spaces.
Automobile and Truck Rentals	4 spaces per 1,000 square feet NFA plus one space for each fleet vehicle
Bakery / Coffee Shop / Sweets	10 spaces per 1,000 square feet NFA with eat in option / 4 spaces per 1,000 square feet NFA if retail only
Banks and Financial Institutions	2.5 spaces per 1,000 square feet NFA

LAND USE	PARKING REQUIRED
Banquet Halls	1 per 3 persons of capacity
Beer or Wine Bar	10 spaces per 1,000 square feet NFA
Boat Sales & Repair	4 per 1000 square feet NFA of office space and sales area
Brew Pub	10 spaces per 1,000 square feet NFA
Business and Professional Offices	For buildings with less than fifty thousand (50,000) square feet of net floor area, four (4) parking spaces for each one thousand (1,000) square feet of net floor area, for buildings with fifty thousand (50,000) square feet or more of net floor area, three and three-tenths (3.3) parking spaces for each one thousand (1,000) square feet of net floor area
Business Services	4 spaces per 1,000 square feet NFA
Cannabis Dispensary	4 per 1000 square feet NFA
Car and Truck Washes	2.5 per 1,000 square feet NFA of office / retail area plus 3 per individual wash bay
Catering Establishments	2.5 spaces per 1,000 square feet NFA
Childcare Centers	2.5 per 1,000 square feet NFA
Contractor Services	4 spaces per 1,000 square feet NFA of office plus one space for each fleet vehicle
Currency Exchanges	3.3 spaces per 1,000 square feet NFA
Equipment Rental	3 spaces per 1,000 square feet NFA
Funeral Homes	2.5 spaces per 1,000 square feet NFA of office area plus 1 per 3 person capacity in chapel areas
Greenhouse	2.5 spaces per 1,000 square feet NFA of indoor sales area plus 1.5 spaces per 1,000 square feet of outdoor sales areas
Health Club (Large)	5 per 1,000 square feet NFA
Health Club (small)	4 per 1,000 square feet NFA

LAND USE	PARKING REQUIRED
Hotels / Motels	1 space per guestroom plus spaces required per this Section for any banquet, office, meeting, or other accessory spaces
Hotel, extended stay	1 space per guestroom plus spaces required per this Section for any banquet, office, meeting, or other accessory spaces
Indoor Retail Sales	4 per 1,000 square feet NFA
Kennel	3 per 1,000 square feet NFA
Medical Offices	4.5 per 1,000 square feet NFA
Motor Vehicle Repair	4 per service bay plus 2.5 per 1,000 square feet NFA of office
Motor Vehicle Storage	4 per 1,000 square feet NFA of office space
New/Used Vehicle Sales	One parking space for each three hundred (300) square feet of net floor area
Personal Service	4 spaces per 1,000 square feet NFA
Pet Care Services	3.3 spaces per 1,000 square feet NFA
Restaurants	10 spaces per 1,000 square feet NFA
Smoke Shops	3.3 spaces per 1,000 square feet NFA
Tattoo Parlors	3.3 spaces per 1,000 square feet NFA
Industrial Uses	
Cannabis Production	2 spaces per 1,000 square feet NFA (office area calculated at 4 spaces per 1,000 square feet)
Cargo container facilities	One parking space per employee, but not less than six (6) spaces, plus one parking space per five hundred (500) square feet of gross floor area
Cartage and Express Facilities	1 space per 1,000 square feet NFA (office area calculated at 4 spaces per 1,000 square feet)
Computer and data processing facilities	1 space per 1,000 square feet NFA (office area calculated at 4 spaces per 1,000 square feet)
Laboratory and Testing Facilities	2 spaces per 1,000 square feet NFA

LAND USE	PARKING REQUIRED
Manufacturing	2 spaces per 1000 square feet NFA (office area calculated at 4 spaces per 1,000 square feet)
Microbrewery	2 spaces per 1,000 NFA square feet (office area calculated at 4 spaces per 1000 square feet)
Microdistillery	2 spaces per 1,000 square feet NFA (office area calculated at 4 spaces per 1000 square feet)
Microwinery	2 spaces per 1,000 square feet NFA (office area calculated at 4 spaces per 1000 square feet)
Miniwarehouses	0.179 parking space per one thousand (1,000) square feet of net floor area
Recycling Centers	1.5 spaces per 1,000 square feet NFA (office area calculated at 4 spaces per 1,000 square feet)
Public Utility and Public Service Uses	4 per 1000 square feet NFA of office space
Research and Development Facility	2 spaces per 1,000 square feet NFA
Warehousing and Logistics Facilities	1 space per 1,000 square feet NFA (office area calculated at 4 spaces per 1,000 square feet)

9-7-6: Loading Regulations and Requirements:

Off street loading berths shall be required in all zoning districts for uses which may require the receipt or distribution of goods, materials, equipment or merchandise by trucks or similar vehicles. Berths shall be provided in the number and dimensions as indicated in Section 9-7-6-E below.

A. Location:

1. All required loading berths shall be located on the same zoning lot as the use served.
2. No loading berth for vehicles over eight thousand (8,000) pounds' gross vehicular weight shall be closer than fifty feet (50') to any property in a residential district unless completely enclosed by building walls or a uniformly painted solid fence or wall or any combination thereof, not less than six feet (6') in height.
3. No permitted or required loading berth shall be located within twenty-five feet (25') of the nearest point of intersection of any two (2) dedicated streets.
4. In the RBC regional business center district, and the ORI office, research and light industrial district, all loading docks in the fronts of buildings (as indicated on site plans submitted with building permit applications) shall be fully enclosed.
5. Loading docks should not be faced towards residential districts or right-of-way. Where infeasible, the following requirements apply:

- a. Loading facilities should be screened from view by neighboring properties and public rights-of-way with landscaping and a screen wall pending the location of the docks and proximity to, and type of, adjacent use.
- b. Screening will be above and beyond minimum requirements included in the Zoning Code, subject to agreement with Village.

B. Access:

- 1. Each required off street loading berth shall be designed with appropriate means of vehicular access to a street in a manner which will least interfere with traffic movements.
- 2. Loading spaces on lots located on the main thoroughfares shall be so situated as to enable the vehicles to back into the loading dock from areas other than the main thoroughfare.

C. Structural Design: All off street loading berths shall be improved in accordance with the standards established by the Village Code.

D. Repair and Service: No vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any zoning district.

E. Size and Number of Loading Spaces:

- 1. Residence Districts and Business Districts: The minimum number of off street loading spaces necessary to nonresidential uses in residence districts and business districts shall be:

Floor Area Of Building (GFA)		Required Number	Minimum Size	Minimum Vertical Clearance
10,000 -	100,000	1	10' x 25'	12'
Each additional	100,000 (or fraction thereof)	2	10' x 25'	12'
Note: Minimum size shall be exclusive of aisle and maneuvering space.				

- 2. Industrial Districts: The minimum number and size of off street loading spaces accessory to uses in industrial districts shall be in accordance with the following schedules:

Floor Area Of Establishments		Required Number	Minimum Size	Minimum Vertical Clearance
5,000 -	10,000	1	10' x 35'	12'
10,000 -	25,000	2	10' x 35'	12'
25,000 -	40,000	2	12' x 50' ea.	14'
40,000 -	100,000	3	12' x 50' ea.	14'
Each additional	100,000 (or fraction thereof) over 100,000 square feet	1	13' in length	14'

- 3. Office Buildings in RBC and ORI Districts: In the RBC and ORI zoning district, no office building shall be required to have more than two (2) off street loading berths.

9-7-7: Traffic Control Gates:

Traffic control gates shall be permitted in the RBC, ORI, and M-1 zoning districts in accordance with the following regulations:

- a. Traffic control gates shall be permitted only as a means of closing off truck maneuvering, storage and dock areas.
- b. Traffic control gates shall be located no closer to an adjacent street than the facade of the principal building.

CHAPTER 8: LANDSCAPING AND SCREENING

SECTION:

- 9-8-1: Purpose
- 9-8-2: Applicability
- 9-8-3: Tree Preservation Plan and Requirements
- 9-8-4: Landscape Plan and Requirements
- 9-8-5: Landscape Design Standards
- 9-8-6: Transitional Land Use Buffering
- 9-8-7: Landscape and Landscape Area Maintenance
- 9-8-8: Screening Requirements
- 9-8-9: Parking Lot Landscaping
- 9-8-10: Best Management Practices

9-8-1: Purpose

The landscaping, screening, tree preservation and stormwater basin maintenance requirements in this Chapter foster aesthetically pleasing development that will protect and preserve the appearance, character, general health and welfare of the Village. Specifically, these regulations are intended to increase the compatibility of adjacent uses by requiring a buffer or screen between uses. In doing so, the regulations minimize potentially harmful impacts of noise, dust, debris, motor vehicle headlight glare, artificial light intrusions, and other objectionable impacts created by an adjoining or nearby use. These regulations also are intended to enhance property values and provide the following environmental benefits:

- A. Enhance and preserve air quality through filtering of pollutants.
- B. Reduce topsoil erosion through the soil retention effect of tree roots.
- C. Reduce energy consumption through the windbreak, shade and transpiration effects of trees.
- D. Minimize wildlife habitat loss and preserve nesting areas for birds which in turn assist in the control of insects.
- E. Reduce stormwater runoff and associated costs and replenish ground water supplies.

9-8-2: Applicability

- A. Tree Preservation Plan:
 - 1. Tree Preservation Plan Required: A tree preservation plan prepared in accordance with Section 9-8-3 shall be submitted to and approved by the Village in the connection with:
 - a. Any application for approval of a subdivision of land.
 - b. Any application for annexation, rezoning, variation, special use permit, or planned unit development.
 - c. Any building permit application that involves increasing the impervious area of any property by ten percent (10%) or more.
 - d. Any application for a grading permit or utility installation.
 - e. Any activity on undeveloped or underdeveloped land not otherwise addressed above that anticipates or involves the actual or reasonably likely damage or removal of a qualifying tree.
 - 2. Exemptions: A Tree Removal Plan is not required in the following circumstances:
 - a. Lots containing existing single-family detached houses in residentially zoned districts.
 - b. Village owned rights of way.

- c. In cases where the Zoning Officer, based on information provided by the applicant regarding development plans and procedures, determines that removal or damage of a qualifying tree is not expected to occur as a result of the proposed activity.
- 3. Approval:
 - a. In cases where a 1) final subdivision plat, 2) special use permit, 3) or final PUD plan, a tree preservation plan shall be approved by the Village Board as part of those matters.
 - b. Where Village Board approval is not required, the tree preservation plan shall be approved by the Zoning Officer, in keeping with standards set out in this Chapter.

9-8-3: Tree Preservation Plan and Requirements

- A. Contents of Tree Preservation Plans: The tree preservation plans shall include the following information:
 - 1. The name, telephone number and address of applicant, property owner, developer and builder.
 - 2. Delineation of the buildings, structures, or paved surfaces situated thereon and/or contemplated to be built thereon.
 - 3. Delineation of all areas to be graded and limits of land disturbance.
 - 4. A map (tree survey) showing the locations of all existing qualifying trees, each of which shall be keyed to the tree list.
 - 5. A list noting the size, species, and condition of all existing qualifying trees, as defined by the Village Code, within the area to be platted or on the parcel proposed to be developed. Tree condition shall be determined by a certified arborist, forester or landscape architect in keeping with the definitions in Table 1, "Tree Condition Rating Scale" below.
 - 6. Size, species, condition and location of all existing qualifying trees located on adjacent properties whose trunks are located within twenty feet (20') of the subject property line. Tree condition shall be determined by a certified arborist, forester or landscape architect in keeping with the definitions in Table 1, "Tree Condition Rating Scale" below.
 - 7. Identification of all qualifying trees proposed to be removed. These trees shall be identified in both graphic and tabular form.
 - 8. Calculations showing how many replacement trees are required based on Table 2, "Tree Replacement Schedule", of this section.
 - 9. Calculations showing how many replacement trees are proposed.
 - 10. Size, species, and location of all replacement trees proposed to be planted on the property in accordance with Table 2, "Tree Replacement Schedule", of this section.
 - 11. Measures proposed to protect existing trees to be retained, both on the subject property and on neighboring properties within twenty feet (20') of the subject property line, in keeping with Section 9-8-3-B below.
 - 12. Current plat of survey of the property.
 - 13. Signature of the person preparing the plan.
 - 14. A current certificate issued by an International Society of Arboriculture certified arborist, a Society of American Foresters certified forester, or Illinois registered landscape architect stating that the tree preservation plan complies with the provisions of the tree preservation regulations.
 - 15. As determined by the Zoning Officer, additional information that may be needed for complete understanding of the requested tree preservation plan approval shall be provided by the applicant. Further, should the Zoning Officer determine that one or more of the items indicated in this subsection are not relevant to or needed to consider the requested tree preservation

plan approval, the Zoning Officer may waive the requirement to provide any item listed in this Section 9-8-3-A.

- B. Tree Replacement: The number of trees required as replacement for qualifying trees removed shall be as follows:
1. Rating one trees shall be replaced as indicated in Table 2 below.
 2. Rating two trees shall be replaced at half the rate indicated in Table 2 below.
 3. Rating three trees shall be replaced at a rate of one quarter of the rate indicated in Table 2.
 4. No replacement trees shall be required for Rating 4 or Rating 5 trees, as defined in Table 1, "Tree Condition Rating Scale", of this section.
 5. In calculating the total number of replacement trees, sums including a fraction of a replacement tree shall be rounded up to the nearest whole number.
 6. Fee In-Lieu: It may be impractical to plant the required number of replacement trees on the project site due to space limitations or the density of existing trees. Such determination shall be made by the Zoning Officer based on evidence provided by the applicant. If such is found to be the case the Village may allow the payment of a fee in-lieu for each replacement tree not planted on the subject property. Said fee shall be as specified in the Village of Woodridge Fee Schedule. The collected fee in-lieu shall be used to plant trees on public property at the City's discretion.
 7. Replacement trees required in addition to required landscaping.

TABLE 1: Tree Condition Rating Scale

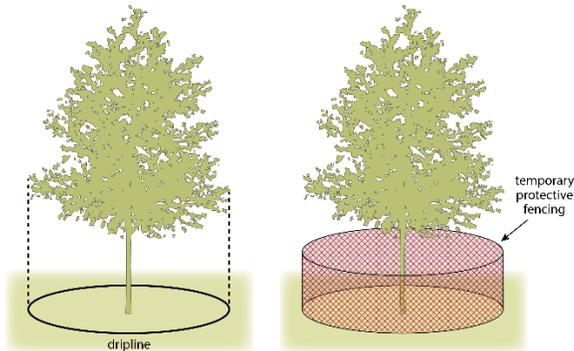
Rating	Description	General Criteria
1	Excellent	The tree is typical of the species, has less than 10 percent deadwood in the crown that is attributable to normal causes, has no other observed problems and requires no remedial action.
2	Good	The tree is typical of the species and/or has less than 30 percent deadwood in the crown, 1 or 2 minor problems that are not imminently lethal to the tree, and no significant decay or structural problems, but the tree may need remedial care above normal care in order to minimize the impact of future stress and to ensure continued health.
3	Fair	The tree is not typical of the species and/or has significant problems such as 30 to 50 percent deadwood in the crown, serious decay or structural defect, insects, disease or other problems that can be imminently lethal to the tree or create a hazardous tree if not corrected in a short period of time or if the tree is subjected to additional stress.
4	Poor	The tree is not typical of the species and/or has over 50 percent deadwood in the crown, major decay or structural problems, is hazardous or is severely involved with insects, disease, or other problems that even if aggressively corrected would not result in the long term survival of the tree.
5	Dead	Less than 10 percent of the tree shows signs of life.

Table 2: Tree Replacement Schedule

Type Of Tree Removed	Size	Number Of Replacement Trees Required
Deciduous (size is DBH)	6 inch up to, but not including, 12 inch	1
	12 inch up to, but not including, 24 inch	2
	24 inch up to, but not including, 36 inch	3
	36 inch up to, but not including, 48 inch	4
	48 inch up to, but not including, 60 inch	5
	60 inch and larger	5 plus 1 additional tree for each 12 inches of diameter
Evergreen (size is height)	12 foot up to, but not including, 24 foot	2
	24 foot and larger	4

- C. Replacement Tree Requirements:
1. All replacement shade trees shall have a minimum caliper of three inches (3").
 2. All replacement coniferous trees shall have a minimum height of 6 feet (6').
 3. Replacement trees may not include any tree included in the definition of a Rating Two through Rating Five in this Code.
 4. A variety of tree species are encouraged to promote a diverse tree canopy and minimize the impact from disease and infestation, thus when twenty (20) or more replacement trees are required no more than twenty percent (20%) of the replacement trees shall be of one species type.
 5. A maximum of twenty percent (20%) of replacement trees may be coniferous trees.
- D. Tree Preservation Priority Areas: The applicant shall preserve as many trees as possible, placing highest priority for preservation upon those trees located in:
1. Wooded wetlands.
 2. Wooded floodplains.
 3. Wooded stream corridors.
 4. Wooded slopes equal to or greater than twenty five percent (25%) slope.
 5. The perimeter of the subject property.
- E. Transplanted Trees: Existing trees less than six inches (6") diameter at breast height (DBH) may be transplanted elsewhere on site and used to satisfy any tree replacement requirements or landscape requirements of this chapter provided they meet the minimum size, species, condition and quality requirements for new and/or replacement trees.
- F. Tree Protection Measures: The protective measures listed below shall be incorporated into all tree preservation plans, and shall be adhered to on site prior to and during construction:
1. A tree protection fence shall be installed prior to the commencement of grading or construction and located so as to protect the critical root zone of all trees designated for preservation in accordance with the approved tree preservation plan. Said fence shall be located no closer to each tree to be preserved than at the outside edge of each tree's dripline.

2. Tree protection fencing shall consist of brightly colored plastic mesh or snow fencing a minimum of forty-eight inches (48") in height. It shall be securely attached to metal fence posts that are driven into the ground and that are spaced no more than eight feet (8') apart.



3. No encroachment, grading, trenching, filling, compaction, waste dumping, concrete washout, change in soil chemistry, or storage of materials, equipment or vehicles shall occur within the fenced areas.
 4. When roots two inches (2") in diameter and greater must be severed, the ends shall be cut cleanly with a saw under the supervision or direction of an arborist certified by the International Society of Arboriculture to prevent the onset of decay. If they are accidentally broken or crushed, the root shall be saw cut above the ragged end. In all cases, the cut roots shall be immediately buried, mulched, or otherwise kept moist to preserve viability.
 5. Tree protection fencing shall remain in place until the completion of construction, as determined by the Zoning Officer.
- G. Amendments To Approved Tree Preservation Plan: Once a tree preservation plan has been approved, the Zoning Officer may authorize deviations if changed facts or circumstances not within the control of the applicant create an undue hardship in complying with the approved plan. The proposed amended tree preservation plan shall be submitted for review and be accompanied by a written statement describing the proposed changes and reasons therefor. No amendment shall be permitted to delete a qualifying tree from preservation that has been damaged or where the provisions of the approved plan have not been followed unless the amendment provides for the addition of required replacement trees to compensate for the damage or loss of said qualifying tree(s).
- H. Maintenance Guarantee: A deposit shall be made to the Village in cash or letter of credit and in a form acceptable to the Village Attorney equal to ten percent (10%) of the estimated cost of the installation and implementation of the tree protection measures and required replacement trees. The deposit shall be a guarantee of survival of the preserved trees and replacement trees and shall be held by the village for a period of two (2) years from the date of acceptance of the last public or private improvement for the development, or if none, of the date of issuance of the final occupancy permit. After such two (2) years, the deposit shall be refunded if no trees have died or are in poor condition, as determined by the Zoning Officer. If trees have died or are in poor condition, then the party that posted the guarantee shall replace them. A portion of the deposit shall continue to be held an additional two (2) years from the date of replacement to guarantee the survival of the replacement trees, the amount to be determined by the Village Engineer. The balance of the original deposit, if any, shall be refunded.
- I. Penalties For Noncompliance with the Tree Preservation Plan:

1. At their discretion, the Village Engineer or the Zoning Officer may issue a stop work order for noncompliance with the tree preservation plan. Stop work orders shall remain in effect until the site is brought into compliance with the tree preservation plan.
2. Fines may be assessed in accordance with Section 1-4-1 of the Village Code for noncompliance with the tree preservation plan. If the offense involves damage to qualifying trees, each damaged tree shall constitute a separate offense. Each day the site is in noncompliance shall constitute a separate offense.
3. Replacements for damaged trees shall be provided at twice the rate indicated in Table 1, "Tree Replacement Schedule", of this section.

9-8-4: Landscape Plan and Requirements

A. Required Landscape Plans

1. A Preliminary Landscape Plan prepared in accordance with Section 9-8-4-A shall be required as a part of preliminary subdivision, concept planned unit development plan and plat review applications.

A Final Landscape Preliminary prepared in accordance with Section 9-8-4-B shall be required as a part of Site Plan Review (Section 9-6-6: Site Plan Review) applications, special use applications, final subdivision plat, final planned unit development, and plan and plat review applications.

B. Required Landscape Plan Content: Preliminary landscape plans shall include:

1. Approximate quantity and location of all plant materials by plant type and location,
2. Approximate height of berming and aesthetic features,
3. Location of landscape yards and parking lot landscaping,
4. Natural features to remain, and
5. Certificate from an Illinois registered landscape architect stating that the preliminary landscape plan complies with the provisions of the landscaping, screening and stormwater maintenance regulations.

C. Final landscape plans shall include the following detailed information:

1. The location and dimensions of all existing and proposed structures, natural features, parking lots and drives, roadways and rights of way, sidewalks, bicycle paths, ground signs, refuse disposal and compactor areas, bicycle parking areas, fences, freestanding electrical equipment, utility easements, tot lots and other recreational facilities, and other adjacent freestanding structure features, as determined necessary by the Zoning Officer.
2. The location, quantity, size, root ball condition (e.g., balled and burlapped or potted) and both scientific and common names of all proposed materials.
3. The location of all proposed berming indicating contours at one foot (1') contours and percent of slope.
4. Specification of the type, boundaries, size and spacing of all proposed ground cover.
5. The designation, location, quantity, size and both botanic and common names of all existing plant materials intended to remain on the site which is to be developed.
6. Elevations of all fences, bridges, retaining walls, or other similar details proposed for location on the site.
7. Elevations, cross sections and other details as determined necessary by the Plan Commission.
8. A title block indicating the preparer, property owner, date, scale, and north arrow.

9. A current certificate issued by an Illinois registered landscape architect stating that the final landscape plan complies with the provisions of the landscaping, screening and stormwater maintenance regulations contained herein.
 10. An inset drawing showing the location, design, screening and elevation details of any trash enclosures.
 11. Irrigation system details or proof of compliance with alternate options described in 9-8-5.A.10.
- D. Exceptions to Landscape Plan Requirements: As determined by the Zoning Officer, additional information that may be needed for complete understanding of the requested landscape plan approval shall be provided by the applicant. Further, should the Zoning Officer determine that one or more of the items indicated in this subsection are not relevant to or needed to consider the requested landscape plan approval, the Zoning Officer may waive the requirement to provide any item listed in Section 9-8-4.B and 9-8-4.C.
- E. Changes to Approved Landscape Plan: Once a landscape plan has been approved and a building permit issued, the Zoning Officer may authorize deviations from the approved landscape plan including but not limited to the substitution of equivalent approved plantings and ground covers. Such deviations and/or substitutions shall be submitted with a revised landscape plan and a statement describing such changes. Any such changes shall require the written approval of the Zoning Officer upon their finding that the requested changes are of equal or greater aesthetic quality as the original plan.

9-8-5: Landscape Design Standards

The following landscape design standards shall apply for all non-single – family residential development in the Village of Woodridge.

- A. General Design Guidelines for all Plantings: As part of reviewing planting plans related to zoning requests and Site Plan Review (Section 9-6-6: Site Plan Review) consideration, the Village shall take into account and approve plans in keeping with the follow standards:
1. The arrangement of trees and shrubs shall be done in a manner that provides the maximum visual separation between adjacent land uses. Plant materials shall be massed in groups to achieve a naturalistic and pleasing effect.
 2. Required screening shall not be interrupted for any reason except for required walks, driveways, pedestrian or bicycle paths and fences.
 3. Planting materials used in conformance with the provisions of this section shall be of good quality, and of a species normally grown in northeastern Illinois and capable of withstanding site microclimates. Size and density at the time of planting and at maturity are additional criteria which must be considered when selecting plant materials.
 4. All landscaping material shall be installed in accordance with the planting procedures established by the American Association of Nurserymen.
 5. Scale and Nature of Landscape Material: The scale and nature of landscape material shall be appropriate to the site and structures. Larger scaled buildings, for example, shall generally be complemented by plants which will grow to a larger scale.
 6. Selection of Plant Material: Plant material shall also be selected for its form, texture, color, and concern for its ultimate growth. Evergreens shall be incorporated into the landscape treatment of a site, particularly in those areas screening parking lots from dedicated public rights-of-way or property zoned for residential use. The use of silver maples, box elders, Russian olives,

Lombardy poplars, catalpa, willows, mulberry, tree of heaven, and other weak wooded species shall be avoided unless determined appropriate by the Plan Commission.

7. Softening of Walls and Fences: Plant materials shall be placed intermittently along long expanses of building walls, fences and other barriers to soften the appearance of the barrier.
8. Artificial Plants: No artificial plants may be used to satisfy the requirements of this chapter.
9. Energy Conservation:
 - a. Deciduous trees which are sun tolerant shall be placed on the south and west sides of buildings to provide shade from summer sun.
 - b. Evergreens and other plant materials which are shade tolerant shall be concentrated on the north side of buildings to dissipate the effect of winter winds.
Berming: Earthen berms and existing topography shall, whenever practical, be incorporated into the landscape treatment of a site. Berms shall be stabilized to prevent erosion and of such a slope to allow maintenance of same.
10. Watering Plant Material: Installation of an automatic underground irrigation system is required.
 - a. An applicant may request, and an exemption from this requirement may be authorized by the Zoning Officer upon finding that in accordance with best practices for the particular situation, as defined by a regional agency or similar authority on landscaping, that such automatic underground irrigation is not necessary. The applicant shall provide such information to the Zoning Officer, along with an irrigation plan to ensure long term survival of planted materials. The Zoning Officer shall make their determination regarding the exemption based on this evidence provided by the applicant.

B. Specific Design Standards for all Plantings

1. Minimum Plant Materials:
 - a. Shade Trees: All shade trees shall have a minimum trunk size of three inches (3") in diameter, as measured six inches (6") above the established ground.
 - b. Ornamental Trees: All ornamental trees shall be fully branched and have a minimum trunk size of two inches (2") measured six inches (6") above the established ground.
 - c. Shrubs:
 - (1) Deciduous shrubs shall have a minimum height of eighteen inches (18") for low shrubs and a minimum height of twenty-four inches (24") for tall shrubs.
 - (2) Evergreen shrubs shall have a minimum spread of twenty-four inches (24").
 - (3) All shrubs shall have a minimum ball diameter in accordance with the most recent edition of the American standards for nursery stock as sponsored and approved by the American Association of Nurserymen and the American National Standards Institute, Inc.
 - d. Planting Beds: Planting beds shall be mulched with bark chips or shredded bark mulch to a minimum depth of two inches (2") for flower and ground cover beds and three inches (3") for tree and shrub beds.
 - e. Detention/Retention Basins and Ponds: Detention/retention basins and ponds and shall be landscaped with live ground covering or native plantings.
 - f. Stormwater Basin Maintenance: All stormwater basins planted with natural prairie or wetland plantings shall be maintained in accordance with title 8, chapter 1, article L of this code.
2. Minimum Landscaped Area: A minimum of twenty percent (20%) of the total site area shall be landscaped, which shall include all vegetation, plazas, fountains, bikeways, ornamental features, ponds and stormwater retention and detention areas, but not private sidewalks providing access to buildings, driveways, aisles, landbanked parking spaces or parking spaces.

3. Foundation Landscaping:
 - a. Setback: A landscaped area extending a minimum of five feet (5') in width shall be located around the front and side of all buildings.
 - b. Coverage: Required landscaped areas abutting building foundations shall remain open and free of all paving except for sidewalks to building doors, plazas, loading docks and stalls, and driveways to building doors and openings. Alternate compliance may be accomplished through Site Plan Review.
 - c. Ground Cover: Except where occupied by planting beds or mulched beds, all foundation landscaping areas shall be sodded.

- C. Right-Of-Way Landscaping:
 1. Applicability: Where a parcel abuts a dedicated public right-of-way, landscaping shall be provided in accordance with the provisions of this section.
 2. Landscape Setback from Right-Of-Way: Minimum landscaped setbacks from the right-of-way lines shall be as described in this subsection:
 - a. From interstate highway and tollway right-of-way boundaries: Thirty feet (30').
 - b. From arterial streets: Thirty feet (30').
 - c. From collector roads and local roads: Twenty-five feet (25').
 3. Graded and Sodded: The unpaved portion of public right-of-way abutting a parcel shall be fine graded and sodded as set forth in the Village of Woodridge subdivision control ordinance.
 4. Parkway Trees: Parkway trees shall be planted in accordance with section 10-5-10 of the Village Code.

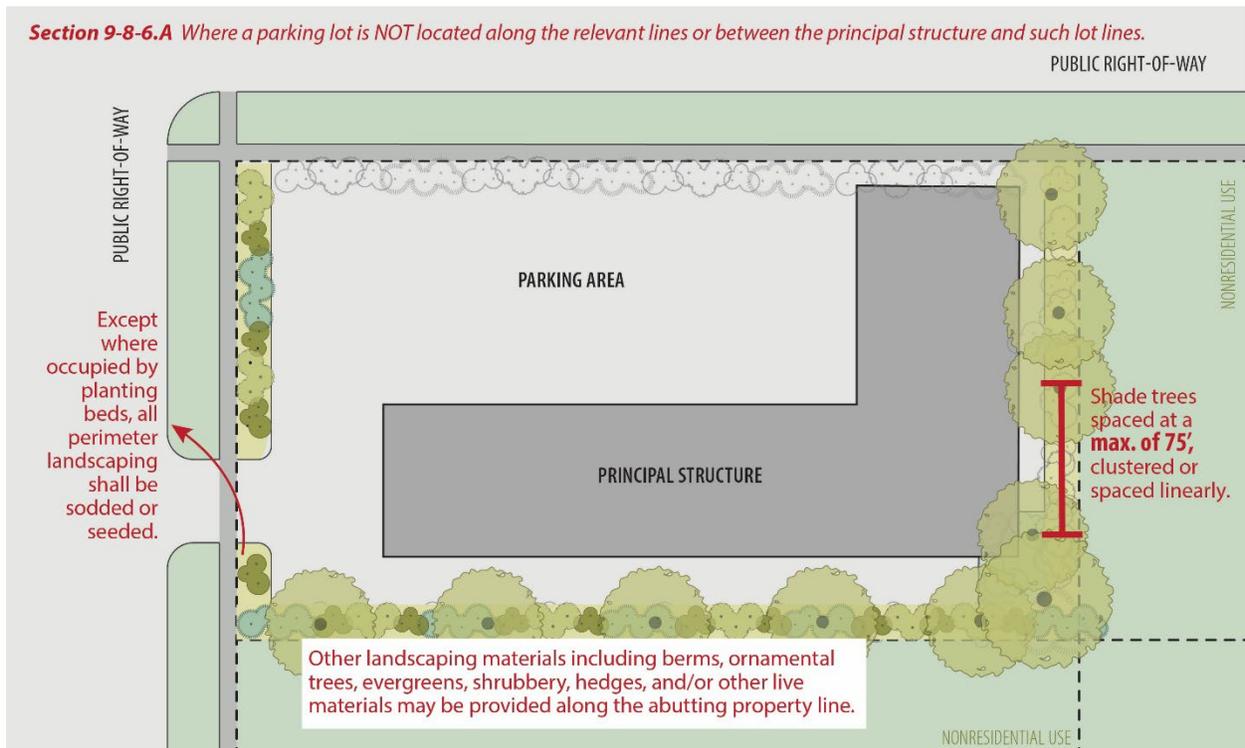
- D. Compliance with Design Standards Under Alternate Circumstances:
 1. In the event that it can be demonstrated that existing vegetation meets the intent of the landscape requirements of this title, existing vegetation may be applied as landscape materials required by this section. Such vegetation shall meet specifications for new plant materials and be located within the area for which credit has been given. The applicant shall note on the landscape plan the landscape materials that would have been required if the existing vegetation did not exist. If any of the existing vegetation dies, the developer shall replace it with the plant materials described in the note. Such replacement plant material shall be guaranteed for a minimum of one year.
 2. Whenever the existing use of any building, structure or lot shall be increased, expanded or changed, landscaping, screening, tree preservation and tree replacement shall be provided as required under this chapter.
 3. Innovative landscaping treatments are encouraged and shall be considered as a positive attribute in connection with any request for a variation from the requirements of this Chapter.
 4. Landscaping required under this Section may be substituted with native plantings, rain gardens bioswales and biofilter strips providing equivalent or greater screening impact. To the extent such materials are applied, the guidelines defined in Section 9-8-10 Best Management Practices shall be incorporated, and their application approved as determined by Site Plan Review consideration.

9-8-6: Transitional Land Use Buffering

In addition to the general and specific design criteria outlined in Section 9-8-5 above, all nonresidential and multiple-family development shall provide perimeter landscaping as prescribed herein where a parking lot is not located along the relevant lot lines or between the principal structure and such lot

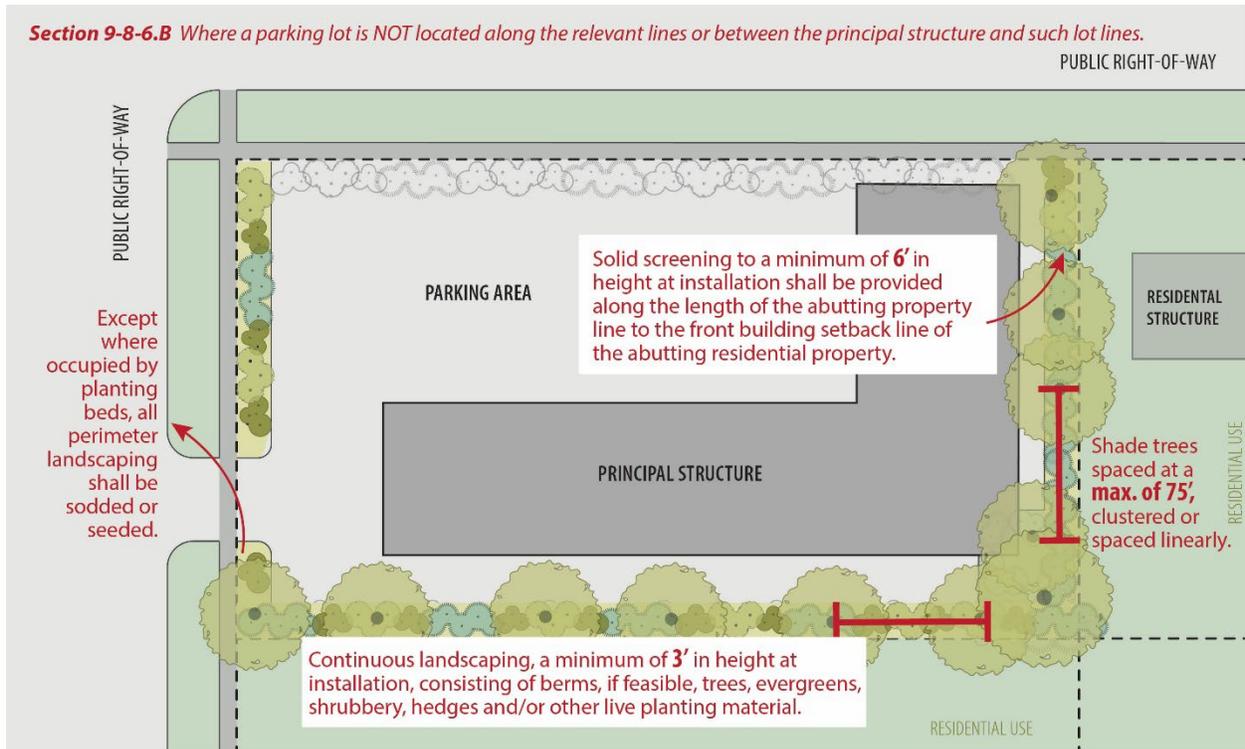
lines. Sufficiency of proposed landscaping shall be considered as part of and in keeping with the standards of the Site Plan Review consideration (Section 9-6-6: Site Plan Review).

- A. Nonresidential property abutting nonresidential property. When nonresidential property abuts property zoned as nonresidential use, landscaping shall be provided as follows:
1. Shade trees. Shade trees shall be provided at the equivalent of not more than seventy-five (75) feet apart along the abutting property line. Such trees may be clustered or spaced linearly.
 2. Other planting materials. Other landscaping materials including berms, ornamental trees, evergreens, shrubbery, hedges, and/or other live materials may be provided at appropriate locations along the abutting property line.
 3. Ground cover. Except where occupied by planting beds, all perimeter landscaping areas shall be sodded or seeded.



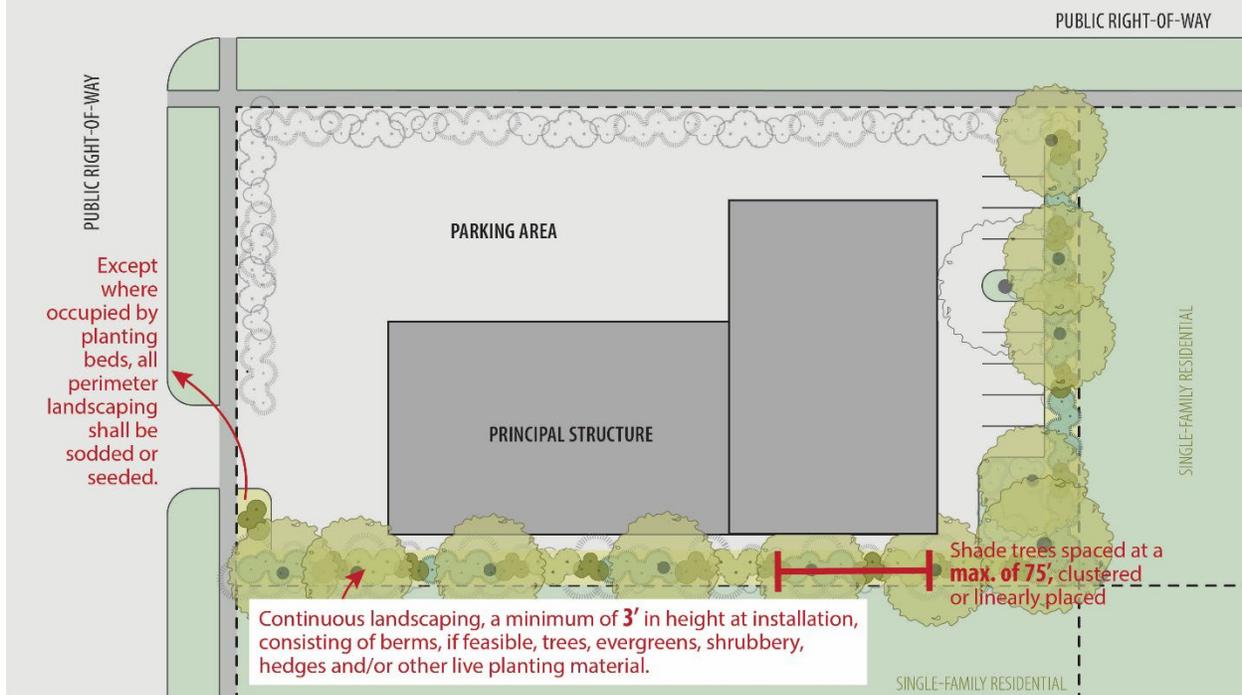
- B. Nonresidential property abutting residential property. When nonresidential property abuts property zoned as residential use landscaping shall be provided as follows:
1. Screening. Solid screening to a minimum of six (6) feet in height at installation, shall be provided along the length of the abutting property line to the front building setback line of the abutting residential property. Such screening shall consist of a continuous landscaped berm, solid wood or decorative masonry fence, wall, or other comparable barrier. Continuous landscaping, a minimum of three (3) feet in height at installation shall be provided along that portion of the abutting property line from the front building setback line to the front lot line of the abutting residential property. Such landscaping shall consist of berms, if feasible, trees, evergreen, shrubbery, hedges, and/or other live planting materials.
 2. Shade trees. Shade trees shall be provided at the equivalent of not more than seventy-five (75) feet apart along the abutting property line. Such trees may be clustered or spaced linearly and shall not conflict with existing or proposed utility locations.

3. Other planting materials. Other landscaping materials including berms, if feasible, ornamental trees, evergreen, shrubbery, hedges, and/or live planting materials may be required as part of Site Plan Review at appropriate locations along the abutting property line.
4. Ground cover. Except where occupied by planting beds, all perimeter landscaping areas shall be sodded or seeded.



- C. Multiple-family residential property abutting single-family residential property. Where multiple-family residential property abuts property zoned for single – unit residential property, required transition yards shall be landscaped as follows:
 1. Screening. Continuous landscaping, a minimum of three (3) feet in height at installation. Such landscaping shall consist of berms, if feasible, trees, evergreens, shrubbery, hedges, and/or other live planting materials.
 2. Shade trees. Shade trees shall be provided at the equivalent of not more than seventy-five (75) feet apart along the abutting single-family residential property line. Such trees may be clustered or spaced linearly and shall not conflict with existing or proposed utility locations.
 3. Ground cover. Except where occupied by planting beds, all perimeter landscaping areas shall be sodded or seeded.

Section 9-8-6.C Where a parking lot is NOT located along the relevant lines or between the principal structure and such lot lines.



9-8-7: Landscape and Landscape Area Maintenance

The owner of the property, or subsequent owners, shall be jointly and severally responsible for the maintenance, repair and replacement of all landscape materials and barriers, including refuse disposal areas. All landscaping materials shall be maintained in good condition so as to present a healthy, neat and orderly appearance. Landscape materials shall be replaced in compliance with the approved landscape plan when they die or are damaged to the extent that their effectiveness is reduced. Landscape areas shall be kept free of refuse and debris. Fences, walls and other barriers shall be maintained in good repair. All screening and landscaping shall be protected from damage by motor vehicles, pedestrians and snow. All landscaping materials shall be located and trimmed as necessary so as to not obstruct pedestrian or vehicular circulation or a public right of way.

9-8-8: Screening Requirements

- A. Screening of Refuse Disposal Areas Required:
1. Screened Refuse Disposal Areas shall be required for the following types of properties:
 - a. All Multi-Unit Properties with four (4) or more dwelling units.
 - b. All nonresidential properties.
 2. Screened Refuse Disposal Areas Required for the following types of refuse disposal:
 - a. Refuse disposal containers
 - b. Recycling containers
 - c. Grease storage containers
 - d. Trash compactors
 3. Design and Installation of Refuse Disposal: Refuse disposal areas shall be screened, designed, and constructed in keeping with the following:

- a. Refuse disposal areas shall be screened on a minimum of three (3) sides by a solid commercial grade wood fence, masonry wall or equivalent material to a height of not less than six feet (6') and no greater than seven feet (7') in height.
 - b. The enclosure shall not be used for the outside storage of any other materials or equipment.
 - c. All refuse disposal areas shall be located on an impervious surface.
 - d. A refuse disposal area shall be located out of view from public streets and adjacent properties, to the greatest extent possible.
 - e. A refuse disposal area shall not be located in any front or corner side yard.
 - f. The open side of said enclosure shall be oriented so that it does not face towards an abutting property or street, to the greatest extent possible.
 - g. The trash enclosure shall be located so as not to interfere with safe travel by vehicles, bicycles or pedestrians.
 - h. The owner of the property upon which the trash enclosure and refuse collection area is located shall be responsible for its maintenance.
 - i. An inset drawing of the location, design, and elevation details of the enclosure shall be depicted on the landscaping plan.
- B. Rooftop Screening Required: All heating, air conditioning, ventilating, transmission devices or other mechanical equipment located on the roof of any structure or building, except those located on single-family homes, shall be screened from adjacent streets and properties by a parapet wall or other method approved by the Zoning Officer. The design, construction materials and color of such screening shall be subject to the approval of the Zoning Officer who shall base their approval on the following criteria:
- 1. The design shall provide the screening effect required by this section.
 - 2. The screening shall be constructed of materials that complement's the materials used in the construction of the principal building or structure and shall consist of one (1) or more of the following:
 - a. Brick;
 - b. Aluminum, steel, or other approved metal;
 - c. Wood;
 - d. Fiberglass.
 - 3. The color shall match or complement the color of the principal building or structure.
- C. Screening Requirements for All Private Generators:
- 1. Generators that are less than four feet (4') in all dimensions are not required to be screened.
 - 2. Generators that are four feet (4') or greater in any dimension shall be screened in accordance with the following:
 - a. Generators and their cabinets that are four (4') to six feet (6') in height shall be enclosed within a metal cabinet, masonry wall or solid fence. Fences shall be constructed of commercial grade wood or comparable materials.
 - b. Any generator greater than six feet (6') in height shall be completely enclosed within a metal cabinet or within a completely enclosed accessory building. Metal cabinets shall have an even, finished appearance free of projections and protrusions. The design, color and materials of completely enclosed accessory buildings shall match those of the principal structure.
 - 3. The design, construction materials and color of the screening referred to in Subsection 9-8-7-C-2: Screening Requirements for All Private Generators, shall be subject to the approval of the Zoning Officer, who shall base their approval on the following:

- a. The design shall provide the screening effect required by this section to mitigate impact on adjacent properties. The screening shall be constructed of materials which shall complement the materials used in the construction of the principal building or structure.
 - b. The color of the required screening shall match the color of the principal building or shall be selected to blend into the surroundings.
4. Landscaping shall be provided in addition to the required screening. Said landscaping shall consist, at a minimum, of large shrubs planted three feet (3') apart around the perimeter of the generator and its screening fence, wall or cabinet. For those generators and required screening that exceed six feet (6') in height, the required landscaping shall consist of tall evergreen shrubs (such as arborvitae) spaced four feet (4') apart or evergreen trees that are a minimum of eight feet (8') in height and spaced eight feet (8') apart.
 5. If it is not possible to meet all of the screening and landscaping regulations set forth in this subsection, the Zoning Administrator, at his or her discretion, may approve an alternate plan.

D. Screening Requirements for Aboveground Service Facilities and Utilities:

1. Aboveground Service Facilities that are less than four feet (4') in all dimensions are not required to be screened.
2. Aboveground Service Facilities, Utilities and accessory structures that are four feet (4') or greater in any dimension shall be screened in accordance with the following provisions:
 - a. Aboveground service facilities, utilities, and accessory structures that are less than four feet (4') in height, but exceed four feet (4') in some other direction, shall be screened with landscaping. Said landscaping shall consist, at a minimum, of tall shrubs planted three feet (3') apart around the perimeter of the aboveground service facility and accessory structure.
 - b. Aboveground service facilities, utilities, and accessory structures that are four feet (4') in height up to and including six feet (6') in height shall be screened with a masonry wall or solid fence of the same height. Fences shall be constructed of commercial grade wood, commercial grade sheet metal or comparable materials as approved by the director of community development. Landscaping shall be provided in addition to the required screening. Said landscaping shall consist, at a minimum, of tall shrubs planted three feet (3') apart around the perimeter of the aboveground service facility or accessory structure and its screening wall or fence.
3. Aboveground service facilities and accessory structures that exceed six feet (6') in height shall be screened with a six foot (6') high masonry wall or solid fence. Fences shall be constructed of commercial grade wood, commercial grade sheet metal or comparable materials as approved by the director of community development. Landscaping shall be provided in addition to the required screening. Said landscaping shall consist of tall evergreen shrubs that are a minimum of six feet (6') in height and spaced four feet (4') apart, or evergreen trees that are a minimum of eight feet (8') in height and spaced eight feet (8') apart.
4. As requested by and necessary to comply with surveillance provisions of the United States Department of Homeland Security, the requirements of this section 9-8-8-D: Screening Requirements for Aboveground Service Facilities and Utilities, may be waived by the Zoning Officer upon finding that such request is otherwise in support of the health, safety and welfare, of the Village of Woodridge and its residents.
5. If the screening requirements of this section 9-8-8-D: Screening Requirements for Aboveground Service Facilities and Utilities cannot be accommodated by an applicant, the Zoning Officer may authorize an alternative plan for screening upon finding that such alternative plan meets the intent of this section and mitigates, to the greatest extent possible, potential adverse impacts on surrounding properties.

- E. Screening of Loading Docks, Service Yards, and Exterior Work or Storage Areas, Loading docks, service yards, and exterior work or storage areas shall be screened from view from public rights-of-way and adjacent lots.
 - 6. The screening shall consist of solid material screening or full screening landscaping, having a minimum height of at least six (6') feet.
 - 7. When solid material screening is provided, intermittent or foundation landscaping shall be provided, as approved by the Zoning Administrator to mitigate visual impacts of the solid material screen.

- F. Screening of Cargo Container Facilities: In addition to all other related requirements of the Village code, Cargo Container Facilities in all zoning districts shall be subject to the following:
 - 1. Adjacent to Industrial Districts: Notwithstanding any provision contained in this title to the contrary, interior side and rear landscape yards adjacent to industrial districts shall provide a minimum ten feet (10') for interior side and rear yard and shall contain each of the following screening components:
 - a. Landscaping shall be provided in accordance with subsection 9-8-6-A of this section.
 - b. A continuous berm, a commercial grade sightproof board fence or a commercial grade masonry wall shall be provided along the length of the interior side or rear lot line.
 - c. Said berm, fence or wall shall be a minimum of six feet (6') in height. The finished side of the fence or wall shall be oriented toward the abutting property. If a fence or wall is used as a screen, a five foot (5') wide planting bed with landscaping material at least three feet (3') high shall be located adjacent to the finished side of the fence or wall.
 - d. In lieu of the fence or wall, a screen planting area of a minimum twenty feet (20') in width, containing a minimum of two (2) rows of evergreen trees, may be installed. The evergreen trees shall be at least eight feet (8') tall when planted. The rows shall be staggered, with a maximum of eight feet (8') between rows, and shall be centered within the screen planting area. The evergreen trees shall be spaced a maximum of ten feet (10') apart on center. However, as may be determined through the Site Plan Review (Section 9-6-6: Site Plan Review) process, trees may be required to be spaced closer to ensure that narrower growing varieties will provide an effective screen. Should the buffer area contain a continuous berm at least three feet (3') in height, with a side slope not exceeding a ratio of three to one (3:1), the minimum height of the required evergreen trees shall be six feet (6') when planted. The final design of the screen planting area and the landscaping within it shall be approved through the Site Plan Review process.
 - 2. Adjacent to Nonindustrial Districts and Public Rights of Way: Notwithstanding any provision contained in this title to the contrary, a landscape yard with a minimum width of one hundred feet (100') shall be provided adjacent to nonindustrial districts and public rights of way and shall contain each of the following screening components:
 - a. Berm: A berm with a minimum height of fifteen feet (15'). The berm shall be continuous throughout the landscape setback except it may be interrupted to the extent necessary to allow for vehicular access.
 - b. Fence or Wall: A commercial grade sightproof board fence or commercial grade masonry wall with a minimum height of six feet (6'). The fence or wall shall be continuous throughout the landscape setback except it may be interrupted to the extent necessary to allow for vehicular access, and it shall be placed on the highest part of the berm to maximize its screening effect.

- c. Landscaping: A minimum of three (3) shade trees, seven (7) evergreen trees, four (4) ornamental trees, and thirty (30) tall shrubs shall be planted for every one hundred (100) linear feet of landscape setback. Tall shrubs provided in accordance with this provision shall have a minimum installed height of three feet (3'). The landscaping shall be placed on the berm between the fence or wall and the public right of way or nonresidential district.

9-8-9: Parking Lot Landscaping

All parking lots designed for twenty (20) or more parking spaces, as specified in Chapter 7 of this title, shall provide landscaping in accordance with the provisions of this section. The design, planting materials, and safe use of parking lot landscape designs shall be approved through consideration of the Site Plan Review process (Section 9-6-6: Site Plan Review).

A. General Parking Lot Landscaping

1. The landscaping shall include, to the extent necessary, ground cover, shrubs, hedges, ornamental trees and grasses, perennials, decorative walls, or fencing.
2. All landscaping shall be permanently maintained in good condition, satisfactory to the Village, with at least the same quality and quantity of landscaping as initially approved. In the event that landscaping should die, the property owner shall replace landscaping in a timely fashion, taking into consideration the season of the year.
3. At the time of installation, landscaped materials shall be of the following sizes:
 - a. 2.5 inches DBH for deciduous shade trees.
 - b. 8 feet tall for evergreen trees and ornamental trees.
 - c. 24 inch shrubs.
 - d. Gallon-sized perennials.

B. Interior Parking Lot Landscaping

1. Required Landscaping Percentage:
 - a. At least seven and one-half percent (7.5%) of the parking area shall be provided as interior landscaped area.
 - b. The parking area for the purposes of this section includes that portion of a property used for the parking of vehicle and the driveways and access points associated with such parking.
 - c. The required interior landscaping may include areas dedicated to tree planting islands, and those portions of the lot that are not dedicated to perimeter landscaping such as curbs, parking spaces and driveways.
2. Interior Parking Lot Design Standards:
 - a. Landscaping shall be dispersed throughout the parking area.
 - b. A portion of the required landscaping may be located so as to provide screening of mechanical equipment or loading areas.
 - c. A landscaped island with at least one tree (as indicated in subsection e below) shall be required at the end of all parking rows, and shall be equal to 180 square feet for a single row of parking or 360 square feet for a double row of parking.
 - d. A landscaped island with at least one tree shall be installed and maintained a minimum every 20 parking spaces in order to avoid large expanses of landscaped areas within the parking lot. Such landscape islands shall be equal to 180 square feet for a single row of parking or 360 square feet for a double row of parking.
 - e. A minimum of one (1) shade tree must be provided for every landscaped island or landscaped area. In addition to the required shade trees, a minimum of 75% of every

parking lot island or landscaped area must be planted in live groundcover, shrubs, perennials, or ornamental grasses.

- f. In no case can there be less than 1 tree for every 3,000 square feet of parking area as defined in this section.
- g. No hedge, wall or berm shall exceed three (3) feet in height within ten (10) feet of any driveway opening.
- h. Fire hydrants in parking lots shall be located within landscape islands as determined necessary through the Site Plan Review process.

C. Required Perimeter Parking Lot Landscaping

1. Street Front Landscaping

- a. Frontage along the entirety of any parking area adjacent to any street shall be landscaped with a minimum 5-foot wide, landscaped area with a continuous one hundred percent (100%) screening of three (3) feet high shrubs or hedges provided between the property line and parking area.
- b. Plantings shall be no less than three (3) feet high within one year of planting and shall be maintained as such.
- c. Curbing or parking blocks shall be installed to provide a two foot (2') overhang that prevents parking of cars from damaging landscaping.

2. When a parking lot abuts a property zoned or used for residential use, landscaping a minimum of six feet (6') in height at installation and maintained at such height shall be provided along that portion of the parking lot abutting the residential property.

- a. Plant materials, when used as a screen, shall consist of dense evergreen plants and any mixture as approved through the Site Plan Review process, in order to adequately shield adjacent residences from lights, noises, or other potential adverse impacts.
- b. Shade trees. Shade trees shall be provided at the equivalent of not more than forty (40) feet apart along that portion of the parking lot abutting the residential property. Such trees may be clustered or spaced linearly as determined appropriate through the Site Plan Review process.
- c. Fencing: Where landscaping is unlikely to survive or provide adequate screening, a six foot (6') high fence may be approved as part of the Site Plan Review process or in the case of a Special Use or Planned Development, as approved by the Village Board upon recommendation from the Plan Commission. Such fence shall be constructed of wood, composite or other material, as determined by the Village approval process.

3. Ground cover. Except where occupied by planting beds, all yard perimeter landscaping areas shall be sodded or seeded.

4. Existing vegetation that meets, in whole or in part, the purposes of perimeter landscaping above may be applied toward requirements.

9-8-10: Best Management Practices

Best Management Practices (BMPs), including those described in this Section, are encouraged in developments through appropriate application of landscape design, site construction and landscape maintenance practices.

- A. Applicability: Best Management Practices shall be incorporated into the landscape design for all newly constructed parking lots located in the B-1, B-2, B-3, ORI, and RBC Districts.

B. Sustainable Development Standards: Green design considers the environment and site during design, construction, operations and maintenance. In evaluating site plans with BMPs in the Site Plan Review process (Section 9-6-6: Site Plan Review), the Village shall consider all relevant engineering and design standards as well as the standards of this Section. BMPs shall be evaluated in regard to sustainable building design, site planning, streetscape/landscape design and infrastructure engineering. The following considerations should be included in site and building design and construction when incorporating BMPs:

1. Optimize building orientation for heat gain, solar shading, daylighting and natural ventilation.
2. Design landscape, hardscape and building roofs to create comfortable micro-climates and reduce heat island effects.
3. Select native landscape materials and reuse rainwater and graywater where feasible and allowed by Code to reduce or eliminate the need for potable water in the irrigation of landscape.
4. Increase water efficiency through the use of high-efficiency systems and fixtures or through rainwater and graywater reuse as allowed by Code to decrease use of the Village's water supply and wastewater system.
5. Design all sites and buildings to be "transit-supportive" to facilitate access to existing and future transit services.
6. Use sustainable, rapidly renewable or recycled building materials.
7. Use building materials manufactured within the region.
8. Design and select lighting and equipment for efficient energy use.
9. Minimize off-site light pollution.
10. Create healthy, comfortable indoor environments through increased natural lighting, control of thermal systems, reduced VOCs (volatile organic compounds) and improved indoor air-quality and ventilation.
11. Maximize on-site stormwater management through landscaping and permeable pavement as well as shared facilities.
12. Maintain or reduce the peak stormwater discharge rate and quantity.
13. Enact plans to control erosion, sedimentation and dust during construction.
14. Conduct commissioning of building energy systems to ensure desired performance.
15. Include on-site renewable energy sources (such as solar, wind, geothermal) where feasible.
16. Reduce or eliminate heating, ventilation, air conditioning and refrigeration equipment that emits compounds that contribute to ozone depletion and climate change.
17. Provide for an easily accessible, dedicated area for the collection and storage of materials for recycling
18. Incorporate universal design into building plans where feasible.

C. Permeable Pavement and Pavers: Permeable pavement and pavers are an alternative method of hard surface that allows stormwater runoff to filter through voids material. The use of this porous material can help improve the natural cleaning and infiltration of water, reducing the amount of stormwater flowing into streets and down storm drains. Use of this material may be allowed in designated drive or path areas.





D. Bioswales or Retention Ponds: Bioswales and Retention ponds are vegetated landscaped depressions that capture, treat, and slow down stormwater runoff. They provide opportunities to treat stormwater on-site and are a more aesthetically pleasing environment than the typical required concrete stormwater fixtures.

E. Parking Lot Drainage: Stormwater drainage is an integral component in the design of parking lots.

Stormwater may be infiltrated into the parking lot planting areas and then drained to a specified area. This approach can clean, detail, and direct stormwater.

- F. Green Roofs: Green roofs incorporate plants into the roofing system to create pervious surface areas and capture stormwater runoff. These systems can serve as short term stormwater management to reduce, delay, and clean stormwater runoff from a site.



CHAPTER 9: NONCONFORMITIES

SECTION:

9-9-1: How to Use This Section

9-9-2: Statement of Purpose; Determination of Nonconforming Status

9-9-3: Nonconforming Lots of Record

9-9-4: Continuance of Nonconforming Buildings, Structures and Uses

9-9-5: Restrictions on Nonconforming Buildings and Structures, and on Uses Thereof

9-9-6: Condemnation of Nonconforming Buildings and Structures

9-9-7: Nonconforming Use of Buildings or Structures

9-9-8: Nonconforming Use of Land

9-9-9: Limited Nonconformity Exceptions

9-9-10: Plan Commission Authority to Grant Variances for Other Expansions; Jurisdiction on Appeal

9-9-1: How to Use This Chapter

When properties are first established as part of a subdivision or otherwise created, they must meet the zoning standards in place at that time. Similarly, the structures built on those properties must meet “bulk standards” related to setback and height. Finally, the uses of those properties must meet the standards of the zoning ordinance.

Over time it is possible that changes made to the zoning ordinance will make a property no longer in compliance with the zoning standards. This is known as becoming “nonconforming”. It is also possible that a property can change, as when a portion of the property is acquired by a government agency for a public purpose. The intent of the zoning code is to allow nonconforming uses, properties, or structures to remain and be used as when they were established. It is also possible to maintain and even expand some aspects of the use or building, so long as the nonconformity is not expanded. This section spells out the details of these situations.

9-9-2: Statement of Purpose; Determination of Nonconforming Status

- A. The purpose of this section is to provide for the regulation of nonconforming buildings, structures, lots, and uses thereof, and to specify those circumstances and conditions under which those nonconforming lots shall be used and those nonconforming buildings, structures, and uses shall be gradually eliminated upon reaching the end of their respective normal useful life, in accordance with the authority, set forth in Section 11-13-17 of the Illinois Municipal Code, 65 ILCS 5/11-13-17, as may be amended from time to time.
- B. In accordance with the provisions of this Section, it is hereby declared to be the intent of the village to eliminate nonconforming buildings, structures, uses, and wherever possible, nonconforming lots of record.
- C. The burden of proving that a nonconformity exists, as opposed to a violation of this ordinance, rests entirely with the property owner. However, the zoning officer will maintain a current inventory of all

known nonconforming lots, buildings, structures, and uses within the village, including those created after the adoption of any partial or comprehensive amendment to this ordinance.

- D. The zoning officer is authorized to determine whether adequate proof of nonconforming status has been provided by the property owner.
- E. Building permits, lawfully recorded plats, aerial photography owned by the village and other official government records that indicated lawful establishment of the lot, building, structure or use constitute conclusive evidence of nonconforming status. If such forms of conclusive evidence are not available, the zoning officer is authorized to consider whether other forms of evidence provided by the property owner are reliable and adequate to document nonconforming status. Examples of evidence that may be considered include, but are not limited to, utility billing records and leasing records.

9-9-3: Nonconforming Lots of Record

- A. Contiguous nonconforming lots in single ownership.
 - 1. When two (2) or more contiguous lots, or a combination of contiguous lots and portions of lots, are under single ownership, and if all or part of the lots do not meet the requirements for lot width and area for the zoning district in which they are located, the land involved will be considered to be an undivided parcel for the purpose of this ordinance. No portion of this undivided parcel will be used or sold which does not meet lot width and area requirements for the zoning district in which the undivided parcel is located, nor shall any division of the undivided parcel be made which creates any lot width or area below the requirements for the zoning district in which they are located.
 - 2. The consolidation of nonconforming lots in single ownership required under this Subsection 9-9-3.A must follow the requirements for preparing and obtaining approval of subdivision plats set forth in Chapter 3 of the Subdivision Regulations Ordinance for the Village of Woodridge, Illinois (1976), as amended. A plat consolidating nonconforming lots in single ownership will be recorded in the office of the county recorder where the consolidated lots are located. The owner will be solely responsible for the cost of recordation.
 - 3. The provisions for consolidation of lots in single ownership under this Subsection 9-9-3.A will not be required unless and until the owner of contiguous nonconforming lots files any application required under this ordinance or Titles 8 or 10 of the Woodridge Village Code, as amended. Except that lot consolidations are not required for fences, patios, decks, stoops, or accessory structures under 250 square feet.
- B. Single lots or parcel of land. When any single lot or parcel of land does not meet the requirements for lot width and area for the zoning district in which it is located, it shall be used only in accordance with the following requirements.
 - 1. In any district in which single-family, two-family or three-family dwellings are permitted, said buildings or structures and permitted accessory buildings may be erected on a nonconforming lot. However, lot area, widths, and yard requirements shall be not less than eighty (80) percent of the minimum required dimensions for the zoning district in which the single lot or parcel is located.

Any greater reduction than twenty (20) percent shall be obtained only through action by the plan commission (see section 13.09 of this ordinance).

2. In any district in which multiple-family dwellings or nonresidential buildings or structures are permitted, these buildings or structures and permitted accessory buildings may be erected on a nonconforming lot. However, lot area, width, and yard requirements shall be not less than ninety (90) percent of the minimum required dimensions for the zoning district in which the single lot or parcel is located. Any greater reduction than ten (10) percent shall be obtained only through action by the plan commission (see section 13.09 of this ordinance).
3. Use district changes. The provisions in this Section 9-9-3 shall also apply to any lots made nonconforming by any change in the boundary of a zoning district.

9-9-4: Continuance of Nonconforming Buildings, Structures, and Uses

Any nonconforming building, structure, or use which existed lawfully at the time of the effective of this ordinance and which remains nonconforming and any building, structure, or use which shall become nonconforming upon the adoption of this ordinance or of any subsequent amendment to this Code, may be continued, some indefinitely, others for specified and respective amortization periods, subject to the following regulations:

A. Exempted Buildings, Structures, and Uses.

1. No building, structure, or use lawfully established on the effective date of this ordinance shall be subject to the amortization provisions of this section 9-9-4 solely by reason of being nonconforming with respect to the bulk and other standards prescribed in this ordinance for any of the following:
 - (1) Floor area ratio;
 - (2) Yards, front, interior side, exterior side, or rear;
 - (3) Lot area per dwelling unit;
 - (4) Lot width;
 - (5) Gross floor area;
 - (6) Building height; or
 - (7) Off-street parking or off-street loading spaces.
2. No dwelling lawfully existing on the effective date of this ordinance shall be subject to the amortization provisions of this section 9-9-4.
3. No building, structure or use located in a Business Zoning District shall be subject to the amortization provisions of this ordinance if it is a permitted building, structure or use in any Business Zoning District, except as provided for elsewhere in this ordinance.
4. No building, structure or use lawfully established on the effective date of this ordinance and located in any Industrial Zoning District shall be subject to the amortization provisions of this section.

5. For the purposes of this section a building or structure lawfully constructed or established on the effective date of this ordinance shall be deemed to include any building or structure for which a building permit has been lawfully issued, and on which construction is begun within the required period of time allowed by the unexpired building permit then in effect.

B. Amortization.

1. The following nonconforming buildings, structures, including signs, and uses shall be subject to amortization provisions herein set forth below:
 - a. In residence districts, any nonconforming principal and accessory building or structure, all or substantially all of which is designed and used or intended for a permitted or special use that is allowed only in a nonresidential district.
 - b. In all other districts, any nonconforming principal or accessory building or structure, all or substantially all of which is designed and used or intended for a permitted or special use that is not allowed in that district.
2. All nonconforming buildings, structures and uses as set forth in subsections B.1.a and B.1.b of this section that were nonconforming prior to and remain or become nonconforming upon the effective date of this Code and any amendments to this Code, and that have an assessed valuation of more than \$5,000.00 In accordance with the types of construction classifications set forth in Title 8 of the Woodridge Village Code, as amended, must be removed in accordance with the following amortization period:

Type of Construction	Amortization Period
Fireproof construction and noncombustible construction	the later of 40-years from the date of original building permit or 25-years from effective date of this Code, or amendments to this Code
Exterior masonry wall construction	the later of 30-years from date of original building permit or 20-years from effective date of this Code, or any amendments hereto this Code.
Frame construction	the later of 25-years from the date of original building permit or 15-years from effective date of this Code, or any amendments to this Code.

Thereafter, the property may only be used in conformance with the uses and standards permitted in the districts in which it is located.

9-9-5: Restrictions on Nonconforming Buildings and Structures, and on Uses Thereof

Any lawfully existing building or structure which does not conform with the regulations of the district in which it is located shall be subject to the following regulations:

A. Repairs and Alterations.

1. Ordinary repairs and alterations may be made to a nonconforming building or structure. However, no structural alterations except those required by law shall be made in or to such building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located. Structural alterations may be made in order to make the building or structure and use thereof conform to the regulations of the district in which it is located. For the purpose of this section, ordinary repairs shall include the replacement of storage tanks where the safety of operation of the installation requires such replacement.
2. A nonconforming building in a Residence District which contains residential uses may be altered in any way to improve livability provided no structural alterations shall be made which would increase the number of dwelling units or the bulk of the building.

B. Additions and enlargements. A building or structure which is nonconforming as to bulk, or all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, shall not be added to or enlarged in any manner unless such nonconforming building or structure and use thereof, including all additions and enlargements thereto, are made to conform to all the regulations of the zoning district in which it is located.

C. Moving of nonconforming building or structure. No building or structure which does not conform to all of the regulations of the district in which it is located shall be moved in whole or in part to any other location unless every portion of such building or structure is moved. The elevation of the ground at the original site shall be restored to the natural grade of the lot. The use of the building or structure at the new site shall be made to conform to all regulations of the district into which it is moved.

D. Restoration of damaged nonconforming building or structure. A nonconforming building or structure that is:

1. completely destroyed by fire, or other natural or man created casualty, will only be reconstructed and used in conformance with the current district regulations where it is located;
2. damaged by fire, or other natural or man created casualty, to an extent that is more than 50% of its most current assessed valuation, as established by the township assessor where the building or structure is located, will only be reconstructed and used in conformance with the current district regulations where it is located;
3. damaged by fire, or other natural or man created casualty, to an extent that is less than 50% of its most current assessed valuation, as established by the township assessor where the building or structure is located, may be restored to its condition and used for the same purpose present immediately before the casualty event. Provided, however, that any (i) nonconforming restoration is completed and (ii) resumption of nonconforming use begins within 365 calendar days after the date of the casualty event. In the event that the restoration is not completed and

the use is not resumed within 365 calendar days after the date of the casualty event, the building will only be reconstructed and used in conformance with the current district regulations where it is located.

- E. Discontinuance of use of nonconforming building or structure. A nonconforming building, structure, or portion thereof, which is vacant on the effective date of this ordinance or thereafter becomes vacant and remains unoccupied, and is not used for a continuous period of six (6) months, shall not thereafter be occupied or used except by a use which conforms to the use regulations of the district in which it is located.
- F. Expansion of a conforming use in a nonconforming building or structure. The conforming use of a part of a nonconforming building or structure, may be expanded within the building or structure in which the use is presently located. However, no changes or structural alterations shall be made unless these changes or structural alterations and their use conform to all the regulations of the zoning district in which the building or structure is located.
- G. Change of a conforming use in nonconforming building or structure. The conforming use of a nonconforming building or structure may be changed to another use permitted in the zoning district in which the building or structure is located. However, no change shall extend or otherwise modify any provision made in this ordinance for elimination of such nonconforming building or structure and the use thereof.

9-9-6: Condemnation of Nonconforming Buildings and Structures

- A. The village, at any time and from time to time, by ordinance duly enacted and in pursuant to the provisions set forth in Section 11-13-17 of the Illinois Municipal Code, 65 ILCS 5/11-13-17, as may be amended from time to time, may:
 - 1. Remove or demolish all such buildings and structures so acquired;
 - 2. Hold and use any remaining property for public purposes; and
 - 3. Sell, lease, or exchange such property as is not required for public purposes, subject to the provisions of this ordinance or any amendment to this ordinance.
- B. No such acquisition by condemnation shall be made until such time as the plan commission, at the request of the corporate authorities, or upon its own initiative, shall have made a study of the area within which the nonconforming building or structure is located and shall have filed a written report on such study with the corporate authorities.

9-9-7: Nonconforming Use of Buildings or Structures

- A. Expansion of nonconforming use. The nonconforming use of a part of a conforming building or structure, shall not be expanded or extended into any other portion of such building or structure.
- B. Discontinuance of a nonconforming use. If a nonconforming use of a conforming building or structure, is discontinued for a period of ninety (90) days, it shall not be renewed. Any subsequent use of the

building or structure shall conform to the use regulations of the zoning district in which the premises are located.

- B. Change of a nonconforming use. The nonconforming use of a part of a conforming building or structure shall not be changed to any other nonconforming use.

9-9-8: Nonconforming Use of Land

The nonconforming use of land not involving a building or structure, or in connection with which any building or structure is incidental or accessory to the principal use of the land, may be continued subject to the following provisions:

- A. Expansion. A nonconforming use of land shall not be expanded or extended beyond the area it occupies.
- B. Discontinuance. If a nonconforming use of land is discontinued for a period of ninety (90) consecutive days, it shall not thereafter be renewed. Any subsequent use of the land shall conform to the regulations of the zoning district in which the land is located.
- C. Change of use. A nonconforming use of land shall not be changed to any other use except to a use permitted in the zoning district in which the land is located.
- D. Elimination of nonconforming use of land. The nonconforming use of land shall be discontinued and cease after the effective date of this code in accordance with the following amortization schedule, except that in any residential district, as established in section 9-4-1 of this code, the allowable term will be reduced by fifty (50) percent:

Nature of Nonconformity	Amortization Period
No buildings or structures are used in connection with the nonconforming use of land	1 year
Buildings or structures or other improvements used in connection with the nonconforming use of land are accessory or incidental and have an assessed valuation of not more than two thousand dollars (\$2,000.00)	2 years
Buildings or structures or other improvements used in connection with the nonconforming use of land are accessory or incidental and have an assessed valuation of more than two thousand dollars (\$2,000.00)	5 years
Where a nonconforming use of land is accessory to the nonconforming use of a building or structure	Date on which the nonconforming use of the building or structure is discontinued

9-9-9: Limited Nonconformity Exceptions

- A. Zoning officer authority. The zoning officer may authorize, upon application in specific cases, an exception to the nonconformity requirements of this chapter 9 permitting an increase:
 - 1. In either, or both, the zoning lot area or the gross floor area in a building or structure occupied by a nonconforming use as are necessary and essential to enable the owner of the use to comply with federal, state, or village requirements of law; or
 - 2. In the existing nonconforming use on an existing lot where (a) as a result of a property owner acquiring additional adjoining property or (b) an act of government through vacation of right-of-way that creates additional private land area abutting the existing lot.

- B. Procedure and required findings. All applications for a limited nonconformity exception under this section 9-9-9 will be reviewed according to the following procedures:
 - 1. Initiation. The owner or owners of the subject property or the owner's authorized agent may initiate an application for limited nonconformity exception.

 - 2. Pre-application meeting. A pre-application meeting with zoning officer is optional before submittal of a limited nonconformity exception application. The zoning officer's opinions or comments made during a pre-application meeting are informational only and do not represent a commitment on behalf of the village regarding a final decision on the limited nonconformity exception application. However, at the pre-application meeting the zoning officer may waive application submittal requirements or request that additional information be submitted.

 - 3. Application and Fees:
 - a. Submittal in writing. All applications for a limited nonconforming exception will be submitted in writing to the zoning officer. The applicant will pay all required fees at the same time the application is submitted.

 - b. Concurrent applications. The applicant may submit a limited nonconformity exception application concurrent with the submittal of other applications. In no case, however, shall a building permit be issued until the limited nonconforming exception according to this Section 9-9-9 is approved.

 - c. Review, referral and final decision. The zoning officer may refer the limited nonconforming exception application to other affected or interested state and local agencies, village departments and parties for review and comment, as deemed necessary to make a decision on the application. The zoning officer will make a final decision to approve, approve with conditions, or deny the application, taking into consideration relevant comments. Wherever higher or more restrictive standards are established by the provisions of this ordinance, the zoning officer may take these provisions into consideration in making a final decision.

4. Review criteria. The zoning officer will use the following criteria in making a decision on an application for a limited nonconformity exception application:
 - a. Application is consistent with all prior approvals for the subject property.
 - b. Application complies with all other applicable regulations in this ordinance except those specifically the subject of the limited nonconforming exception.
 - c. Use is a nonconforming use as defined in this ordinance, is in full compliance with all requirements of this ordinance applicable to nonconforming uses, and is not a nonconforming use which is to be terminated by operation of law.
5. Timing for decisions. Any decision for a limited nonconforming exception will be made by the zoning officer within 45-days after receipt of a completed application, as determined by the zoning officer, unless the property owner, or his or her agent, and zoning officer agree in writing to a longer review period. Failure of the zoning officer to issue his or her written decision with 45-days, or as may be extended by agreement of the property owner, or his or her agent, and zoning officer, will be a decision to deny the application.
6. Limited nonconforming exceptions personal to owner. A limited nonconforming exception authorized by this Section 9-9-9 is personal to the property owner and is not transferable, and will only run with the land after construction of any authorized building or structure and only for the life of such structure or structures.

9-9-10: Plan Commission Authority to Grant Variances for Other Expansions; Jurisdiction on Appeal:

- A. The Plan Commission may grant other exceptions to the nonconforming provision of this Chapter 9 that are not otherwise limited nonconforming exceptions, as provided in Section 9-9-9 of this Chapter, under its power to grant variances subject to the procedures and applicable criteria stated in Section 9-6-4.C of this Code.
- B. The Plan Commission will hear all appeals from any decision of the zoning officer under this Chapter 9, subject to the procedures and applicable criteria stated in Section 9-6-4.B of this Code.

CHAPTER 10: PERFORMANCE STANDARDS

SECTION:

- 9-10-1: Purpose
- 9-10-2: Provisions Regarding Noise
- 9-10-3: Earthborne Vibration
- 9-10-4: Air Pollution (Smoke and Particulate Matter)
- 9-10-5: Toxic Matter
- 9-10-6: Odorous Matter
- 9-10-7: Fire and Explosion Hazards
- 9-10-8: Lighting
- 9-10-9: Water Pollution
- 9-10-10: Sewage Waste
- 9-10-11: Electromagnetic Interference

9-10-1: Purpose and Applicability: This Chapter provides that properties in nonresidential zoning districts or nonresidential uses in residential zoning districts shall not create dangerous, injurious, or noxious condition that may adversely affect adjoining properties, surrounding areas or other portions of the Village. All such uses may be conducted so long as acceptable measures and safeguards are employed to limit potential adverse impacts to acceptable limits, as established by the following performance standards and other requirements of the Village Code.

- A. Any use established in nonresidential districts shall be operated in such a manner as to comply with the applicable performance standards of this Chapter and other requirements of the Village Code and as may be applicable.
- B. No use already established on the effective date of this Title shall be so altered or modified as to conflict with this Chapter and other requirements of the Village Code and as may be applicable.

9-10-2: Provisions Regarding Noise: The following requirements shall apply to all nonresidential uses:

- A. Sound pressure levels shall be in keeping with current State of Illinois standards as prescribed by the Illinois Pollution Control Board (Subtitle H: Noise), as may be amended from time to time.
- B. Requirements of the Village of Woodridge Building Code Section: 8-1A-16 and Nuisance Ordinance Section: 4-1-1.N shall apply.
- C. Exceptions: The following activity shall be exempted from the rules and regulations of this Subsection 9-10-2-A.
 - a. Sound emitted from emergency warning or safety devices.
 - b. Sound emitted from equipment being used for construction between the hours of seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M., on any day except Sunday, or for such additional hours as may be authorized by the Zoning Officer.
 - c. Sound emitted from trucks and vehicles entering or leaving industrial zoned property, except as may be caused by idling engines, off the road vehicles, mixers on ready mix concrete trucks, and trailer mounted refrigeration units.

9-10-3: Earthborne Vibration: The following requirements shall apply to all nonresidential uses:

- A. Any process or equipment that produces intense earth-shaking vibrations - such as are created by drop forges, hydraulic surges or other processes - shall be set back at least five hundred (500)

feet from the property boundaries on all sides. However, in no case shall such vibrations be allowed to create a Public Nuisance or hazard beyond the property boundaries.

- B. Exceptions: The provisions of Subsection 9-10-3-A shall not apply to sound emitted from equipment being used for permitted construction between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M. of each day.

9-10-4: Air Pollution (Smoke and Particulate Matter): Any visual emissions, particulate matter emissions, odor, airborne toxic material and other air pollution shall meet the current standards of the Illinois Pollution Control Board; Title 35, Subtitle B, "Air Pollution", Chapter I, Pollution Control Board, as may be amended from time to time.

9-10-5: Toxic Matter: No use shall for any period of time discharge across the boundaries of the lot wherein it is located toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare, or cause injury or damage to property, resident or business. Standards by which to determine impacts to public health, safety and welfare may be drawn from the Village of Woodridge Nuisance Ordinance (Title 4, Chapter 1 of the Woodridge Village Code), state or federal agencies, or other organizations as may be deemed most appropriate by the Zoning Officer.

9-10-6: Odorous Matter: The release of materials intrinsically odorous or capable of being odorous, either by bacterial decomposition or chemical reaction, which renders it perceptible from beyond the lot shall be prohibited. The emission of odorous matter in such a quantity as to be readily detectable at any point along lot lines, or as to produce a public nuisance or hazard beyond lot lines is prohibited.

9-10-7: Fire and Explosion Hazards:

- A. In all nonresidential districts, the storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.
- B. The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted, provided one of the following conditions is met:
 - a. Said material or products shall be stored, utilized or manufactured within completely enclosed buildings having incombustible exterior walls and protected with an automatic fire extinguishing system complying with installation standards prescribed by the National Fire Protection Association; or if the materials, goods, or products are liquids, the protection thereof shall be in conformity with standards prescribed by the National Fire Protection Association.
 - b. All such buildings or structures shall be set back no less than fifty (50) feet from lot lines, or in-lieu-of, all such buildings or structures shall be protected throughout by an automatic sprinkler system (or a carbon dioxide system of equal protection).
- C. The storage, utilization or manufacture of flammable liquids shall be permitted in accordance with the following table, exclusive of storage of finished products in original, sealed containers, which shall be unrestricted. Flammable liquid and gas storage tanks shall be setback no less than feet (50') from all lot lines.

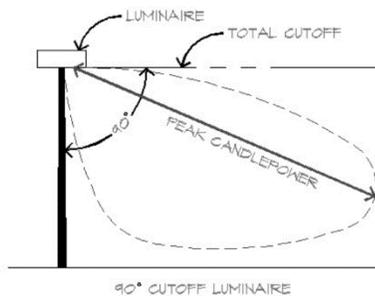
Table 10-1: Total Capacity of Flammable Materials Permitted (in Gallons)

	Aboveground	Underground
Materials having a closed cup flash- point over 187° but less than 300° Fahrenheit	20,000	100,000
From and including 105° to and including 187° Fahrenheit	10,000	100,000
Materials having a closed cup flash-point of less than 105° Fahrenheit	3,000	100,000

When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet at standard temperature and pressure shall not exceed thirty (30) times the quantities listed above.

9-10-8: Lighting:

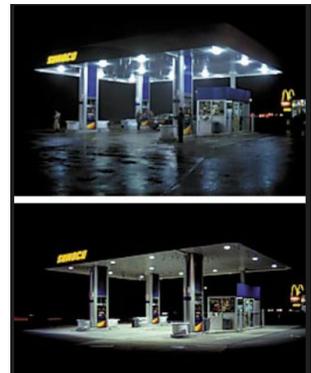
- A. Photometric Plan Required: A photometric plan shall be required for all land development applications where outdoor lighting is required or proposed, except for single-family residential developments where all streets are in public rights of way. The plan must show the location, mounting height, orientation, manufacturer, model number, photograph or catalog cut, light output in initial lumens, shielding or glare reduction devices, lamp type, and control devices for all outdoor lighting including wall mounted lighting. The plan must show the levels of illumination in foot-candles (fc) at ground level over the entire impacted area of the subject property and to all property lines.
- B. Shielding Requirement: Any luminaire used for outdoor lighting shall have a fully shielded fixture, except for those fixtures used for sports field lighting.



Example of fully shielded fixture

- C. Light Source Requirement: On property abutting a residential use, no direct light source (bulb) shall be visible at the property line at ground level. Notwithstanding the foregoing, the above regulation shall not be applicable to the light source from public streetlights, common area street lighting abutting individual lots, units or buildings within that residential development, or sports field lighting. (Ord. 2011-21, 5-12-2011)
- D. High Pressure Sodium Requirement: Any luminaire used for outdoor lighting shall use high pressure sodium, except for those luminaires used for sports field lighting and other lighting required by county, state or federal law. High pressure sodium luminaires may be substituted with an alternative luminaire not exceeding four thousand Kelvin (4000 K) for new or replacement lighting installations. New and replacement lighting sources are subject to the requirements provided in this chapter. (Ord. 2015-11, 3-5-2015)

- E. Illumination Requirements: All outdoor lighting shall be subject to the minimum security code in title 8 of this code. Except as otherwise provided elsewhere in this section for sports fields, for all nonresidential uses and residential uses in developments with common area lighting, exposed sources of light shall be controlled so that direct and indirect illumination from any source shall not exceed one-tenth (0.1) foot-candle at lot lines abutting residential uses or one foot-candle at lot lines abutting nonresidential uses. In residential developments with common area lighting, the lot line foot-candle requirements shall apply only to the perimeter of the development and shall not apply to individual lots, units or buildings within the development.
- F. Entrance/Exit: The maximum allowable light level measured at the point of intersection of an entrance drive of a nonresidential use with an adjacent street shall not exceed four (4) foot-candles.
- G. Sports Fields: Lighting levels for sports fields in conjunction with parks, recreational areas and recreational establishments shall comply with the following provisions:
 - a. Sports field lighting may be lit only during the hours between dusk and eleven o'clock (11:00) P.M.
 - b. When the sports field lights are on, light levels shall not exceed a maximum of nine (9) foot-candles measured at the lot line abutting both residential and nonresidential districts and an average of three (3) foot-candles over that portion of the lot line that is illuminated by the sports field lights abutting both residential and nonresidential districts.
 - c. When the sports field lights are not on, regardless of the time of day, and for those portions of the property line not illuminated by the sports field lights, the light levels shall not exceed two-tenths (0.2) foot-candle at lot lines abutting residential uses and one foot-candle at lot lines abutting nonresidential uses.
- H. Under Canopy Lighting: All under canopy lighting must be recessed to reduce glare on surrounding properties. The lighting level under canopies shall not exceed a maximum of fifty (50) foot-candles.
- I. Exempt Outdoor Lighting: The following outdoor lighting applications are exempt from all requirements of this chapter:
 - a. Underwater lighting used for the illumination of swimming pools and fountains;
 - b. Lighting required by municipal, county, state, or federal regulations;
 - c. Public streetlights on public rights of way as required by title 10 of this code;
 - d. Temporary lighting used for holiday decoration;
 - e. Decorative yard, landscaping, and security lighting in residential districts when the light output does not exceed one thousand one hundred (1100) lumens.
- J. Nonconforming Lighting: All lighting fixtures subject to this title shall be brought into conformity at such time as a fixture is replaced, changed or added, with the exception of routine maintenance and bulb replacement of equal light output.



Example of glare reduced by recessed lighting.

9-10-9: Water Pollution: All land uses shall comply with all applicable rules and regulations of the State of Illinois Pollution Control Board regarding water pollution, Title 35, Subtitle C, entitled "Water Pollution", as amended from time to time.

9-10-10: Sewage Waste: Sewers and sewage discharge shall meet the appropriate Village codes and all IEPA requirements.

9-10-11: Electromagnetic Interference: Electromagnetic interference from any equipment or business operations shall not adversely affect the operation of any equipment located adjacent or nearby properties.

CHAPTER 11: SIGNS

SECTION:

9-11-1: Sign Code Intent and Purpose

9-11-2: Application

9-11-3: Measurements and Calculations

9-11-4: General Design and Maintenance Standards

9-11-5: Permanent Signs

9-11-6: Temporary Signs

9-11-7: Message Centers

9-11-1: Sign Code Intent and Purpose

- A. Purpose. The purpose of this chapter is to set out regulations for the erection and maintenance of signs while preserving the right of free speech and expression.
- B. Scope. The regulations of this chapter shall provide a balanced and fair legal framework for design, construction, and placement of signs that:
 1. promotes the safety of persons and property by ensuring that signs do not create a hazard by:
 - a. collapsing, catching fire, or otherwise decaying;
 - b. confusing or distracting motorists; or
 - c. impairing drivers' ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs;
 2. promotes the efficient communication of messages, and ensures that persons exposed to signs:
 - a. are not overwhelmed by the number of messages presented; and
 - b. are able to exercise freedom of choice to observe or ignore said messages according to the observer's purpose;
 3. protects the public welfare and enhances the appearance and economic value of the landscape by protecting scenic views and avoiding sign clutter that can compromise the character, quality, and viability of commercial corridors;
 4. ensures that signs are compatible with their surroundings, and prevents the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height;
 5. ensures that signs are aesthetically pleasing, of appropriate scale, and integrated with the built environment, in order to meet the objectives related to the quality and character and development set forth in the comprehensive plan;
 6. enhances property values and business opportunities;
 7. assists in wayfinding; and
 8. provides fair and consistent permitting and enforcement.
- C. Authority. The Village Board finds that:
 1. the village has the authority to regulate signs under the United States Constitution, the Constitution of the State of Illinois, and the Zoning Division of the Illinois Municipal Code;
 2. this chapter advances important and substantial government interests;
 3. the regulations set out in this chapter are unrelated to the suppression of constitutionally-protected free expression and do not involve the content of protected messages which may be displayed on signs, nor do they involve the viewpoint of individual speakers;

4. the incidental restriction on the freedom of speech is no greater than is essential to the furtherance of the interests protected by this chapter; and
 5. certain types of speech are not protected by the First Amendment due to the harm that they cause to individuals or the community, and speech that is harmful to minors may be prohibited in places that are accessible to minors.
- D. General Findings of Fact. The Village Board finds that:
1. the ability to display signs of reasonable size and dimensions is vital to the health and sustainability of many businesses, and the display of signs with noncommercial messages is a traditional component of the freedom of speech, but the constitutional guarantee of free speech may be limited by appropriate and constrained regulation that is unrelated to the expression itself;
 2. the village has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists), because sign clutter degrades the character of the community, makes the community a less attractive place for commercial and private investment, and dilutes or obscures messages displayed along the village's streets by creating visual confusion and aesthetic blight;
 3. sign clutter can be prevented by regulations that balance the legitimate interests of individual property owners to convey their commercial and noncommercial messages against the comparable needs of adjacent and nearby property owners and the interest of the community as a whole in providing for a high-quality community character;
 4. temporary signs that are not constructed of weather-resistant materials are often damaged or destroyed by wind, rain, and sun, and after such damage or destruction, degrade the aesthetics of the village's streets if they are not removed;
 5. the village has an important and substantial interest in keeping its rights-of-way clear of obstructions and litter;
 6. the village has an important and substantial interest in protecting the health of its tree canopy, which contributes to the character and value of the community; and
 7. the uncontrolled use of off-premises outdoor advertising signs and their location, density, size, shape, motion, illumination, and demand for attention can be injurious to the purposes of this chapter and destructive to community character and property values, and that, as such, restrictions on the display of off-premises commercial messages are necessary and desirable.

9-11-2: Application

- A. Application of Chapter.
1. Generally. Hereinafter, all construction, relocation, enlargement, alteration, and modification of signs within the village shall conform to the requirements of this chapter, all state and federal regulations concerning signs and advertising, and all applicable building codes. Generally, signs are approved by issuance of a sign permit. However, there are some signs that do not require a permit. These signs are listed in subparagraph 9-11-2(A)(3) below.
 2. Signs requiring a permit. A sign permit shall be required for all permitted signs exceeding six square feet in area, unless otherwise exempted by subparagraph 9-11-2(A)(3) below. In addition, a sign permit shall be required at any time the sign area is increased, if the increase is allowable within the zoning district in which the sign is located. The subparagraph shall not be interpreted so as to grant permission for prohibited signs with sign areas less than six square feet.
 3. Signs that do not require a sign permit. The following signs do not require a sign permit but may require another related permit (if subject to building or electrical codes). The exclusion

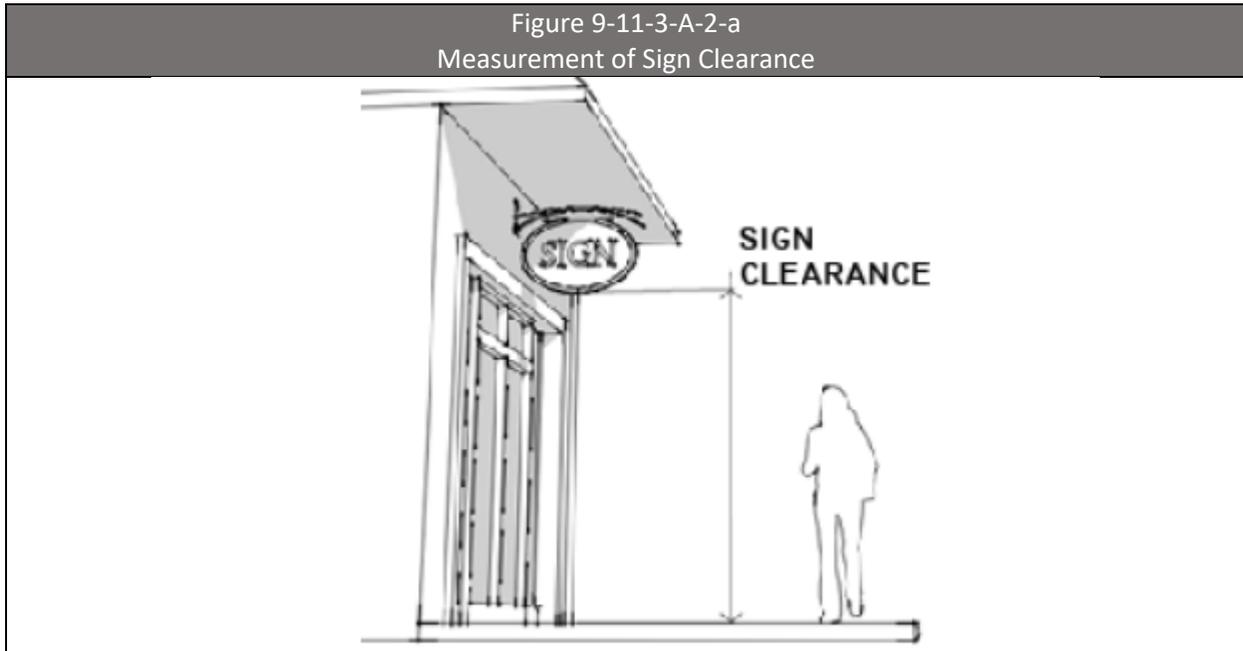
of a sign permit does not provide any relief or such signs from other sign code requirements, as applicable. Temporary signs that do not require permits shall still comply with the standards of section 9-11-7, Temporary Signs, and section 9-11-4, General Design and Maintenance Standards, or the applicable standards of this chapter.

- a. Official and legal notice. Official signs and legal notice signs that are issued by any court, public body, person, or officer in performance of a public duty, or in giving any legal notice;
 - b. Village signs. Signs that are erected, constructed, placed, maintained, or otherwise posted, owned, or leased by the village.
 - c. Signs with *de minimis* area. Signs that are affixed to a building or structure (even if wall signs are not permitted in the district or for the use), which do not exceed one square foot in area, provided that only one such sign is present on each elevation that is visible from public rights-of-way or neighboring property; and signs that are less than three-fourths of a square foot in area that are affixed to machines, equipment, fences, gates, walls, gasoline pumps, public telephones, or utility cabinets;
 - d. Flags. Flags that are not larger than 30 square feet in area that are affixed to permanent flagpoles or flagpoles that are mounted to buildings (either temporary or permanent);
 - e. Carried signs. Signs that are being carried by people (however, such signs are not exempt if they are set down or propped on objects);
 - f. Bumper stickers. Bumper stickers on vehicles;
 - g. Interior signs. Signs that are not visible from residential lots, abutting property or public rights-of-way; and
 - h. Traffic control signs. Traffic control signs and other signs related to public safety that the village or another jurisdiction installs or requires a developer to install.
- B. Exemption for addressing. The village board finds that the posting of the addresses of buildings in locations that are visible from the street is necessary for the effective delivery of public safety services. The efficient and timely delivery of emergency services is a compelling government interest. Accordingly, the village requires that street addresses shall be posted as follows:
1. Nonresidential districts. In nonresidential districts, street addresses shall be posted at:
 - a. All primary building entrances; and
 - b. On detached signage if the address on the building is not visible from the street.
 2. Residential districts. In residential districts, street addresses shall be posted:
 - a. On the facade of the building that faces the street from which the address is taken; and
 - b. On the mailbox or mailbox support, if the mailbox is detached from the building.
 3. Exclusion from sign area calculation. Because address signs are required, numbers and letters used for addressing are not included in the calculation of sign area if they are not more than 14 inches in height.
- C. Signs permitted before effective date. If a permit for a sign has been issued in accordance with all village ordinances in effect prior to the effective date of this chapter, and provided that construction is begun within six months of the effective date of this chapter and diligently pursued to completion, said sign may be completed in accordance with the approved plans on the basis of which the permit has been issued, subject thereafter, if applicable, to the provisions of this zoning ordinance regarding nonconforming signs.
- D. Relationship to other regulations. These regulations recognize other regulations pertaining to signage. Where any provision of this chapter covers the same subject matter as other regulations, the more restrictive regulation shall apply.

9-11-3: Measurements and Calculations

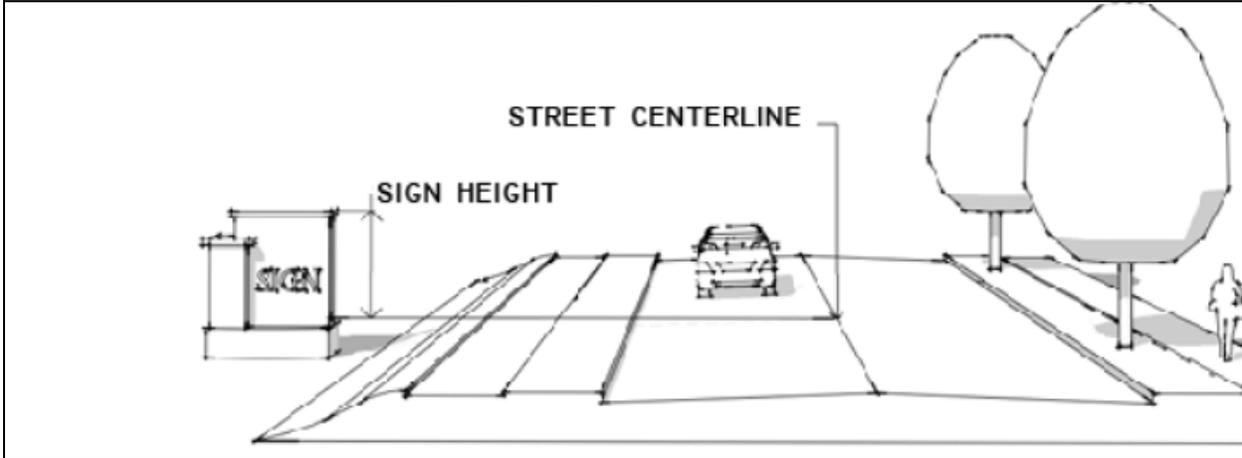
A. Measurements.

1. Generally. The regulations of this chapter shall be applied using the measurements set out in this subsection 9-11-3-A.
2. Sign clearance. Sign clearance is the distance between the bottom of a sign face or structural element that is not affixed to the ground and the nearest point on the surface under it. For a pole sign, sign clearance is the distance between bottom of the sign face and the ground. See Figure 9-11-3-A-2-a, Measurement of Sign Clearance.



3. Sign height. For detached signs (temporary and permanent), sign height is:
 - a. Where the natural grade of the ground where the sign is to be located is lower than the street centerline, the vertical distance to the top of the sign face or sign structure, whichever is higher, measured from the elevation of the centerline of the adjacent street. See Figure 9-11-3-A-3-a, Measurement of Sign Height, Sign Base Lower than Street Centerline.

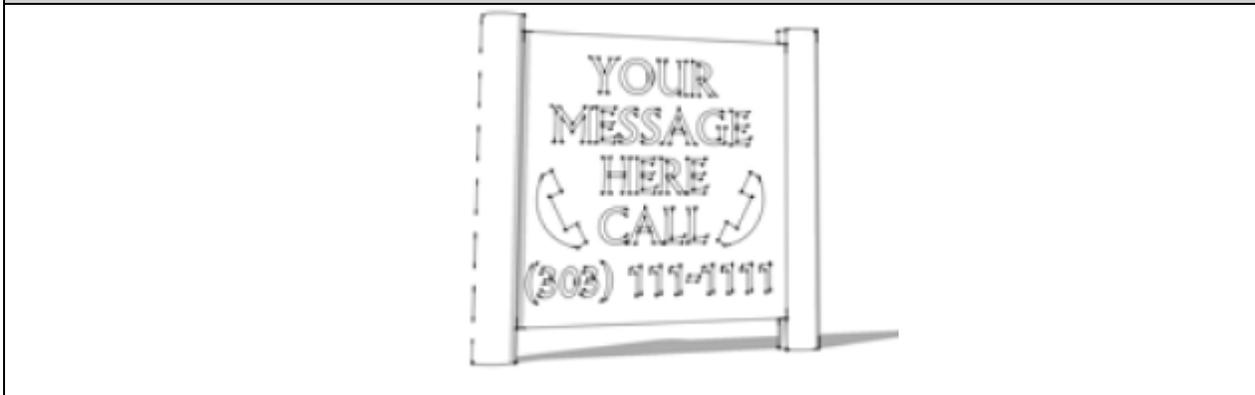
Figure 9-11-3-A-3-a
Measurement of Sign Height, Sign Base Lower than Street Centerline



- b. Where the natural grade of the ground where the sign is to be located is higher than the street centerline, the vertical distance to the top of the sign face or sign structure, whichever is higher, measured from the elevation of the average grade around the base of the sign.
4. Items of information. An item of information is a word, logo, abbreviation, symbol, geometric shape, image, or number with 10 or fewer digits (punctuation of numbers does not increase the number of items of information). See Figure 9-11-3-A-4-a, Items of Information.

Figure 9-11-3-A-4-a
Items of Information

The sign below has seven items of information: four words + one 10-digit number (with punctuation) + two symbols



- B. Calculations.
 1. Generally. The calculations required by the regulations of this chapter shall be according to the methodologies of this subsection 9-11-3-B.
 2. Sign area.
 - a. Generally. Sign area is calculated as the area within a continuous perimeter with up to eight straight sides that encloses the limits of text and graphics of a sign, together with

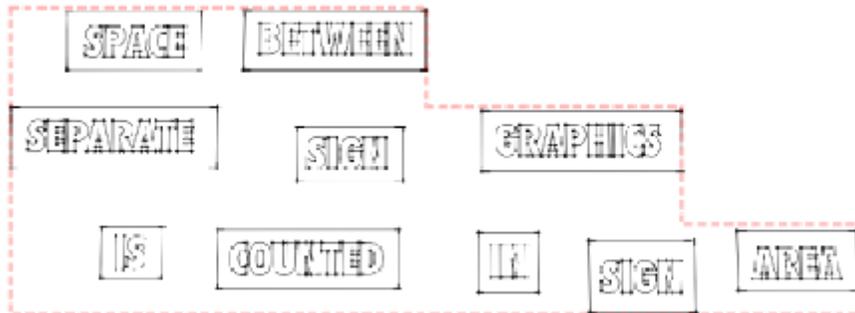
any frame or other material or color forming an integral part of the display or used to differentiate the sign's message from the background against which it is placed. The area excludes the structure upon which the sign is placed (unless the structure is an integral part of the display or used to differentiate it), but includes any open space contained within the outer limits of the display face of a sign, or between any component, panel, strip, or figure of any kind composing the display face, whether this open space is enclosed by a frame or border or not. See Figure 9-11-3-B-2-a, Sign Area, Generally.

Figure 9-11-3-B-2-a
Sign Area, Generally

The sign area of the illustrative monument sign below is calculated as the area within the smallest eight-sided polygon that encloses all of the text and graphics and framing of the message and graphics of the sign.

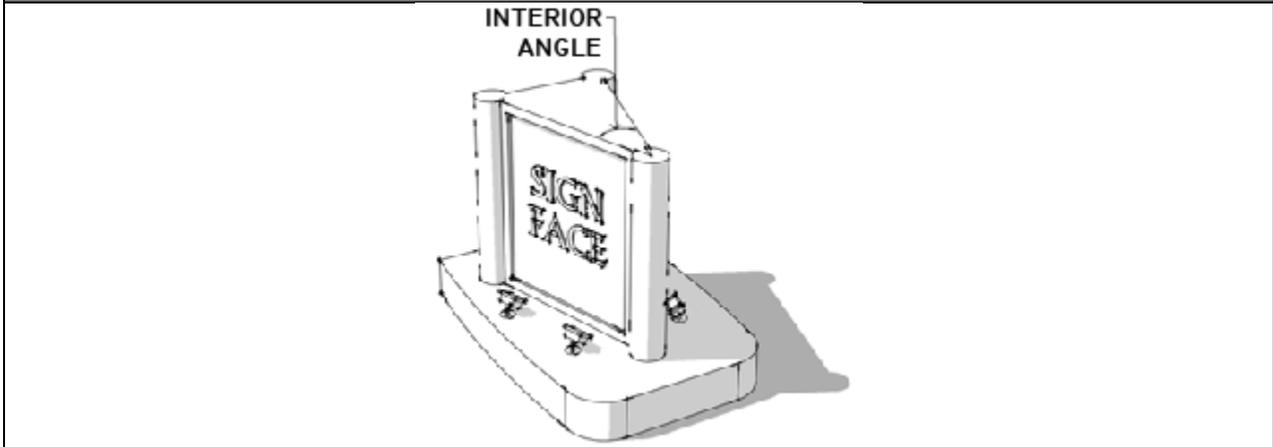


The sign area of the illustrative collection of wall signs below is measured as the area within the smallest eight-sided polygon that encloses all of the text and graphics and framing that differentiates them from the wall.



- b. Double-faced signs—For projecting suspended, or other double-faced signs.
 - (1) Only one display face is measured if the sign faces are parallel or form an interior angle of less than 45 degrees, provided that the signs are mounted on the same structure. If the faces are of unequal area, then the sign area is equal to the area of the larger face.
 - (2) Both display faces are measured if:
 - i. The interior angle is greater than 45 degrees; or
 - ii. The sign faces are mounted on different structures.

Figure 9-11-3-B-2-b
Double-Faced Signs



- c. Signable area. Signable area is calculated as follows:
 - (1) Wall signs. A two-dimensional area on the facade of the building that describes the largest square, rectangle, or parallelogram which is free of architectural details.
 - (2) Window signs. The area of glass within a window frame.
 - (3) The sign must be placed within the signable area.
 - (4) A multi-tenant building may have multiple signable areas as long as the maximum number of signs per tenant is not exceeded.
- d. Signable area ratio. Signable area ratio
- e. is the sign area divided by the signable area. It is expressed as a percentage.
- f. Relationship between maximum sign area and maximum signable area ratio. Where both a maximum sign area and maximum signable area ratio are set out, the standard that results in a polygon that encloses all of the text and graphics and framing that differentiates them from the wall.

9-11-4: General Design and Maintenance Standards

- A. Prohibited signs and design elements.
 - 1. Generally. The subsection identifies signs and sign elements that are not allowed anywhere in the village.
 - 2. Prohibited signs.
 - a. The following signs are prohibited in all areas of the village:
 - (1) Signs with more than two sign faces;
 - (2) Signs that are a traffic hazard because they simulate or imitate (in size, color, lettering, or design) any traffic sign or signal;
 - (3) Animated or moving signs that are visible from public rights-of-way, including any moving, swinging, rotating, flashing, blinking, scintillating, fluctuating, or otherwise animated light, except as allowed in section 9-11-7, Message Centers;
 - (4) Vehicle signs;
 - (5) Portable signs, except as specifically permitted in section 9-11-6, Temporary signs;
 - (6) Billboards; and
 - (7) Roof signs.
 - b. Other signs may be prohibited in certain districts. See section 9-11-5, Permanent Signs, and section 9-11-6, Temporary Signs, for requirements.

3. Prohibited design elements.
 - a. The following elements shall not be used as an element of signs or sign structures, whether temporary or permanent:
 - (1) Sound, smoke, or odor emitters;
 - (2) Awnings that are back lit and/or made of plastic;
 - (3) Stacked products (e.g., tires, soft drink cases, bagged soil or mulch); and
 - (4) Unfinished wood support structures, except that stake signs may use unfinished stakes.
 - b. The following elements shall not be used as an element of signs or sign structures, whether temporary or permanent, which are visible from public rights of way:
 - (1) Flags, banners, or comparable elements that are designed to move in the wind that are not affixed to permanent flagpoles or flagpoles that are mounted to buildings;
 - (2) Spinning or moving parts;
 - (3) Exposed reflective type bulb or strobe lights;
 - (4) Flashing lights;
 - (5) Motor vehicles, unless:
 - i. The vehicles are functional, used as motor vehicles, and have current registration and tags;
 - ii. The display of signage is incidental to the motor vehicle use; and
 - iii. The motor vehicle is properly parked in a marked parking space or is parked behind the principal building.
 - (6) Semi-trailers, shipping containers, or portable storage units, unless:
 - i. The trailers, containers, or portable storage units are functional, used for their primary storage purpose, and, if subject to registration, have current registration and tags;
 - ii. The display of signage is incidental to the use for temporary storage, pick-up, or delivery; and
 - iii. The semi-trailer is parked in a designated loading area or on a construction site at which it is being used for deliveries or storage.
4. Prohibited content.
 - a. The following content is prohibited without reference to the viewpoint of the individual speaker:
 - (1) Text or graphics of an indecent or immoral nature and harmful to minors;
 - (2) Text or graphics that advertise unlawful activity;
 - (3) Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats; or
 - (4) Text or graphics that present a clear and present danger due to their potential confusion with traffic control signs or signs that provide public safety information (for example, signs that use the words "Stop," "Yield," "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist.
 - b. The narrow classifications of content that are prohibited by this subsection are either not protected by the United States or Illinois Constitutions, or are offered limited protection that is outweighed by the substantial government interests in protecting the public safety and welfare. It is the intent of the village board that each paragraph of this subsection (e.g., subsections 9-11-4-A-4-a-1, 9-11-4-A-4-a-2, 9-11-4-A-4-a-3, or 9-11-4-A-4-a-4) be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or Illinois Constitutions.

- B. Prohibited sign locations.
1. Generally. Attached signs shall be installed on signable areas of buildings, as defined by subsection 9-11-3-A, Measurements. Detached signs shall be set back as required by subsection 9-11-5-B, Detached Signs. Signs that are in violation of this subsection 9-11-4-B are subject to immediate removal.
 2. Prohibited obstructions. In no event shall a sign, whether temporary or permanent, obstruct:
 - a. building ingress or egress, including doors, windows, fire escapes, required exitways, and any window or door opening used as an element of a means of egress or to prevent free passage from one part of a roof to another part thereof or access thereto;
 - b. any opening required for ventilation, except that such signs may be erected in front of and may cover transom windows when not in violation of the provisions of the village building code;
 - c. features of the building or site that are necessary for public safety, including standpipes and fire hydrants;
 - d. sight distance triangle required by section 9-3-5 of this title.
 3. Prohibited mounts. No sign, whether temporary or permanent, shall be posted, installed, or mounted on any of the following locations:
 - a. On trees; or
 - b. On utility poles, light poles, or on utility cabinets, except signs posted by the village or the utility that are necessary for public safety or identification of the facility by the utility provider.
 4. Prohibited locations. In addition to the setback requirements of this chapter, and the other restrictions of this section, no sign shall be located in any of the following locations:
 - a. In or over public rights-of-way (which, in addition to streets, may include other elements, such as sidewalks, parkways, retaining walls, utility poles, traffic control devices, medians, and center islands that are within the public right-of-way), except:
 - (1) Traffic control signs installed by a governmental entity or which are required to be installed by a governmental entity (e.g., permanent traffic control devices such as stop, yield, and speed limit signs, as well as temporary signs related to street construction or repair);
 - (2) Signs posted by governmental entities that support event or emergency management, such as wayfinding to event or disaster relief locations;
 - (3) Banners posted by the village on utility or light poles according to the standards of subparagraph 9-11-4(B)(3) above;
 - (4) Signs constructed by the village or another governmental or quasi-governmental entity pursuant to terms and conditions set forth in an approved intergovernmental agreement with the village; and
 - (5) Signs specifically identified in a sign design program approved pursuant to section 9-11-4, General Design and Maintenance Standards.
 - b. In locations that have less horizontal or vertical clearance from authorized communication or energized electrical power lines that are prescribed by the laws of the State of Illinois and the regulations duly promulgated by agencies thereof.
 - c. Within easements for overhead utilities (placement in other utility easement areas is allowed only if approved by the utility service provider and if the other applicable requirements of the zoning ordinance are met).
- C. Items of information. No sign face shall contain more than 20 items of information. Items of information are measured as provided in subsection 9-11-3(A), Measurements.
- D. Illumination of signs.

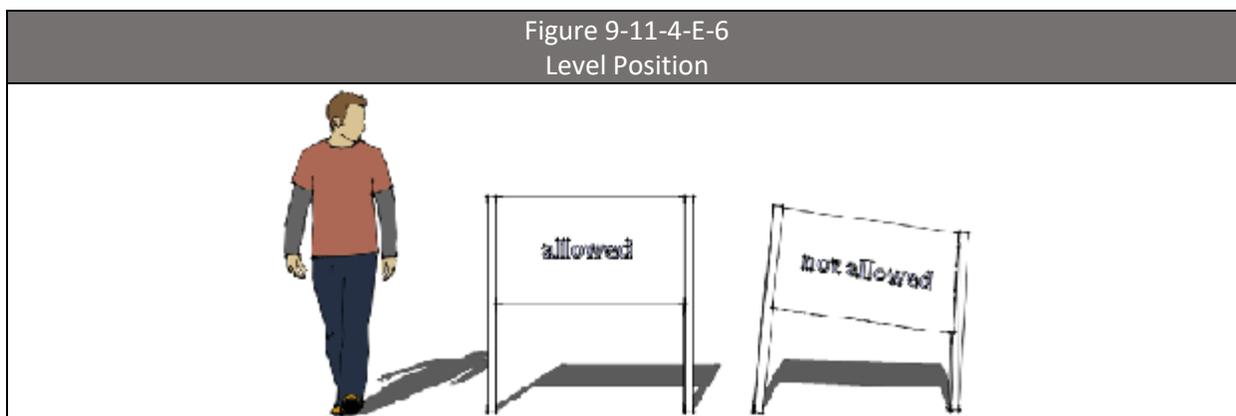
1. Generally. Signs shall be internally illuminated, or, if external illumination is used, the source of illumination shall be shielded.
2. Certification. All electrically illuminated signs shall be certified as to electric wiring and devices by the village’s electrical inspector, and all wiring and accessory electrical equipment shall conform to the requirements of the village’s electrical code.
3. Photometric plans. The zoning officer may require applicants to submit photometric plans demonstrating compliance with this subsection as a condition to the issuance of a sign permit.
4. Additional permits. Electrical permits for the erection or maintenance of illuminated signs must be obtained when required by the village’s electrical code.
5. Sign illumination. Signs shall not exceed the following Illumination levels:

Table 9-11-4-D-3-a Maximum Sign Illumination Standards				
Type of Illumination	Distance from Sign to R-1, R-2, R-3, A-1, or A-2 Districts			Not visible from R-1, R-2, R-3, A-1, or A-2 Districts
	Less than 200 ft.	200 ft. to 500 ft.	More than 500 ft.	
Direct, internal, or backlit	90 foot-lamberts	150 foot-lamberts	250 foot-lamberts	250-foot lamberts
Indirect or reflected	10 foot-candles	25 foot-candles	50 foot-candles	50 foot-candles

E. Sign maintenance.

1. Generally. Signs and sign structures of all types (attached, detached, and temporary) shall be maintained as provided in this subsection. Signs not maintained according to applicable standards are declared to be a nuisance.
2. Message. Signs shall display messages. Signs that do not display a message for a period of more than 30 days are abandoned.
3. Paint and finishes. Paint and other finishes shall be maintained in good condition. Peeling finishes shall be repaired. Signs with running colors shall be repainted, repaired, or removed if the running colors were not a part of the original design.
4. Mineral deposits and stains. Mineral deposits and stains shall be promptly removed.
5. Corrosion and rust. Permanent signs and sign structures shall be finished and maintained to prevent corrosion and rust. A patina on copper elements is not considered rust.
6. Level position. Signs that are designed to be level, whether temporary or permanent, shall be installed and maintained in a level position. See Figure 9-11-4-E-6, Level Position.

Figure 9-11-4-E-6
Level Position



9-11-5: Permanent Signs

A. Attached signs.

1. Generally. There are many forms of attached signs. This section sets out which forms of attached signs are allowed in each zoning district and the standards that apply to them. Attached signs that are not listed in a table are not allowed as-of-right in any of the districts set out in the Table.
2. Residential districts.
 - a. The standards of Table 9-11-5-A-1, Permissible Attached Sign Types in Residential Districts, apply to multifamily and nonresidential uses in the districts set out in the table.
 - b. Attached signs are not allowed for home occupations, except for required address signs.
3. Freeway oriented commercial retail and mixed use developments.
 - a. The village board finds that non-residential developments that are adjacent to interstate highways or tollways have unique needs for communicating their messages due to the high rate of speed of Interstate highway traffic, and the elevation of the interstate highway or tollway compared to abutting properties. The regulations of subsection apply to developments that meets all of the following criteria:
 - (1) Buildings of more than 100,000 square feet of floor area
 - (2) The building directly abuts interstate highway or tollway right-of-way.
 - b. Development that meets all of the criteria of subsection 9-11-5.A.3.a may display a wall sign that is subject to the following standards:
 - (1) Maximum sign surface area: 800 square feet each surface.
 - (2) Minimum spacing from other freeway-oriented signs: 300 feet.

The sign permitted by this subsection is in addition to the signs that are permitted by Table 9-11-5-A-2, Permissible Attached Sign Types in Nonresidential Districts.

Table 9-11-5-A-1
Permissible Attached Sign Types in Residential Districts

District	R-1	R-2	R-3	A-1	A-2
Wall Sign	Allowed	Allowed	Allowed	Allowed	Allowed
Number of signs allowed	1 per façade				
Maximum sign area	50 s.f.				
Maximum signable area ratio	40%	50%	50%	60%	60%

**Table 9-11-5-A-2
Permissible Attached Sign Types in Nonresidential Districts**

District	B-1	B-2	B-3	RBC	ORI	M-1
Wall Sign	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed
Number of signs allowed	1 per façade	1 per façade	1 per façade	1 per façade	1 per façade	1 per façade
Maximum sign area	Aggregate (total) sign area of 2.5 s.f. per linear ft. of façade with, or 250 sq. ft. (whichever is greater)	Aggregate (total) sign area of 2.5 s.f. per linear ft. of façade with, or 250 sq. ft. (whichever is greater)	Aggregate (total) sign area of 2.5 s.f. per linear ft. of façade with, or 250 sq. ft. (whichever is greater)	Aggregate (total) sign area of 2.5 s.f. per linear ft., up to 150 sq. ft.	Aggregate (total) sign area of 2.5 ft. per linear ft., up to 150 s.f.	300 s.f.
Maximum signable area ratio	50%	50%	50%	50%	50%	50%
Other limitations	Must be 1 foot from edge of wall For multi-tenant properties, wall signs must be centered above each tenant's frontage, and reasonably in line with the other signs on the building					
Window Sign	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed
Minimum window transparency	80%	80%	80%	50%	50%	50%
Other limitations	See neon signs, below.					
Awning Sign	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed
Number of signs allowed	1 per awning					
Maximum signable area	5 s.f.					

Maximum signable area ratio	90% of valence for copy and graphics on valence; 50% of other areas for copy and graphics on other areas					
Maximum height	Such signs shall not exceed a height of 20 feet above average surrounding grade.					
Marquee Sign	Not allowed	Allowed	Not allowed	Allowed	Not allowed	Not allowed
Number of signs allowed	-	1 per building	-	1 per building	-	-
Maximum signable area	-	20 s.f. per face, up to 3 faces	-	20 s.f. per face, up to 3 faces	-	-
Other limitations	-	Not allowed on facades that face residential uses in a different zoning district; not allowed on buildings that are less than 12,000 s.f. of floor area	-	Not allowed on facades that face residential uses in a different zoning district; not allowed on buildings that are less than 12,000 s.f. of floor area	-	-
Height		May not exceed 20 feet above average surrounding grade		May not exceed 20 feet above average surrounding grade		
Blade Sign or Shingle	Allowed	Allowed	Not Allowed			
Number of signs allowed	1 per primary building entrance		-			
Maximum sign area	8 s.f.		-			
Minimum clearance	8 ft.		-			
Maximum height	12 ft.		-			
Other limitations	Allowed under awnings or arcades on front facades only,		-			

	height may not exceed 20 feet above average surrounding grade					
Neon Sign	Allowed	Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Number of signs allowed	1 per window		-			
Maximum sign area	6 s.f.		-			
Other limitations	Sign area of neon sign hung in window counts as opaque in measure of window transparency; neon signs must be turned off when the use closes each day		-			
Drive-through Sign	Allowed					
Maximum number of signs	3 drive-through signs per drive through or drive-in establishment					
Sign location and spacing	Set back 15 ft. from any residential zoned lot line					
Maximum sign area (per sign/total)	25 s.f. / 75 s.f.					
Maximum sign height	7 ft.					
Other limitations	Internally illuminated drive-through signs are allowed only in accordance with Section 9-11-4-D. Menu boards may include an electronic screen to display information to drive-through traffic.					

B. Detached signs.

1. Generally. There are many forms of detached signs. This subsection sets out which forms of detached signs are allowed in each zoning district, and the size and height standards that apply to them.
2. Required setbacks. Unless otherwise indicated in Table 9-11-5-B-1, Permissible Detached Sign Types in Residential Districts; or Table 9-11-5-B-2, Permissible Detached Sign Types in Nonresidential Districts, all detached signs shall be set back at least 10 feet from all property lines. The zoning officer may waive this standard if:
 - a. The waiver would lower the elevation of the base of the sign by more than three feet and:
 - (1) The sign will be set back at least one foot from any sidewalk;
 - (2) The sign will not encroach on any utility easement;
 - (3) The sign will not obstruct a sight distance triangle; and
 - (4) There is at least five feet of landscaped parkway between the edge of pavement and the property line; or
 - b. The sign is a wayfinding sign used to identify a residential subdivision or development and:
 - (1) The sign will be set back at least one foot from any property line;
 - (2) The sign will not encroach on any utility easement;
 - (3) The sign will not obstruct a sight distance triangle; and
 - (4) The sign will not be located within the sight distance triangle.

3. Required landscaping. All monument and pole signs shall provide landscaping around its base. Landscaping must extend a minimum of two feet from the sign base on all sides with small shrubs a minimum of 18 inches in height at planting in a single row around the perimeter of the sign base. The remainder of the required landscape area must be planted with perennials, or other live groundcover as appropriate.
4. Design Standards. Detached monument signs shall meet the following design standards:
 - a. the width of the sign structure base shall be no less than 80 percent of the width of the top of the sign;
 - b. signs with internally-illuminated cabinets shall have a sign background that is opaque so that the portion of the sign that contains letters, figures and/or other means of communication or part thereof is only illuminated portion.
 - c. they shall be designed to mimic or complement the principal building on the lot that the sign is placed; and
 - d. if no principal building exists, all monument signs shall be comprised solely of either fired clay brick, natural stone, natural wood, split-face or ground-face block, manufactured stone or tile, cementitious stucco; architectural metal, and/or other similar materials as approved by the zoning officer.
5. Freeway oriented commercial retail and mixed use developments.
 - a. The village board finds that non-residential developments that are adjacent to interstate highways or tollways have unique needs for communicating their messages due to the high rate of speed of Interstate highway traffic, and the elevation of the interstate highway or tollway compared to abutting properties. The regulations of subsection apply to developments that meets all of the following criteria:
 - (1) Buildings of more than 100,000 square feet of floor area;
 - (2) The building directly abuts interstate highway or tollway right-of-way.
 - b. Development that meets all of the criteria of subsection 9-11-5.B.5.a may display a monument sign or pole sign that is subject to the following standards:
 - (1) Maximum sign height: 32 feet.
 - (2) Point of measurement: The point of measurement for sign height is the centerline of the adjacent interstate or tollway.
 - (3) Maximum sign area: 150 square feet.
 - (4) Setbacks and location: The sign shall be located in the yard that abuts the interstate or tollway, and shall be set back at least 10 feet from all property lines.
 - (5) Minimum spacing from other freeway-oriented signs: 300 feet.
 - (6) The sign must be compatible with surrounding architecture in general appearance and materials.
 - (7) The sign shall also include landscaping in the form of shrubs, decorative grasses, perennials, or other ornamental materials around the base of the structure that are maintained by a subsurface irrigation system.
 - (8) The sign permitted by this subsection is in addition to the signs that are permitted by Table 9-11-5-B-2, Permissible Detached Sign Types, Nonresidential and Mixed-Use Districts.

Table 9-11-5-B-1 Permissible Detached Sign Types in Residential Districts					
District	R-1	R-2	R-3	A-1	A-2
Monument sign, residential	Allowed				
Maximum number of signs	2 signs per subdivision or access to developments containing 15 dwelling units or more, located on commonly owned open space. 1 sign per subdivision or access to developments containing between 3 and 14 dwelling units, located on commonly owned space.				
Maximum sign area	32 s.f. per sign, 64 s.f. per development				
Maximum height	5 ft.				
Monument sign, nonresidential	Allowed				
Maximum number of signs	1 sign per nonresidential parcel				
Maximum sign area	60 s.f.				
Maximum sign height	6 ft.				
Other limitations	The limitations for nonresidential monument signs shall apply to any nonresidential electronic message center, which may be permitted if the message center serves nonresidential uses				
Pole sign, residential	Not Allowed				
Pole sign, nonresidential	Not Allowed				
Kiosk sign	Not Allowed				
Bus stop and transit shelter bench signs	Allowed				
Number of signs allowed	Signs may be incorporated into transit shelter designs				
Maximum sign area	Signs shall be integrated into the transit shelter or its benches. Transit shelters and benches shall be sized according to their principal function, and not for the display of signage				

Table 9-11-5-B-2 Permissible Detached Sign Types in Nonresidential Districts						
District	B-1	B-2	B-3	RBC	ORI	M-1

Monument sign, residential	Not Allowed					
Monument sign, nonresidential	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed
Maximum number of signs	1 monument sign, provided there are no pole signs located on the nonresidential lot. Where there is a pole sign located on the nonresidential lot, a monument sign shall not also be permitted					
Maximum sign area	160 s.f.	Sign with 1 sign surface: 2 s.f. per 2.5 linear ft. of facade up to a maximum of 40 s.f.		120 s.f.	160 s.f.	
		Sign with 2 sign surfaces: 2 s.f. per 2.5 linear ft of facade up to a maximum of 80 s.f.				
Maximum sign height	10 ft.	10 ft.	10 ft.	12 ft.		
Other limitations	The sign area portion of a nonresidential monument sign shall not be less than 3 ft. above the average surrounding grade Freestanding retail and restaurant buildings within a shopping center complex shall not have a ground sign separate from that of the shopping center	Freestanding retail and restaurant buildings within a shopping center complex shall not have a ground sign separate from that of the shopping center	Signs shall be set back a minimum of five ft. from road ROW lines	-		
Pole sign, residential	Not allowed					
Pole sign, nonresidential	Allowed					
Maximum number of signs	1 pole sign, provided there are no monument signs located on the nonresidential lot. Where there is a monument sign located on the nonresidential lot, a pole sign shall not also be permitted					
Maximum sign area	120 s.f.					
Maximum sign height	16 ft.					
Minimum sign clearance	8 ft.					
Other limitations	No sign face of a pole sign in a nonresidential district shall be lower than 8 ft. above the average surrounding grade					

Sidewalk sign	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed
Maximum number of signs	1 per street frontage and 1 per ingress or egress		2 per ingress or egress to district			
Maximum sign area	1 sign per frontage up to 48 s.f.; all others up to 10 s.f.		48 s.f.			
Maximum sign height	1 sign per frontage up to 10 ft.; all others up to 5 ft.		10 ft.			
Single-tenant electronic message center	Allowed	Allowed	Allowed	Not Allowed	Not Allowed	Allowed (public service use only)
Maximum number of message centers	1	1	-			1
Multi-tenant electronic message center	Allowed	Allowed	Allowed	Not Allowed	Not Allowed	Not Allowed
Maximum number of message centers	1	1	1	-		
Design criteria	Per Section 9-11-7			-		
Kiosk sign	Allowed	Allowed	Allowed	Not allowed	Not allowed	Not allowed
Sign location and spacing	Set back 10 ft. from any vehicular use area; within two feet of a sidewalk; and spaced 150 feet apart unless there is no line of sight between signs			-		
Maximum sign area	12 s.f.			-		
Maximum sign height	10 ft.			-		
Bus stop and transit shelter bench sign	Allowed					
Maximum number of signs	Signs may be incorporated into transit shelter designs.					
Maximum sign area	Signs shall be integrated into the transit shelter or its benches. Transit shelters and benches shall be sized according to their principal function, and not for the display of signage					
Directional sign, nonresidential	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed
Maximum number of signs	1 per ingress or egress					
Sign location and spacing	No spacing or setback requirement; must leave at least 4 ft. of sidewalk width for pedestrian use; must be located outside of principal pedestrian travel path					
Maximum sign area	10 s.f.					

Maximum sign height	5 ft.
Drive-through Sign	Allowed
Maximum number of signs	3 drive-through signs per drive-through or drive-in establishment
Sign location and spacing	Set back 15 ft. from any residential zoned lot line
Maximum sign area (per sign/total)	25 s.f. / 75 s.f.
Maximum sign height	7 ft.
Other limitations	Internally illuminated drive-through signs are allowed only in accordance with Section 9-11-4-D. Menu boards may include an electronic screen to display information to drive-through traffic.

9-11-6: Temporary Signs

- A. General standards for freestanding temporary signs.
 1. Generally. There are many forms of temporary signs. This section sets out which forms of temporary signs are allowed in each zoning district, and the size and height standards that apply to them. Sign types that are not listed in Table 9-11-6-A-1, Permissible Freestanding Temporary Sign Types, Residential Zoning Districts; or Table 9-11-6-A-2, Permissible Freestanding Temporary Sign Types, Nonresidential Zoning Districts; are not permitted as freestanding signs.
 2. Setbacks. All temporary signs shall be set back at least five feet from all property lines, except as provided in 9-11--B, Prevention of Visual Clutter in Principal Corridors. Temporary signs that are not visible from public rights-of-way or abutting property are not restricted by this section.

Table 9-11-6(A)(1) Permissible Freestanding Temporary Sign Types in Residential Districts					
District	R-1	R-2	R-3	A-1	A-2
Yard sign	Allowed				
Number of signs allowed	No maximum; provided minimum size and height restrictions met				
Maximum sign area (per sign/total)	6 s.f./24 s.f.				
Maximum sign height	4 ft.				
Swing sign	Allowed				
Number of signs allowed	1				
Maximum sign area	6 s.f.				

Maximum sign height	4 ft.
Site Sign	Allowed
Number of signs allowed	1 per frontage
Maximum sign area	12 s.f.
Maximum sign height	5 ft.
Other requirements	Not allowed on parcels with existing residential uses

Table 9-11-6(A)(2) Permissible Freestanding Temporary Sign Types in Nonresidential Districts						
District	B-1	B-2	B-3	RBC	ORI	M-1
Yard sign	Not Allowed					
Number of signs allowed	-					
Maximum sign area (per sign/total)	-					
Maximum sign height	-					
Sidewalk sign	Allowed			Not allowed		
Number of signs allowed	1 per ground floor tenant bay			-		
Maximum sign area	8 s.f.			-		
Other Requirements	Must leave at least 4 feet of sidewalk width for pedestrian use; must be located outside of principal pedestrian travel path; not allowed on sidewalks in arterial or collector rights-of-way			-		
Swing sign	Allowed					
Number of signs allowed	1		2			
Maximum sign area	32 s.f.		200 s.f. per sign	150 s.f. per sign	150 s.f. per sign	
Maximum sign height	8 ft.		12 ft.	12 ft.	12 ft.	
Site sign	Allowed					
Number of signs allowed	1 per frontage					
Maximum sign area	32 s.f.					
Maximum sign height	8 ft.					
Other requirements	Must be set back at least five feet from all property lines; site signs are exempt from the setback requirements of 9-11-7(B), Prevention of visual clutter in principal corridors.					

- B. Prevention of Visual Clutter in Principal Corridors.
1. Generally. The village board finds that the proliferation of temporary signage along the principal corridors of the Village causes visual clutter that is detrimental to the character of the community and tend to be distracting to motorists. The village board also finds that the application of this subsection does not restrict the ample alternative ways that residents and business owners may communicate their messages.
 2. Corridor setback requirement.

- a. No temporary sign shall be placed within the right-of-way (as provided in Section 9-11-4-B, Prohibited Sign Locations), or within any required site distance triangles.
- C. Standards for Attached Temporary Signs.
 - 1. Generally. Attached temporary signs are permitted subject to the standards of this subsection, for a duration as set out in subsection 9-11-7-D, Duration of Temporary Signs.
 - 2. Banners. Banners are permitted in the B-1, B-2, B-3, RBC, ORI, and M-1 districts, provided that:
 - a. There is only one banner per tenant per principal building;
 - b. The banner is attached to the principal building and complies with the standards of subsection 9-11-4-B, Prohibited Sign Locations.
 - c. The sign area on the banner is not larger than the sign area allowed for a wall sign on the building upon which the banner is attached.
 - 3. Sock signs and temporary wall signs. Sock signs and temporary wall signs are permitted in the B-1, B-2, B-3, RBC, ORI, and M-1 districts, and may be installed upon issuance of a building permit for a permanent sign, and may remain in place for not more than 30 days. Such signs shall have a sign area that is not more than 15 percent larger than that which is permitted for the permanent sign for which the permit application was filed.
 - 4. Window signs. Temporary window signs are allowed in all locations where permanent window signs are allowed, provided that the transparency standards of subsection 9-11-5-A, Attached Signs, are met.
- D. Duration of Temporary Signs.
 - 1. Generally. The purpose of temporary signs is to display messages for a temporary duration. Temporary signs shall not be used as a subterfuge to circumvent the regulations that apply to permanent signs or to add permanent signage to a parcel proposed for development in addition to that which is permitted for permanent signs by subsection 9-11-5-A, Attached signs, and subsection 9-11-5-B, Detached signs.
 - 2. Duration of display.
 - a. In general, temporary signs shall be removed as of the earlier of the date that:
 - (1) A commercial message is obsolete and has become misleading or off-premises (e.g., a “for lease” or “for sale” sign in front of a building that is fully occupied);
 - (2) The sign falls into disrepair (see subsection 9-11-4-E, Sign Maintenance); or
 - (3) The number of days set out in Table 9-11-6-D-1, Duration of Detached Temporary Signs, or Table 9-11-6-D-2, Duration of Attached Temporary Signs, expires.

Table 9-11-6-D-1 Duration of Detached Temporary Signs											
District	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Yard sign											
Paper or cardboard sign face	Signs must be removed within 24 hours of placement; signs may be placed not more than 90 days per year.					-					
Laminated paper; plastic-lined polyethylene bags and	Signs may be placed for not more than 90 days per year.					-					

comparable materials		
Wood, corrugated plastic, metal, or vinyl sign face	Signs may be placed for not more than 120 days per year.	-
Swing sign		
Wood, corrugated plastic, or metal sign face and finished wood or metal structure	Signs may be placed for not more than 9 months per year	
Sidewalk sign		
All sidewalk signs	-	Must be removed from sidewalk at close of business
Site sign		
Vinyl sign face	Signs may be placed for not more than 30 days per year.	
Corrugated plastic sign face	Signs may be placed for not more than 6 months per year	
Plywood sign face	Signs may be placed for not more than 10 months per year.	
Metal; plywood with bonded aluminum sign face	Signs may be placed for not more than 10 months per year or 14 months per 2-year period.	Signs may be placed for not more than 10 months per year or 16 months per 2-year period.

Table 9-11-6-D-2 Duration of Attached Temporary Signs											
District	R-1	R-2	R-3	A-1	A-2	B-1	B-2	B-3	RBC	ORI	M-1
Banners											
Cloth, canvas, or comparable material	-					Signs must be removed within 14 days of placement; signs may be placed not more than 30 days per year.					

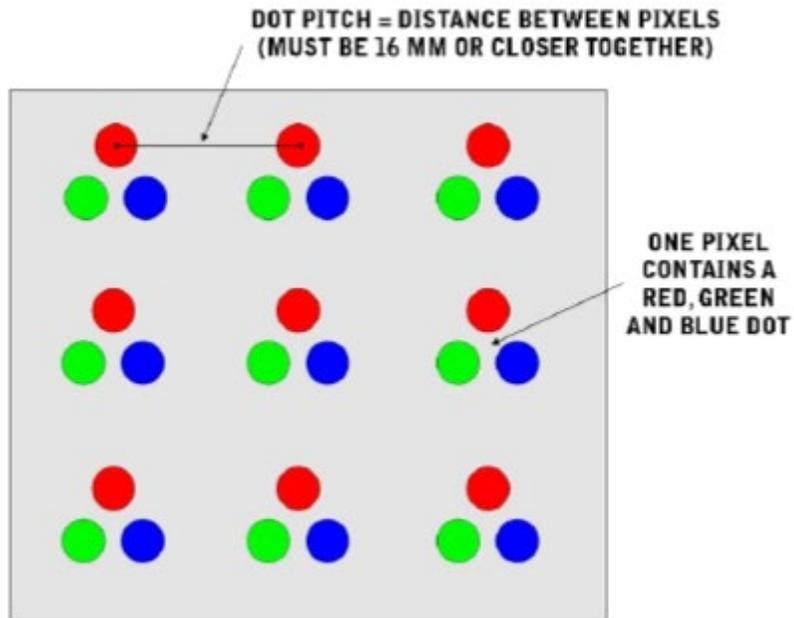
Vinyl or comparable material	-	Signs may be placed not more than 30 days per year.
Sock Signs		
Vinyl or comparable material	-	Signs may be placed after sign permit for permanent sign is issued, and for a period of not more than 30 days thereafter.
Temporary Wall		
All materials	-	Signs may be placed after sign permit for permanent sign is issued, and for a period of not more than 30 days thereafter.
Window Signs		
Inside window (all materials)	-	Not limited
Outside window (all materials)	-	Signs must be removed 15 days after placement

4. Administrative interpretations. The village board finds that materials technology is a rapidly evolving field of study, and that materials for signage that are not listed in Table 9-11-6-D-1, Duration of Detached Temporary Signs or Table 9-11-6-D-2, Duration of Attached Temporary Signs, material may be introduced into the market. When an unlisted material is proposed, the zoning officer shall determine to which class of materials the new material is comparable, based on the new material's appearance, durability, and colorfastness. No sign displays shall be longer in duration than the longest permitted display in Table 9-11-6-D-1, Duration of Detached Temporary Signs or Table 9-11-6-D-2, Duration of Attached Temporary Signs, regardless of the material.
5. Exception for outdoor political campaign signs on residential property. Other than regulations as to size, nothing in this section prohibits the display of outdoor political campaign signs on residential property.

9-11-7: Message Centers

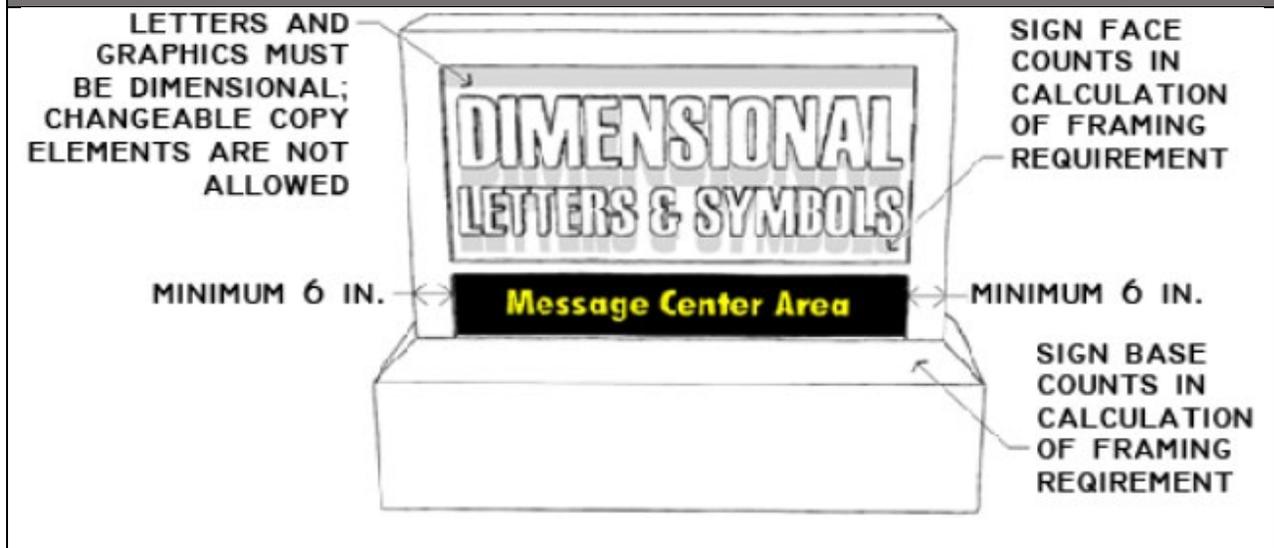
- A. Generally. Manual and electronic message centers may be used in permanent detached signs and marquee signs to a limited degree, pursuant to the applicable standards of this section.
- B. Electronic message centers. Electronic message centers may be incorporated into signage as follows:
 - 1. Location restrictions.
 - a. A single electronic message center may be installed as part of a permitted permanent detached sign or marquee sign on:
 - (1) properties zoned residential, provided that they serve nonresidential uses and meet the requirements set forth in this chapter.
 - (2) properties zoned B-1, B-2, or B-3 provided that they are located on a principal or minor arterial roadway as designated by the Comprehensive Plan.
 - (3) Properties zoned M-1 provided that they serve a public service use.
 - b. Electronic message centers must be located a minimum of 100 feet from residential uses.
 - 2. Design requirements.
 - a. Electronic message centers are only permitted on monument signs or marquee signs which enclose the electronic message center component on all sides with a finish of brick, stone, stucco, powder coated (or comparably finished) metal, or the surface of the sign face.
 - b. Electronic message centers shall make up not more than 50 percent of the sign area of a monument sign or 75 percent of the sign area of a marquee sign. The balance of the sign area shall utilize permanent, dimensional letters or symbols.
 - c. No sign structure that includes a cabinet, box, or manual changeable copy sign may also include an electronic message center. See Figure 9-11-8-B-2, Electronic Message Center Design Requirements.
 - d. All electronic message center display components shall be in full color with a minimum pitch resolution of 16 mm spacing or better (i.e., 10 mm, 12 mm, etc.)

Figure 9-11-7-B-1
Electronic Message Center Resolution Requirements



3. Operational Requirements. Electronic message centers must meet the operational requirements in this subsection. The zoning officer may order the owner to turn off an electronic message center that does not meet these requirements. Electronic message centers:
 - a. shall contain static messages only;
 - b. shall be constant in intensity and color;
 - c. shall not consist of flashing, animated, chasing or scintillating lights;
 - d. shall display messages for a period not less than 10 seconds (multiple electronic message centers, if used on the same sign, shall be synchronized to change messages at the same time);
 - e. shall not use transitions or frame effects between messages;
 - f. shall not emit illumination that encroaches onto or create a visual nuisance on properties used for residential dwellings; and
 - g. shall conform to the illumination standards as set forth in subparagraph 9-11-7-B-3 below.

Figure 9-11-7-B-2
Electronic Message Center Design Requirements



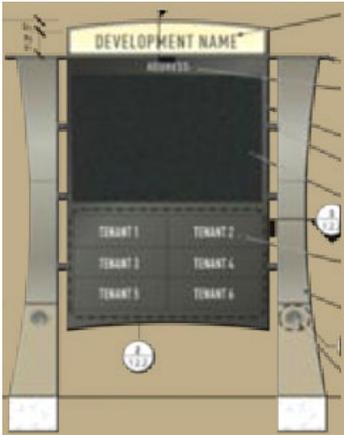
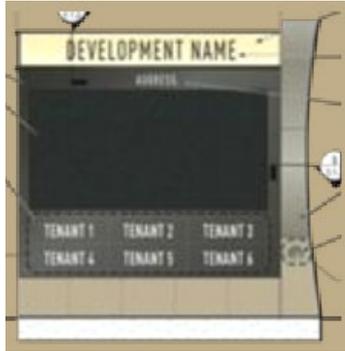
4. Illumination standards. The illumination standards set forth in this subsection 9-11-7-B-4 shall apply to all electronic message center signs, including multi-tenant electronic message centers.
 - a. Measurement criteria. The illuminance of an electronic message center shall be measured with an illuminance meter set to measure foot-candles accurate to at least two decimals. Illuminance shall be measured with the electric message center off, and again with the electronic message center displaying a white image for a full-color capable electronic message center, or a solid message for a single-color electronic message center. Measurements shall be taken after sunset, as determined by the National Weather Service, with the site fully illuminated by installed site lighting. All measurements shall be taken perpendicular to the face of the electronic message center at the distance determined by the total square footage of the electronic message center as set forth below (sign size determined per Table 9-11-7-C)
 - (1) Large sign: 98 feet.
 - (2) Medium sign: 73 feet for symmetrical and asymmetrical sign types; 84 feet for horizontal sign type.
 - (3) Small sign: 49 feet for symmetrical and asymmetrical sign types; 57 feet for horizontal sign type.
 - (4) Other sign sizes: Measurement distance = $\sqrt{\text{Area of Sign (in square feet)} \times 100}$.
 - c. Electronic message center illumination limits. The difference between the off and solid-message measurements using the EMC Measurement Criteria shall not exceed 0.3 foot-candles on either side of the sign. If there is a difference in measurement of illumination levels on either side of the sign, the side of the sign facing residentially-zoned properties shall take precedence.
 - d. Dimming capabilities. All electronic message centers shall be equipped with an ambient light monitor or other device that automatically determines the ambient illumination and at all times is programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurements.

- e. Photometric plan. The zoning officer may require applicants to submit photometric plans demonstrating compliance with this subsection as a condition to the issuance of a sign permit.
- C. Multi-tenant electronic message centers. Multi-tenant electronic message centers are intended to provide an opportunity for unified, multi-tenant developments to advertise on-site businesses through uniform sign designs subject to the requirements set forth in this subsection 9-11-7-C. Developments that do not meet the criteria set forth in this subsection 9-11-7-C are permitted to display electronic message center signs in accordance with subsection 9-11-7-B.
1. Development eligibility requirements. Multi-tenant electronic message centers are permitted in mixed-use or nonresidential developments that meet all of the following criteria:
 - a. Unified mixed-use or nonresidential development that meets the minimum floor area requirements as specified in Table 9-11-7-C, whether existing or proposed through an approved site plan, and contains at least ten existing or proposed tenants, storefronts, or businesses.
 - b. The development must be located in the B-1, B-2, or B-3 districts and located on a principal or minor arterial roadway as designated by the comprehensive plan.
 - c. Through the sign permit application, the development must identify tenants, storefronts, and businesses eligible for signage on the multi-tenant electronic message center sign.
 2. Sign design, location, and requirements. A mixed-use or nonresidential development that meets all of the criteria of subparagraph 9-11-7-C-1, above, may display multi-tenant electronic message centers on signs that meet all of the following criteria:
 - a. The sign shall conform to the sign prototypes and criteria set forth in table 9-11-7-C.
 - b. A maximum of one large-sized multi-tenant electronic message center sign may be displayed per eligible development meeting the criteria in subparagraph 9-11-7-C-1, except that a maximum of two large-sized multi-tenant electronic message center signs may be displayed if the total square footage of existing floor area for the development exceeds 400,000 square feet and is adjacent to a state highway, interstate, or tollway.
 - c. A maximum of one medium-sized multi-tenant electronic message center sign may be displayed per eligible development meeting the criteria in subparagraph 9-11-7-C-1.
 - d. All electronic message center display components shall be in full color with a pitch resolution of no greater than 16 mm spacing (e.g., 12 mm, 10 mm, etc. are acceptable).
 - e. The sign must meet the minimum setback requirements set forth in Table 9-11-7-C.
 3. Operational Requirements. Electronic message centers must meet the operational requirements in this subsection. The zoning officer may order the owner to turn off an electronic message center that does not meet these requirements. Electronic message centers:

Multi-tenant electronic message centers:

 - a. shall contain static messages only;
 - b. shall be constant in intensity and color;
 - c. shall not consist of flashing, animated, chasing or scintillating lights;
 - d. shall display messages for a period not less than 10 seconds (multiple electronic message centers, if used on the same sign, shall be synchronized to change messages at the same time);
 - e. shall meet the illumination standards set forth in subparagraph 9-11-7-B-3;
 - f. shall not emit illumination that encroaches onto or creates a visual nuisance on properties used for residential dwellings; and
 - g. shall display no more than for than four separate images on the electronic message center display at any given time.

Table 9-11-7-C
Multi-tenant EMC Requirements

Sign Prototype	Symmetrical			Asymmetrical			Horizontal	
								
Sign size	Large	Medium	Small	Large	Medium	Small	Medium	Small
Maximum sign height	25 ft.	18 ft.	12 ft.	25 ft.	18 ft.	12 ft.	14 ft.	10 ft.
Maximum EMC component size	8'x12'	6'x9'	4'x6'	8'x12'	6'x9'	4'x6'	6'x12'	4'x8'
Minimum total floor area	200,000 s.f.	75,000 s.f.	15,000 s.f.	200,000 s.f.	75,000 s.f.	15,000 s.f.	75,000 s.f.	15,000 s.f.
Required setback from residentially zoned properties	500 ft.	250 ft.	100 ft.	500 ft.	250 ft.	100 ft.	250 ft.	100 ft.
Required setback from other property lines	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.

D. Manual changeable copy message centers. Manual changeable copy signs may be incorporated into signage as follows:

1. Manual changeable copy message centers are only permitted on monument signs or marquee signs which enclose the message center component on all sides with a finish of brick, stone,

stucco, powder coated (or comparably finished) metal, or sign face that extends not less than six inches from the message center in all directions. Gaps between the message center and the finish are permitted to accommodate locks and hinges for a cover for the changeable copy area, but only to the extent necessary for such locks and hinges to operate.

2. Manual changeable copy centers, including their frames, shall make up not more than 50 percent of the sign area. The balance of the sign area shall utilize permanently affixed letters or symbols. See Figure 9-11-7-D-1, Manual Change Copy Centers.
3. Manual changeable copy message centers shall not be internally lit unless:
 - a. They use opaque inserts with translucent letters, numbers, or symbols (see Figure 9-11-7-D-2, Changeable Copy Inserts);
 - b. Blank opaque inserts that are the same color as the opaque portions of the letters, numbers, and symbols are used over all areas of the sign where copy is not present; and
 - c. The opaque portion of the letters, numbers, and symbols is the same color.

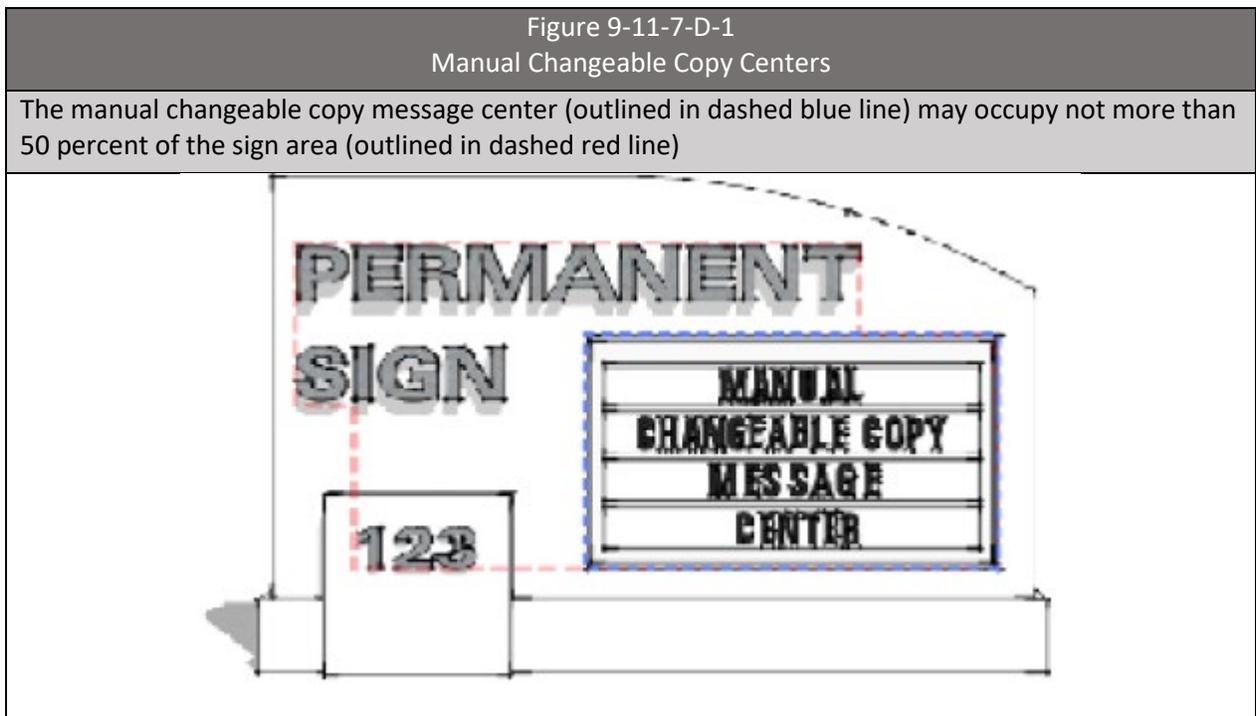


Figure 9-11-7-D-2
Changeable Copy Inserts

Changeable copy message centers may be internally lit if they use opaque inserts with translucent letters, numbers or symbols (see A below), but shall not be internally lit if they use clear or translucent inserts with opaque or translucent letters, numbers or symbols (see B below).

