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1.1 TITLE

This ordinance shall be known, referred to, and recited as “the Zoning Ordinance of the Village of Richton Park, Illinois.”

1.2 INTENT AND PURPOSE

The prime tool of planning is land use control, most commonly referred to as zoning. The purposes of zoning are many, but foremost among these purposes are:

A. To promote and protect the public health, safety, morals, comfort and general welfare of the people.

B. To advance and implement the recommendations of the Village of Richton Park Comprehensive Plan.

C. To divide the Village of Richton Park into zones or districts restricting and regulating therein the location, erection, construction, reconstruction, alteration and use of buildings, structures, and land for residence, business, manufacturing and other specified uses.

D. To provide adequate light, air, privacy and convenience of access to property.

E. To protect the character and the stability of the residential, business, and manufacturing areas within the Village of Richton Park and to promote the orderly and beneficial development of such areas.

F. To regulate the intensity of use of lot areas, and to determine the area of open spaces surrounding buildings, necessary to provide adequate light and air, and to protect the public health, safety, morals and general welfare of the people.

G. To establish building lines and the location of buildings designed for residential, business and manufacturing, or other uses within such areas.

H. To fix reasonable zoning standards to which buildings or structures shall confirm therein.

I. To prohibit uses, buildings or structures incompatible with the character of development or intended uses within specified zoning districts.

J. To prevent additions to or alteration or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations imposed hereunder.

1.3 CONFLICT AND SEVERABILITY

A. **Conflict**
If any portion of this code found to be in conflict with any other provision, code, or ordinance of the Village of Richton Park, the provision which establishes a higher standard shall have precedence.

B. **Severability**
If any section, subsection, sentence, clause, or phrase of this ordinance is held invalid by the decision of any court having jurisdiction, the remainder of the ordinance or its application to other persons or circumstances shall remain in full effect.

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2.1 DISTRICTS

For the purpose and provisions of this ordinance, Richton Park, Illinois, is hereby organized into eleven (11) districts:

SF-1: Single Family, Low Density

SF-2: Single Family, Moderate Density

SF-3: Single Family, High Density

MR: Mixed Residential

MF: Multi-family

TC: Town Center

C-1: Community Commercial

C-2: Regional Commercial

BP: Business Park

I: Industrial

P: Public and Semi-Public

2.2 ZONING MAP

The boundaries of the zoning districts designated above are established as shown on the Official Zoning Map of the Village of Richton Park, Illinois, which is attached hereto and is made a part hereof, and shall have the same force and effect as if the Zoning Map, together with all notations, references and other information shown thereon were fully set forth and described herein.

2.3 ZONING OF STREETS, ALLEYS, PUBLIC WAYS, WATERWAYS AND RAILROAD RIGHTS-OF-WAY

All streets, alleys, public ways, waterways and railroad rights-of-way, if not otherwise specifically designed, shall be deemed to be in the same zone as the property immediately abutting on such alleys, streets, public ways and railroad rights-of-way, or waterways. Where the center line of a street, alley, public way, waterway, or a railroad right-of-way serves as a district boundary, the zoning or such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

2.4 ZONING OF ANNEXED LAND

Prior to the annexation of any territory to the Village of Richton Park, a plan of zoning the area to be annexed shall be forwarded to the Village Board by the Planning Commission. Upon approval of such plan for zoning the area to be annexed, the Village Board shall direct the Planning Commission to hold a public hearing in accordance with the regulations of Section 15.00 of the Zoning Ordinance.

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3.1 STATEMENT OF INTENT

A. SF-1. Single Family, Low Density
The SF-1. Single Family, Low Density zoning district is intended to consist primarily of single family dwellings located in defined neighborhoods and protected from the encroachment of uses not performing a function necessary to the residential environment. Standards for the SF-1 district reflect the traditional development pattern of the Village and encourages infill development and complementary new single family development in the future.

B. SF-2. Single Family, Moderate Density
The SF-2. Single Family, Moderate Density zoning district has the same intent as the SF-1 district, but accommodates slightly smaller lot sizes that would balance both residential character and permitted density in some portions of the Village.

C. SF-3. Single Family, High Density
The SF-3. Single Family, High Density zoning district has the same intent as the SF-1 district, but accommodates smaller lot sizes and more compact residential development that exists within some of the Village's established neighborhoods.

D. MR. Mixed Residential
The MR. Mixed Residential zoning district is intended to establish and preserve areas containing a mix of attached single family and multiple-family dwellings. It provides for a wide range of housing types while maintaining a moderate density that is complementary to the scale and character of adjacent single family neighborhoods.

E. MF. Multi-family
The MF. Multiple-Family zoning district is intended to accommodate high density residential development, especially near the TC. Town Center district in order to maximize access to transit and pedestrian-oriented goods and services. Single family dwellings are not to be included in this district in order to prevent possible conflicts between lower intensity and higher intensity residential uses.

3.2 PERMITTED AND SPECIAL USES

Table 3.2(A): Residential Districts – Permitted and Special Uses lists permitted and special uses for all residential districts.

A. Permitted Uses. A "P" indicates that a use is considered permitted within that district as of right.

B. Special Uses. An "S" indicates that a use is permitted, though its approval requires review by the Village Board as required in Section 15.10, and is contingent upon the development meeting certain special criteria.

C. Uses Not Permitted. A blank space or the absence of the use from the table indicates that the use is not permitted within that district. However, a use not identified on the table may be determined by the Zoning Administrator to be a permitted or special use in the district, based on their evaluation as to whether the proposed use is similar enough in character, intensity, and operations to that of a permitted or special use in the district.

D. Use Regulations. Many allowed uses, whether permitted by right or as a Special Use, are subject to compliance with Section 8.

E. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Administrator shall make a determination as to the proper zoning district and use classification for the new or unlisted use.

TABLE 3.2(A): RESIDENTIAL DISTRICTS – PERMITTED AND SPECIAL USES

	SF-1	SF-2	SF-3	MR	MF	Reference
RESIDENTIAL						
Dwellings						
Single family detached	P	P	P	S		8.8
Single family attached				P	P	8.8
Multiple family				P	P	
Residential as a component of a mixed-use development					S	
Group Living						
Nursing homes	S	S	S	S	S	8.2
Assisted living facility	S	S	S	S	S	8.2
Independent living facility	S	S	S	S	S	
Dormitory				S	S	
INSTITUTIONAL						
Education						
School, day care or nursery	S	S	S	S	S	8.4
School, Elementary	P	P	P	P	P	
School, Middle and High	S	S	S	S	S	
College or university					S	
Home Daycare	S	S	S	S	S	
Community Garden	S	S	S	S	S	

TABLE 3.2(A): RESIDENTIAL DISTRICTS – PERMITTED AND SPECIAL USES						
	SF-1	**SF-2**	**SF-3**	**MR**	**MF**	**Reference**
Health Services						
Hospital					S	8.9
Medical clinic					S	
Religious						
Place of worship	S	S	S	S	S	
Cemetery (including crematories and mausoleums)	S	S	S	S	S	
Seminary	S	S	S	S	S	
Community Facilities						
Club or lodge					S	8.5
Government use or facility	P	P	P	P	P	
Utility	S	S	S	S	S	
COMMERCIAL						
Lodging						
Bed and breakfast	S	S	S	S	S	8.3
INDUSTRIAL						
Transportation						
Off-street parking areas				S	S	
Utilities						
Electric substations and utilities	S	S	S	S	S	8.7
Wireless communications facility	S	S	S	S	S	8.23
PLANNED UNIT DEVELOPMENT						
Planned Unit Development	S	S	S	S	S	Section 13

3.3 BULK AND YARD STANDARDS

All development in Residential Districts must comply with the requirements in Table 3.3(A): Residential Districts – Bulk and Yard Standards unless otherwise expressly stated.

TABLE 3.3(A): BULK AND DIMENSIONAL REGULATIONS - RESIDENTIAL DISTRICTS

District	Minimum Lot Size		Development Intensity			Required Yards			
	Lot Width	Lot Area per Dwelling	Max. Height	Min. Principal Structure Size (living space sf)	Max. Lot Coverage	Min. Front Yard	Min. Corner Side Yard	Min. Interior Side Yard	Min. Rear Yard
SF-1	60'	Residential: 8,400 sf; Non-residential: 12,000 sf	30' or 3 stories	1,800 sf	35%	25'	25'	Lot width < 65': 4'; Lot width >= 65': 7'	30'
SF-2	Residential: 50'; Non-residential: 80'	Residential: 7,000 sf; Non-residential: 12,000 sf	30' or 3 stories	1,500 sf[1]	40%	25'	25'	5'	30'
SF-3	Residential: 50'; Non-residential: 80'	Residential: 5,000 sf; Non-residential: 10,000 sf	30' or 3 stories	1,200 sf[1]	45%	25'	15'	5'	30'

TABLE 3.3(A): BULK AND DIMENSIONAL REGULATIONS - RESIDENTIAL DISTRICTS									
	Minimum Lot Size		Development Intensity			Required Yards			
District	Lot Width	Lot Area per Dwelling	Max. Height	Min. Principal Structure Size (living space sf)	Max. Lot Coverage	Min. Front Yard	Min. Corner Side Yard	Min. Interior Side Yard	Min. Rear Yard
MR	Residential: 60'; Non-residential: 75'; Special use: 90'	Single family detached: 5,600 sf[2]; Single family attached: 5,000 sf[2]; Multi-family: 5,000 sf[2]; Non-residential: 10,000 sf	35' or 3 stories	Single family detached: 1,800 sf; Single family attached: 1,400 sf; Multi-family: 1,200 sf	60%	25' + 1' per every 2' in building height above 25'	25' + 1' per every 2' in building height above 25'	Single family detached: 10% of lot width; Single family attached: 10% of lot width; Multi-family: 10' + 2' for each story above 2 stories; Non-residential: 15'	30'
MF	Residential: 75'; Non-residential: 75'; Special use: 75'	Single family detached: 5,600 sf[3]; Single family attached: 5,000 sf[3]; Multi-family: 5,000 sf[3]; Non-residential: 10,000 sf	70' or 6 stories	Single family detached: 1,800 sf; Single family attached: 1,200 sf; Multi-family: 1,000 sf	75%	25' + 1' per every 2' in building height above 25'	25' + 1' per every 2' in building height above 25'	Single family detached: 10% of lot width; Single family attached: 10% of lot width; Multi-family: 10' + 2' for each story above 2 stories; Non-residential: 15'	30'

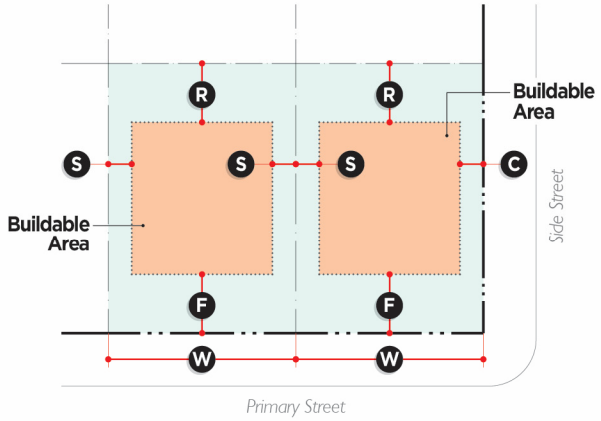
NOTES:

1. Minimum size home permitted in this district is 1,800 square feet of living space exclusive of garage or basement, however, a minimum of 1,600 square feet of living space exclusive of garage or basement shall be required in the case of a ranch home having only one story and one living level.

2. All buildings shall be located on a lot which provides a minimum lot area of 6,000 square feet per dwelling unit. The number of dwelling units per acre may be increased by the Village through the Planned Unit Development process.

3. All buildings shall be located on a lot which provides a minimum lot area of 5,000 square feet per dwelling unit. The number of dwelling units per acre may be increased by the Village through the Planned Unit Development process.

Figure 3.3. Residential Bulk Diagram



SF-1, SF-2, MR & MF

3.4 GENERAL STANDARDS

A. On-Site Development Standards

See Section 7 - General Provisions for standards governing various on-site development standards such as exterior lighting requirements, permitted encroachments, and accessory uses and structures.

B. Off-Street Parking and Loading

See Section 10 - Off-Street Parking and Loading for standards governing off-street parking and loading.

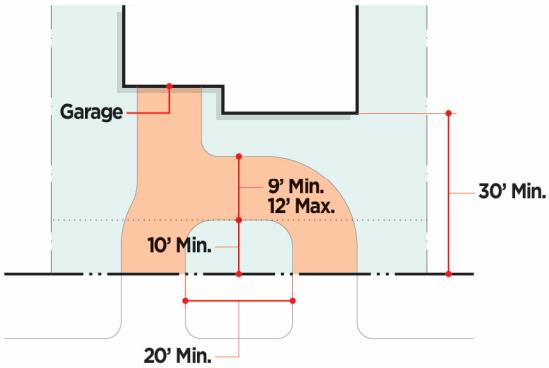
1. In addition to the requirements of Section 10, residential circular driveways are permitted in a front or corner side yard, so long as it conforms to the following requirements:

   a. The minimum setback for residential structures in the yard in which the circular driveway is located shall be 30’.

   b. Circular driveways shall have a minimum width of 9’, and a maximum width of 12’, except where it provides access to a garage entry.

   c. There shall be a landscaped area between the circular driveway and the public right-of-way with a depth of no less than 10’ and a width of no less than 20’. This area shall include decorative landscaping intended to screen the circular driveway area.

Figure 3.4.C.1. Circular Driveway Requirements



C. Landscaping

See Section 11 - Landscaping for standards governing landscaping and screening.

D. Signs

See Section 12 - Signs for standards governing the type, placement, size, and scale of signs.

3.5 DEVELOPMENT STANDARDS APPLICABLE TO THE RESIDENTIAL DISTRICTS

A. Exterior Material and Construction Requirements

1. All residential structures shall include a mix of permitted exterior materials in order to avoid monotony. No single material, including minor variations of the same material, shall cover more than 70% of the area of a front or corner side yard façade of a building. (For the purposes of this standard, the measured area shall include windows and doors, and the area of such windows or doors shall be applied to the area of the material that would be covering that portion of the façade if the window were not there.)

2. All materials used shall be compatible as a group and with the surrounding structures.

3. Approved masonry materials shall be used for all sides of all nonresidential development located in a residential district and shall be installed per Village Building Code. Approved masonry shall include brick, stone, stucco, dryvit or other similar masonry materials, but does not include materials such as, but not limited to, painted or unpainted plain concrete or plain concrete blocks.

4. Accessory structures shall use materials similar to or compatible with the materials used on the primary structure.

B. Residential Appearance

1. **Purpose**
   The following are the purposes of the residential appearance standards set forth in these sections.

   a. To create an architectural identity and to avoid monotonous similarity or inappropriateness in exterior design and appearance of residential property.

   b. To promote the orderly and harmonious growth of the Village and to protect and enhance land values, investments, and the general welfare of the citizens of the Village.

   c. To protect and to stabilize the general appearance of building and structures in residential areas.

   d. To encourage and promote acceptability, attractiveness, cohesiveness and compatibility of new residential development so as to maintain and improve the established standards of property values throughout the Village.

   e. To aid prospective contractors, architects, designers and developers in preparing their project plan for review by the Village.

2. **Residential Construction and Variety**

   a. All residential structures shall vary from the structures on either side of the subject zoning lot in at least two of the following design characteristics:

      i. Roof type (gable, hip, mansard, gambrel, flat, combination) and/or orientation of the predominant roof ridge lines;

      ii. Shape and proportion of the front elevation of the building; and

      iii. Difference of at least 5' in the setback of the façade of the structure from the front lot line.

   b. The following characteristics shall not by themselves constitute dissimilarity among two otherwise similar dwellings:

      i. Variations in color;

      ii. Variations in roofing material;

      iii. The addition or deletion of minor design elements such as dormers, cupolas, bay windows, belt courses, exterior lighting, chimneys, and ornamental features;

iv. Reversal of plan orientation from right-hand to left-hand or vice-versa; and,

v. Variation of window types.

3. **Residential Appearance Standards Administration**
A site plan shall be required for any proposed development and submitted in accordance with the provisions of Section 15 - Administration Procedures and Enforcement.

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SECTION 4 – COMMERCIAL DISTRICTS

4.1 Statement of Intent
4.2 Permitted and Special Uses
4.3 Bulk and Yard Standards
4.4 General Standards
4.5 Development Standards Applicable to the Commercial Districts

4.1 STATEMENT OF INTENT

A. **TC. Town Center**
The TC. Town Center zoning district is intended to accommodate a variety of commercial uses and encourage mixed use development, with residential or office uses on the upper floors. Mixed use development should be oriented towards the street and prioritize bicycle and pedestrian mobility.

B. **C-1. Community Commercial**
The C-1. Community Commercial zoning district is intended to serve the needs of surrounding residential areas as well as passing motorists. The district provides for standalone commercial uses as well as multi-tenant retail centers. Development in the C-1 district should be appropriately buffered from adjacent residential districts to minimize the impacts of traffic, noise, and lighting.

C. **C-2. Regional Commercial**
The C-2. Regional Commercial zoning district is intended to accommodate significant commercial development in high-visibility areas, such as along the I-57 corridor, capable of attracting customers from beyond the Village limits in addition to serving local residents. Permitted uses in these areas include big-box retailers, restaurants, and large multi-tenant shopping centers. Regional commercial centers should be encouraged to develop in a coordinated manner and utilize internal circulation systems.

4.2 PERMITTED AND SPECIAL USES

Table 4.2(A): Commercial Districts – Permitted and Special Uses lists permitted and special uses for all commercial districts.

A. **Permitted Uses.** A “P” indicates that a use is considered permitted within that district as of right.

B. **Special Uses.** An “S” indicates that a use is permitted as a special exception in that district upon approval from the Village Board as required in Section 15.10 (Special Uses).

C. **Uses Not Permitted.** A blank space or the absence of the use from the table indicates that use is not permitted within that district. However, a use not identified on the table may be determined by the Zoning Administrator to be a permitted or special use in the district, based on their evaluation as to whether the proposed use is similar enough in character, intensity, and operations to that of a permitted or special use in the district.

D. **Use Regulations.** Many allowed uses, whether permitted by right or as a Special Land Use, are subject to compliance with Section 8 – Use Provisions. While Section 8 should be reviewed in its entirety to ensure compliance with applicable use regulations, references are provided where applicable for ease of use.

E. **Unlisted Uses.** If an application is submitted for a use not listed, the Zoning Administrator shall make a determination as to the proper zoning district and use classification for the new or unlisted use.

TABLE 4.2(A): COMMERCIAL DISTRICTS – PERMITTED AND SPECIAL USES

	TC						
	1	2	3	4	C-1	C-2	Reference
RESIDENTIAL							
Dwellings							
Single-Family Dwelling (attached or detached)				P			8.8
Two-Family Dwelling				P			8.8
Multiple family	S	S	S				
Mixed use	P	P			S	S	
Live/Work unit					S	S	8.12
Group Living							
Nursing homes	S	S	S				8.2
Assisted living facility	S	S	S				8.2
Independent living facility	S	S	S				
Dormitory							
INSTITUTIONAL							
Education							
School, Day care or nursery, public or private	S	S	S		S	S	8.4
School, Middle and High, public or private					S	S	
College or university					S	S	
Trade or business school					S	S	
Health Services							
Hospital						S	8.9
Medical clinic					S	S	
Health club or spa	S	P			P	P	
Community Facilities							
Community center or recreation building	S				P		
Library or museum	S	P	S	S	P		
Club or lodge	S	P			S	S	8.5
Fire or police station	S	P	S	S	P		
Government use or facility	S	P	S	S	P	P	
Publically accessible open spaces	S	P			S	S	

TABLE 4.2(A): COMMERCIAL DISTRICTS – PERMITTED AND SPECIAL USES							
	TC						
	1	2	3	4	C-1	C-2	Reference
Utility	S				S	S	
COMMERCIAL							
Retail							
Retail, General	P	P			P	P	
Retail, Outdoor sales	S	S			S	S	
Retail, Warehouse club						S	
Nursery or garden center					S	S	
Live/Work unit					S	S	8.11
Food and Beverage Retail Sales							
Specialty food shop; Bakery shop, candy or ice cream shop, deli, café, etc.					P	P	
Package liquor store					P	P	
Supermarket					P	P	
Eating and Drinking Establishments							
Restaurants	P	P			P	P	8.17
Restaurant w/drive-thru or drive-in	S	S			S	S	
Bar, tavern, taproom, or tasting room	P	P			P	P	
Food Trucks and Mobile Vending Carts	P	P			S	S	
Catering establishment					P	P	
Personal Service							
Personal care: Barber shop, beauty parlor, tanning salon, day spa					P	P	8.12a
Clothing care: Tailor, dry cleaning drop/pick up station, self-service laundry, shoe repair					P	P	8.10
Household care: Locksmith, exterminator, interior design, HVAC sales and service					P	P	
Funeral home		S			P	P	
Massage parlor					S	S	8.12b
Pawn shop	S	S			S	S	8.12c
Tattoo and piercing establishment					S	S	8.12c
Veterinary clinic					S	S	8.21
Animal day care					S	S	
Entertainment & Recreation							
Amusement establishment		S			S	P	
Convention center	S	P				S	
Indoor recreation facility: Bowling alley, pool hall, dance hall, skating rink, arcade, etc.					S	P	
Theater, indoor					S	S	
Theater, outdoor drive-in					S	S	
Fairgrounds and other exposition and recreation uses						S	
Sporting event stadium or arena						S	
Lodging							
Bed and breakfast							8.3
Hotel or motel	S	S			S	P	
Financial Services							
Bank or financial institution	P	P			P	P	

TABLE 4.2(A): COMMERCIAL DISTRICTS – PERMITTED AND SPECIAL USES							
	TC						
	1	2	3	4	C-1	C-2	Reference
Currency exchange					P	P	8.12c
Professional Office/Studio							
General office, business or professional	P	P			P	P	
Physician or dentist office	P	P			P	P	
Business support services (printing services, shipping and courier services)					P	P	
Art gallery or studio	P	P			P	P	
Research facility or laboratory					P	P	
School, music or dance					P	P	
Film production, photography, radio, or TV studio					S	S	
Vehicles and Equipment Sales and Service							
Vehicle fueling station (without vehicle repair, may include 1,000 sq. ft. convenience store)		S			P	P	8.19
Vehicle sales/lease					P	P	
Vehicle rental					P	P	
Vehicle repair and service	S	S			P	P	
Vehicle towing and service					S	S	
Truck stop, no more than 4 bays for the dispensing of fuel						S	
Car wash		S			S	S	
INDUSTRIAL							
Transportation							
Public transportation terminal facilities					S	S	
Off-street parking areas/parking garages	S	S			S	S	
Utilities/Alternative Energy							
Electric substations and private utilities					S	S	8.7
Wireless communications facility					S	S	8.23
PLANNED UNIT DEVELOPMENT							
Planned Unit Development	S	S	S	S	S	S	Section 13

4.3 BULK AND YARD STANDARDS

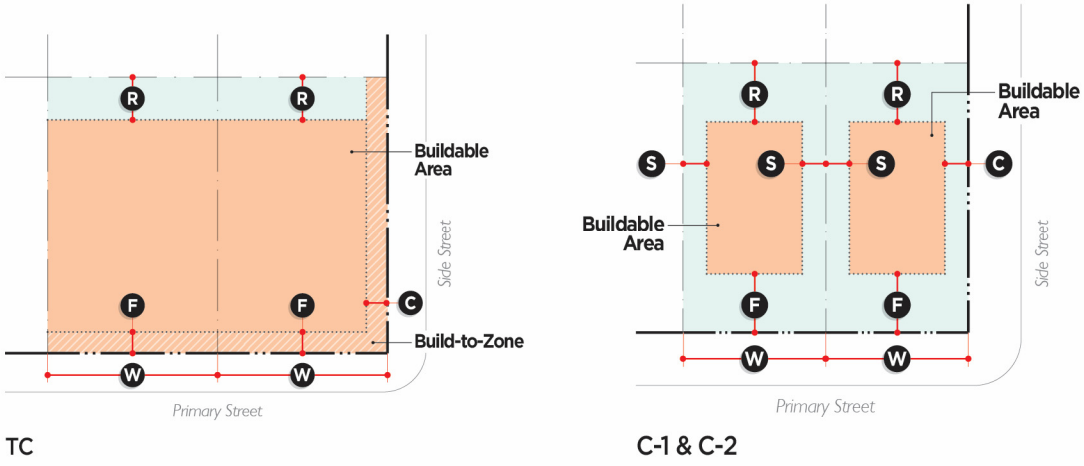
All development in Commercial Districts must comply with the requirements in Table 4.3(A): Commercial Districts – Bulk and Yard Standards unless otherwise expressly stated.

TABLE 4.3(A): BULK AND DIMENSIONAL REGULATIONS - COMMERCIAL DISTRICTS

District	Minimum Lot Size		Development Intensity				Required Yards[1]			
	Lot Width	Min. Lot Area	Max. Lot Coverage	Max. Height	Min. Structure Size	Min. Lot Area per Dwelling Unit	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
TC-1	100'	20,000 sf		65' or 6 stories		1000 sf	0' min, 5' max.	0' min., 10' max.	10' max.	30' min.
TC-2	100'	30,000 sf		45' or 4 stories		1000 sf	0' min, 10' max.	0' min., 10' max.	5' min.	30' min.
TC-3	60'	10,000 sf		65' or 6 stories		1200 sf	20' min.	10' min.	6' min.	30' min.
TC-4	Single Family *Corner Lot: 50'* *Interior Lot: 35'* Two- Family *Corner Lot: 70'* *Interior Lot: 60'* Row House *Corner Lot: 30'* *Interior Lot: 20'*	Single Family *Corner Lot: 5,000 sf* *Interior Lot: 4,000 sf* Two- Family *Corner Lot: 8,000 sf* *Interior Lot: 7,000 sf* Row House *All lots: 2,500 sf*		35' or 2.5 stories			20' min.	10' min.	6' min.	30' min.
C-1	70'	7,000 sf	80%	25' or 2 stories	1,500 sf		5'	5'	10'	15'
C-2	125'	15,000 sf	80%	45' or 3 stories	1,500 sf		45'	45'	10'	15'

Note 1: For development in the TC District, any property that abuts a designated greenway shall not be setback further than 35' from the greenway.

Figure 4.3. Commercial Bulk Diagram



4.4 GENERAL STANDARDS

A. **On-Site Development Standards**
See Section 7 - General Provisions for standards governing various on-site development standards such as exterior lighting requirements, permitted encroachments, and accessory uses and structures.

B. **Off-Street Parking and Loading**
See Section 10 - Off-Street Parking and Loading for standards governing off-street parking and loading.

C. **Landscaping**
See Section 11 - Landscaping for standards governing landscaping and screening.

D. **Signs**
See Section 12 - Signs for standards governing the type, placement, size, and scale of signs.

4.5 DEVELOPMENT STANDARDS APPLICABLE TO THE COMMERCIAL DISTRICTS

Any development within a commercial district shall conform to the standards set forth in this section.

A. **Site Plan Required**
A site plan shall be required for any proposed development and submitted in accordance with the provisions of Section 15 - Administration Procedures and Enforcement.

B. **Town Center Development**
Any improvements or developments done in the TC Town Center District shall comply with the standards established in the Richton Park Town Center Design Guidelines and the Town Center Streetscape Manual. These documents are available from the Department of Community Development.

C. **Business Operations**
Establishments dealing directly with consumers and shall be subject to the following conditions:

1. The sale of foodstuffs or articles intended for human consumption shall be conducted wholly within an enclosed building, except as in accordance with the provisions for Section 7.18 Outdoor Seating.

2. Establishments of the “drive-in” type, offering goods or services directly to customers waiting in parked motor vehicles are not permitted.

3. There shall be no manufacture, processing or treatment of products other than those which are clearly incidental and essential to the retail business conducted on the same premises.

4. Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise, vibration or other similar causes as per the requirements of Section 7.21 Performance Standards.

D. **Commercial Design Standards**

All development in the C-1 or C-2 Districts shall comply with the following standards.

1. Facades shall include variation of materials or wall planes in order to avoid large, blank walls.

2. Ground floor commercial facades shall maximize transparency to the extent possible.

3. Building facades shall use a variety of quality building materials in order to avoid blank walls and poorly maintained appearances.

4. Buildings shall incorporate varies eave lines or roof lines in order to create visual interest and avoid monotony.

5. All mechanical equipment shall be located away from view of the public street and shall be screened with architectural elements or landscaping.

6. All refuse containers shall be enclosed by decorative walls that are compatible with the design of the primary structure.

7. Parking areas shall be designed to promote safe and efficient circulation, and, where possible, property owners are encouraged to provide cross-access between adjacent parking areas.

8. Signs shall be compatible with the overall facade design in terms of location, size, and placement within the architecture of the building.

9. Developments should integrate public spaces that support public use and include streetscaping, landscaping, and user amenities.

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SECTION 5 – INDUSTRIAL DISTRICTS

5.1 Statement of Intent
5.2 Permitted and Special Uses
5.3 Bulk and Yard Standards
5.4 General Standards
5.5 Development Standards Applicable to the Industrial Districts

5.1 STATEMENT OF INTENT

A. BP. Business Park
The BP. Business Park zoning district is intended to provide for office, research and development, and limited intensity industrial development in an environment free from intrusion by residential uses. This district provides for the coordinated development of office and industrial structures in a campus-like setting.

B. I. Industrial
The I. Industrial zoning district is intended to accommodate most types of industrial development in an environment free from intrusion by commercial and residential uses. Industrial uses include contractor and construction services, trade work, and the assembly, manufacturing, production, and/or distribution of finished products that could create impacts on surrounding uses.

5.2 PERMITTED AND SPECIAL USES

Table 5.2(A): Industrial Districts – Permitted and Special Uses lists permitted and special uses for all industrial districts.

A. Permitted Uses. A “P” indicates that a use is considered permitted within that district as of right.

B. Special Uses. An “S” indicates that a use is permitted as a special exception in that district upon approval from the Village Board as required in Section 15.10 (Special Uses).

C. Uses Not Permitted. A blank space or the absence of the use from the table indicates that use is not permitted within that district. However, a use not identified on the table may be determined by the Zoning Administrator to be a permitted or special use in the district, based on their evaluation as to whether the proposed use is similar enough in character, intensity, and operations to that of a permitted or special use in the district.

D. Use Regulations. Many allowed uses, whether permitted by right or as a Special Land Use, are subject to compliance with Section 8 – Use Provisions. While Section 8 should be reviewed in its entirety to ensure compliance with applicable use regulations, references are provided where applicable for ease of use.

E. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Administrator shall make a determination as to the proper zoning district and use classification for the new or unlisted use.

TABLE 5.2(A): INDUSTRIAL DISTRICTS – PERMITTED AND SPECIAL USES			
	BP	**I**	**Reference**
RESIDENTIAL			
Dwellings			
Live/Work unit	S	S	8.11
INSTITUTIONAL			
Education			
School, Daycare or nursery, public or private	S		
School, Middle and High, public or private	S		
College or university	S	S	
Trade or business school	S	S	
Health Services			
Hospital	S	S	8.9
Medical clinic	S		
Health club or spa	S		
Community Facilities			
Club or lodge	S		8.5
Government use or facility	P	P	
Utility	S	S	
COMMERCIAL			
Retail			
Retail, General	P	S	
Retail, Outdoor sales	P	P	
Retail, Warehouse club	S		
Wholesale business and warehousing	S	P	
Nursery or garden center	P	P	
Live/Work unit	S	S	8.11
Medical Marijuana Dispensaries		S	8.14
Gun Shops and Ranges		S	
Eating and Drinking Establishments			
Catering establishment	S		
Personal Service			
Household care: Locksmith, exterminator, interior design, HVAC sales and service	S		
Veterinary clinic (with or w/o boarding)	S		8.21
Animal day care (w/o boarding)	S		
Entertainment & Recreation			
Amusement establishment	S	S	
Convention center	S		
Theater, indoor	S		
Theater, outdoor drive-in		S	
Fairgrounds and other exposition and recreation uses	S	S	
Sporting event stadium or arena	S	S	

TABLE 5.2(A): INDUSTRIAL DISTRICTS – PERMITTED AND SPECIAL USES			
	BP	**I**	**Reference**
Lodging			
Hotel or motel w/o restaurant and/or conference space	S	S	
Hotel or motel w/restaurant and/or conference space	S	S	
Financial Services			
Bank or financial institution	S	S	
Currency exchange or loan office	S	S	
Professional Office/Studio			
General office, business or professional	P	S	
Physician or dentist office	P		
Business support services (printing services, shipping and courier services)	P	S	
Art gallery or studio	P		
Research facility or laboratory	P	S	
School, music or dance			
Film production, photography, radio, or TV studio	S	S	
Vehicles and Equipment Sales and Service			
Vehicle fueling station (without vehicle repair, may include 1,000 sq. ft. convenience store)	S		
Vehicle sales/lease (including auto and recreation)	S		
Vehicle rental	S		
Vehicle repair and service	S	S	
Vehicle towing and service (including auto and recreation)	S	S	
Vehicle wrecking and salvage	S	S	
INDUSTRIAL			
Manufacturing, Light			
Trade (sheet metal, carpenter, plumbing or heating, furniture upholstering, paint, paper hanging, decorating or sign painting shop, or similar enterprise, etc.)	S	P	
Household Service (laundry, dying and dry cleaning facility, household goods or appliance repair shop, etc.)	S	P	
Assembly, Manufacturing, or Production (textile products, technology, wood products, furniture and fixtures, paper, clay, glass or fabricated metal, etc.)	S	P	
Business Services (office supplies, linen service, industrial printing, etc.)	S	P	
Contractor or construction services (carpentry, electrical, HVAC, masonry, painting, plumbing, roofing, etc.)	S	P	8.6
Materials Salvage and Processing		P	8.13
Materials Receiving and Recycling	S	P	8.13
Products from Previously Prepared Materials	S	P	
Commercial food production (alcohol, baked goods, or similar products)	S	P	
Beverages, bottling and distribution	S	P	

TABLE 5.2(A): INDUSTRIAL DISTRICTS – PERMITTED AND SPECIAL USES			
	BP	**I**	**Reference**
Warehousing & Distribution			
Cold storage and frozen food lockers		S	
Self storage facility	S	S	
Wholesaling and warehousing, local cartage and express facilities (excluding freight terminals)	S	S	
Outdoor Storage and Operations			
Storage and equipment yards		P	
Sanitary landfill		S	
Ambulance service	S	S	
Mineral extraction		S	
Transportation			
Public transportation terminal facilities	S	S	
Freight terminals (railroad or motor freight)		S	
Airport or aircraft landing fields.		S	
Off-street parking areas	S	S	
Utilities/Alternative Energy			
Electric substations and private utilities	S	S	8.7
Commercial Solar Energy Production	S	S	8.16
Commercial Wind Energy Production	S	S	8.22
Wireless communications facility	S	S	8.23
PLANNED UNIT DEVELOPMENT			
Planned Unit Development	S	S	Section 13

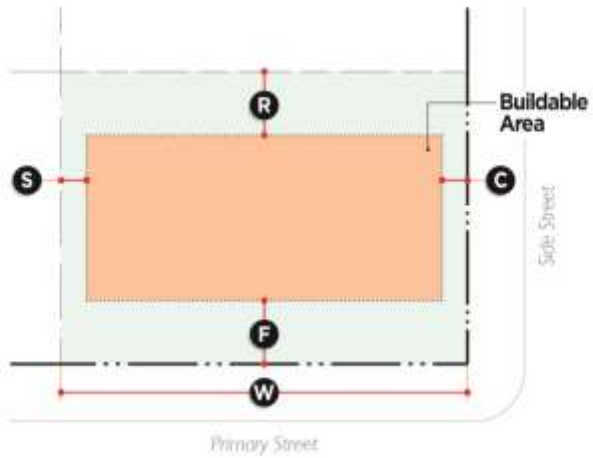
5.3 BULK AND YARD STANDARDS

All development in Industrial Districts must comply with the requirements in Table 5.3(A): Industrial Districts – Bulk and Yard Standards unless otherwise expressly stated.

TABLE 5.3(A): BULK AND DIMENSIONAL REGULATIONS - INDUSTRIAL DISTRICTS

District	Minimum Lot Size		Development Intensity			Required Yards			
	Lot Width	Lot Area	Max. Lot Coverage	Max. Height	Min. Structure Size	Min. Front Yard	Min. Corner Side Yard	Min. Interior Side Yard	Min. Rear Yard
BP	200'	3 acres	50%	75' or 6 stories	2,000 sf	30'	30'	Greater of 10% of lot width or 5'; No yard required to exceed 20'	15'
I	70'	40,000 sf	70%	45' or 3 stories	2,000 sf	30'	30'	Greater of 10% of lot width or 5'; No yard required to exceed 20'	15'

Figure 5.3. Industrial Bulk Diagram



5.4 GENERAL STANDARDS

F. On-Site Development Standards

See Section 7 - General Provisions for standards governing various on-site development standards such as exterior lighting requirements, permitted encroachments, and accessory uses and structures.

G. Off-Street Parking and Loading

See Section 10 - Off-Street Parking and Loading for standards governing off-street parking and loading.

H. Landscaping

See Section 11 - Landscaping for standards governing landscaping and screening.

I. Signs

See Section 12 - Signs for standards governing the type, placement, size, and scale of signs.

5.5 DEVELOPMENT STANDARDS APPLICABLE TO THE INDUSTRIAL DISTRICTS

Any production, processing, cleaning, servicing, testing, repair or storage of goods, materials or products shall conform with the standards set forth in this section.

A. Outdoor Storage

Within 150 feet of a residential district, all business, production, servicing, processing and storage shall take place or be within completely enclosed buildings except that storage or materials may be open to the sky provided the storage area is enclosed with a solid wall or fence at least eight (8) feet high and landscaped as may be required under the provisions of Section 11 - Landscaping.

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SECTION 6 – PUBLIC AND SEMI-PUBLIC DISTRICT

6.1 Statement of Intent
6.2 Permitted and Special Uses
6.3 Bulk and Yard Standards
6.4 General Standards

6.1 STATEMENT OF INTENT

A. P. Public and Semi-Public
The P. Public and Semi-public zoning district is intended to accommodate uses that are generally accessible to the community, offer community-oriented services or activities, or provide benefit to the broader Richton Park population. Though some of these uses may not be owned or managed by public entities, they are viewed as providing benefits to the broader community and are critical in supporting local quality of life.

6.2 PERMITTED AND SPECIAL USES

Table 6.2(A): Public and Semi-Public District – Permitted and Special Uses lists permitted and special uses for the Public and Semi-Public district.

A. Permitted Uses. A “P” indicates that a use is considered permitted within that district as of right.

B. Special Uses. An “S” indicates that a use is permitted as a special exception in that district upon approval from the Village Board as required in Section 15.10 (Special Use Permits).

C. Uses Not Permitted. A blank space or the absence of the use from the table indicates that use is not permitted within that district. However, a use not identified on the table may be determined by the Zoning Administrator to be a permitted or special use in the district, based on their evaluation as to whether the proposed use is similar enough in character, intensity, and operations to that of a permitted or special use in the district.

D. Use Regulations. Many allowed uses, whether permitted by right or as a Special Land Use, are subject to compliance with Section 8 - Use Provisions. While Section 8 should be reviewed in its entirety to ensure compliance with applicable use regulations, references are provided where applicable for ease of use.

E. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Administrator shall make a determination as to the proper zoning district and use classification for the new or unlisted use.

TABLE 6.2(A): PUBLIC AND SEMI-PUBLIC DISTRICT – PERMITTED AND SPECIAL USES		
	P	**Reference**
RESIDENTIAL		
Group Living		
Nursing homes	S	8.2
Assisted living facility	S	8.2
Independent living facility	S	
Dormitory	S	
INSTITUTIONAL		
Education		
School, Daycare or nursery, public or private	S	8.4
College or university	S	
Health Services		
Hospital	S	8.9
Medical clinic	S	
Religious		
Place of worship	P	
Cemetery (including crematories and mausoleums in conjunction therewith)	S	
Seminary	S	
Community Facilities		
Community center or recreation building	P	
Recreation building, public	P	
Library or museum	P	
Fire or police station	S	
Government use or facility	P	
Utility	S	
COMMERCIAL		
Entertainment & Recreation		
Golf course, public or private	P	
INDUSTRIAL		
Transportation		
Off-street parking areas	S	
Utilities/Alternative Energy		
Electric substations and private utilities	S	8.7
Wireless communications facility	S	8.23

6.3 BULK AND YARD STANDARDS

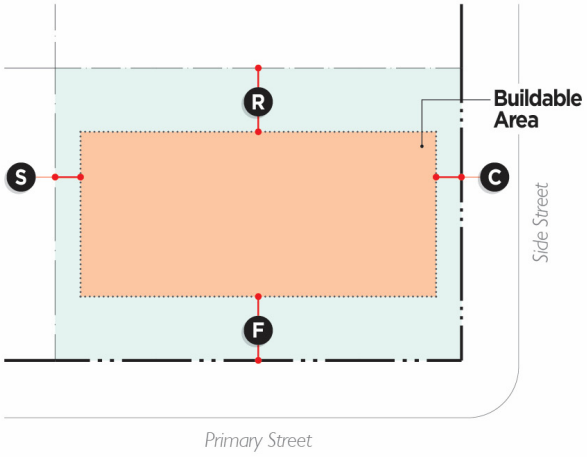
All development in the Public and Semi-Public District must comply with the requirements in Table 6.3(A): Public and Semi-Public District – Bulk and Yard Standards unless otherwise expressly stated.

TABLE 6.3(A): BULK AND DIMENSIONAL REGULATIONS - PUBLIC AND SEMI-PUBLIC DISTRICT					
	Development Intensity	Required Yards[1]			
District	Max. Height	Min. Front Yard	Min. Corner Side Yard	Min. Interior Side Yard	Min. Rear Yard
P	45' or 3 stories	25'	25'	25'	25'

NOTES:

1. Yards shall adhere to requirements of Section 11 - Landscaping.

Figure 6.3. Public and Semi-Public Bulk Diagram



6.4 GENERAL STANDARDS

A. On-Site Development Standards

See Section 7 - General Provisions for standards governing various on-site development standards such as exterior lighting requirements, permitted encroachments, and accessory uses and structures.

B. Off-Street Parking and Loading

See Section 10 - Off-Street Parking and Loading for standards governing off-street parking and loading.

C. Landscaping

See Section 11 - Landscaping for standards governing landscaping and screening.

D. Signs

See Section 12 - Signs for standards governing the type, placement, size, and scale of signs.

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SECTION 7 – GENERAL PROVISIONS

7.1 Applicability
7.2 General Requirements
7.3 Lot Area and Dimension
7.4 Access to Public Streets
7.5 Number of Buildings on a Zoning Lot
7.6 Accessory Uses and Structures
7.7 Lot and Yard Measurements
7.8 Encroachments into Setbacks and Yards
7.9 Projections into the Public Right-Of-Way
7.10 Maintenance of Yards, Courts, and Other Open Spaces
7.11 Building Height
7.12 Clear Vision Areas
7.13 Compost Bin
7.14 Drive-In or Drive-Through Facility
7.15 Environmental Protection
7.16 Fence Regulations
7.17 Outdoor Commercial Activity
7.18 Outdoor Seating
7.19 Patios
7.20 Pedestrian, Transit, and Bicycle Access And Amenities
7.21 Performance Standards
7.22 Paving Materials
7.23 Rain Garden
7.24 On-Site Lighting

7.1 APPLICABILITY

The provisions of this Section apply to all zoning districts unless otherwise indicated. If there is a conflict between this Section and the individual requirements of the zoning district, the Zoning Administrator shall determine which standards control.

7.2 GENERAL REQUIREMENTS

A. Standards and regulations pertaining to site layout and building placement, building elements, compatible uses, landscaping and related measures shall be assigned to promote and strengthen the defined character of Village neighborhoods and commercial areas. It is determined that neighborhood and commercial character contributes to the unique and desirable identity of the Village and that measures set forth herein are necessary and appropriate to promote and strengthen such characteristics.

B. Multiple Uses

Except as otherwise specifically provided in this Chapter, no lot may contain more than one (1) principal use, except for groups of multiple-family buildings, retail business buildings, or other groups of buildings contained within a single integrated complex under a single approved plan.

C. Lot Divisions

No improved zoning lot shall hereafter be divided into two (2) or more zoning lots unless all resulting zoning lots conform to all the applicable bulk regulations of the zoning district in which the property is located.

D. Lot Combinations

Two (2) or more lots cannot be combined into a single lot unless the Zoning District are the same and the resulting lot conforms to all the applicable bulk regulations of the zoning district in which the property is located.

7.3 LOT AREA AND DIMENSION

A. When two (2) or more parcels of land, each of which lacks adequate area and dimension to qualify for a permitted use under the requirements of the use district in which they are located, are contiguous and are held in one (1) ownership, they shall be used as one (1) zoning lot for such use.

B. Any single lot or parcel of land, held in one (1) ownership, which was of record at the time of adoption of the ordinance, that does not meet the requirements for minimum lot width and area, may be utilized for a permitted use, provided that yards, courts or useable open spaces are not less than seventy-five (75) percent of the minimum required dimensions and areas.

7.4 ACCESS TO PUBLIC STREETS

A. Except as otherwise provided for herein, every residential building shall be constructed or erected upon a lot or parcel of land, which abuts upon a public street unless a permanent easement of access to a public street was of record prior to the adoption of the ordinance.

7.5 NUMBER OF BUILDINGS ON A ZONING LOT

A. Except in the case of a planned development, not more than one (1) principal detached residential building shall be located on a residential zoning lot, nor shall a principal detached residential building be located on the same zoning lot with any other principal building.

7.6 ACCESSORY USES AND STRUCTURES

A. Any accessory use conducted in a structure that is physically attached to the primary structure shall be considered a portion of the primary structure, and shall conform to all applicable requirements.

B. Residential Districts

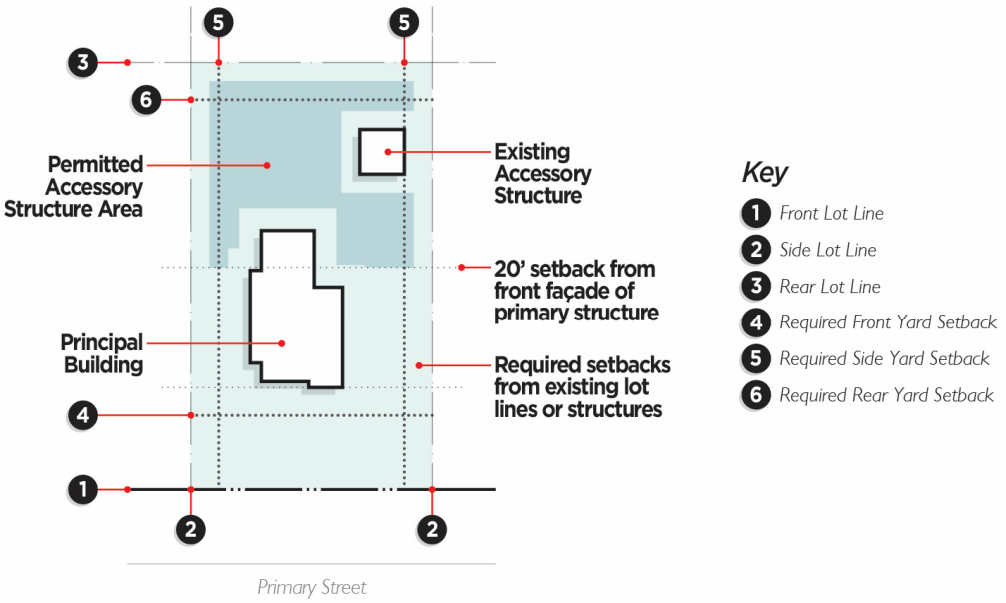
Accessory buildings in all residential districts shall conform to the following requirements:

1. No accessory structures are permitted in the front yard.

2. No accessory structures shall be located in easements or dedicated areas of a property.

3. The maximum heights of any accessory buildings shall not exceed the height of the principal building or fourteen (14) feet, whichever is less, unless the accessory structure is a shed, then twelve (12) feet.

Figure 7.6.B.3. Required Setbacks for Accessory Structures on Residential Lots



4. An accessory structure shall be:

   a. A minimum distance of ten (10) feet from the principal building.

   b. Set back from the side lot lines in accordance with the required setbacks of the underlying zoning district.

   c. A minimum distance of five (5) feet from the rear lot line.

   d. A minimum distance of twenty (20) feet from the front façade of the primary structure.

5. The total area of accessory structures provided on a lot shall be counted against the overall lot coverage allowance for that zoning lot.

C. Non-Residential Districts

Accessory buildings in all non-residential districts shall conform to the following requirements when abutting a residential zoning district:

1. The maximum height of any accessory building shall be twenty (20) feet.

2. An accessory structure shall be:

   a. A minimum distance of twelve (12) feet from the principal building.

   b. A minimum distance of twenty-five (25) feet from a side lot line adjacent to a street except in commercial districts where none is required.

   c. A minimum distance of twenty (20) feet from the rear lot line except when a buffer or planting screen is provided in accordance with this ordinance, then ten (10) feet.

7.7 LOT AND YARD MEASUREMENTS

A. Unless otherwise expressly stated, distances specified in this Section are to be measured as the length of an imaginary straight line joining two (2) points.

B. Lot Areas

1. The area of a lot includes the total horizontal surface area within the lot lines of the lot, not to include public or private rights-of-way.

2. No lot or lots of common ownership, or yards, courts, parking areas or other spaces, shall be reduced in area so that the minimum requirements of this zoning ordinance are not maintained. Actions by governmental agencies, such as street widening, shall not be considered reductions. If already less than the minimum required under this Chapter, that area or dimension shall not be further divided or reduced.

C. Building Setbacks

1. Building setbacks, or setback lines, are the measurements that define the buildable area of a lot. Building setbacks are the minimum horizontal distances required from the front, side or rear lot lines specified in Sections 3, 4, 5 and 6 of this ordinance. The front, rear and side setback lines are parallel and equidistant from the relevant lot line, between which no buildings or structures may be erected, except as provided in Subsection 7.8 below. The buildable area, located in between these setback lines, is also known as the building envelope.

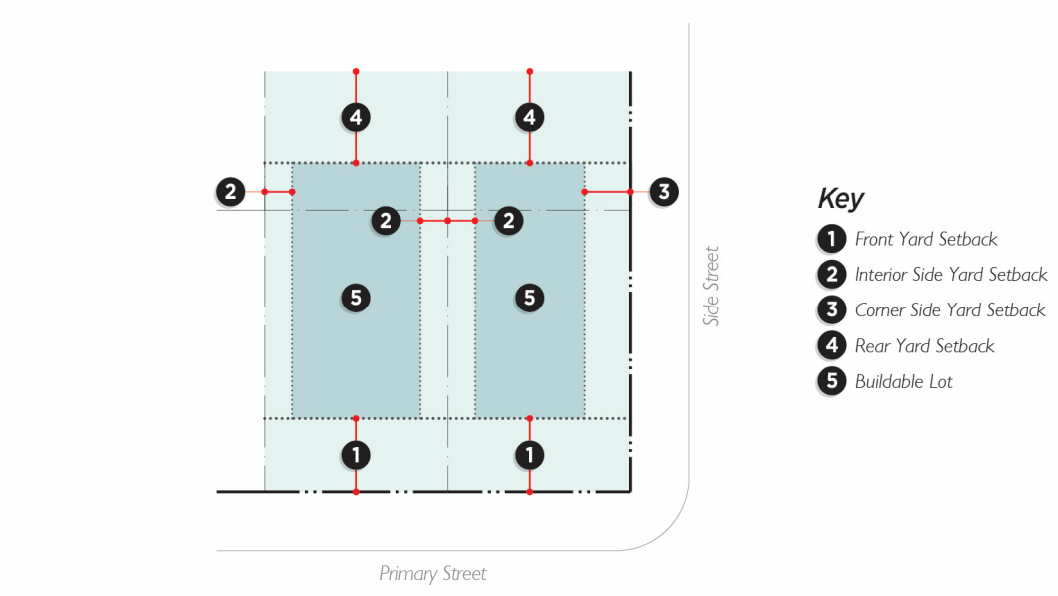
2. The front setback shall extend the full width of the lot.

3. The rear setback shall extend the full width of the lot.

4. The side setback shall extend from the side lot line between the front setback line to the rear setback line. If no rear setback is required, the side setback shall extend from the side lot line between the front setback line and the rear lot line.

5. Sections 3 through 6 of this Chapter designate minimum front or side yard setbacks. Where a minimum setback is required, the building may be placed at any location outside of the required yard.

Figure 7.7(C). Setback Locations



D. Lot Widths

1. Lot width is the horizontal distance of a straight line drawn parallel to the front lot line, measured at the minimum required setback.

2. Minimum Lot Widths for Irregular Lots.

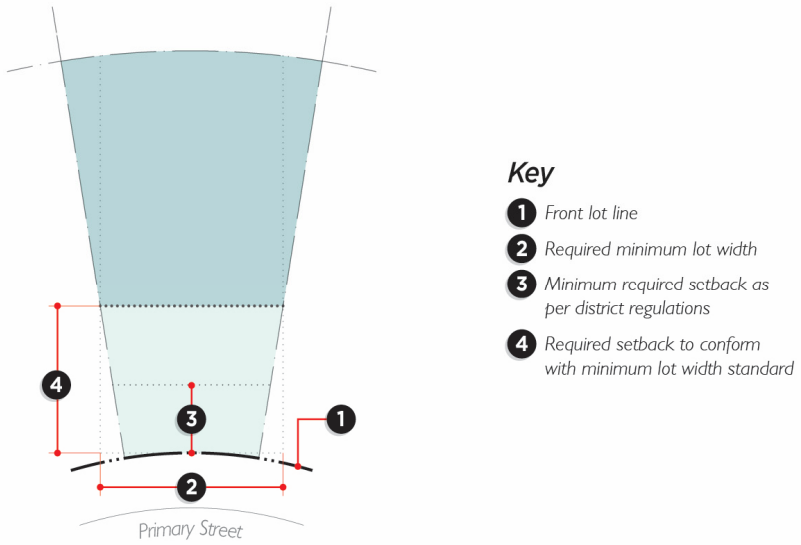
   a. The minimum required lot width at the front setback line shall be that required for the zoning district, as measured at the setback between the two (2) side lot lines.

   b. If the minimum lot width at the front setback line cannot be met, the minimum setback line shall be moved further into the lot to the point at which the minimum lot width is met.

3. Yards are the open spaces that lie between the nearest lot line and the principal structure, as further defined below. The term "yard" shall only be used in relation to a lot on which a main building or principal structure has been placed.

4. An open yard is a yard that is unoccupied and unobstructed from the ground upward, except as provided Section 7.8 (Encroachments into Setbacks and Yards).

Figure 7.7(D). Lot Width for Irregular Lots



E. Through Lots

Lots which abut both a public right-of-way on two generally parallel lot lines shall be considered a through lot, with two (2) front lot lines and two (2) front yards.

7.8 ENCROACHMENTS INTO SETBACKS AND YARDS

The following accessory buildings, structures, and uses are permitted and may be obstructions in yards and courts as follows:

TABLE 7.8(A) PERMITTED ELEMENT AND RELATED REGULATIONS

	Permitted Encroachment Yard		
	Front	Side	Rear
Awnings or canopies, which may project not more than three (3) feet into a required yard or court	■	■	■
Arbors or trellises (detached from principal building)			■
Arbors or trellises (attached to principal building)	■	■	■
Air Conditioning equipment shelters		■	■
Architectural entrance structures on a lot not less than two (2) acres in area or at entrance roadways into subdivisions containing 100 or more lots	■	■	■
Balconies			■
Bay windows projecting not more than three (3) feet into a yard.	■	■	■
Attached chimneys projecting not more than twenty- four (24) inches into a yard or court.	■	■	■
Compost bin			■
Eaves and gutters on principal buildings or attached accessory buildings projecting not more than four (4) feet into a front and rear yard not more than twenty-four (24) inches into a side yard or court.	■	■	■
Fallout shelters when conforming to other codes and ordinances of the Village.			■
Fences when conforming with Subsection 7.16	■	■	■
Fire escapes or fire towers may project into a required front yard or side yard adjoining a street not more than five (5) feet and into a required interior side yard, or not more than three and one half (3 ½) feet into a court	■	■	■
Flagpoles	■	■	■
Garages or carports, attached or detached		■	■
Gardens		■	■
Lawn furniture, such as benches, sun dials, bird baths, and similar architectural features	■	■	■

TABLE 7.8(A) PERMITTED ELEMENT AND RELATED REGULATIONS			
	Permitted Encroachment Yard		
	Front	Side	Rear
Ornamental light standards	■	■	■
Playground		■	■
Laundry-drying equipment		■	■
Playhouses and open-sided summer houses			■
Rain garden	■	■	■
Sheds			■
Sills, belt courses, cornices and ornamental features projecting not more than eighteen (18) inches into a yard or court	■	■	■
Solar energy panels			■
Steps	■	■	■
Swimming pools			■
Television and radio antennas			■
Terraces and patios not more than eighteen (18) inches above the finished grade	■		■
Athletic courts			■
Wind energy turbines			■
Outdoor fireplaces			■

7.9 PROJECTIONS INTO THE PUBLIC RIGHT-OF-WAY.

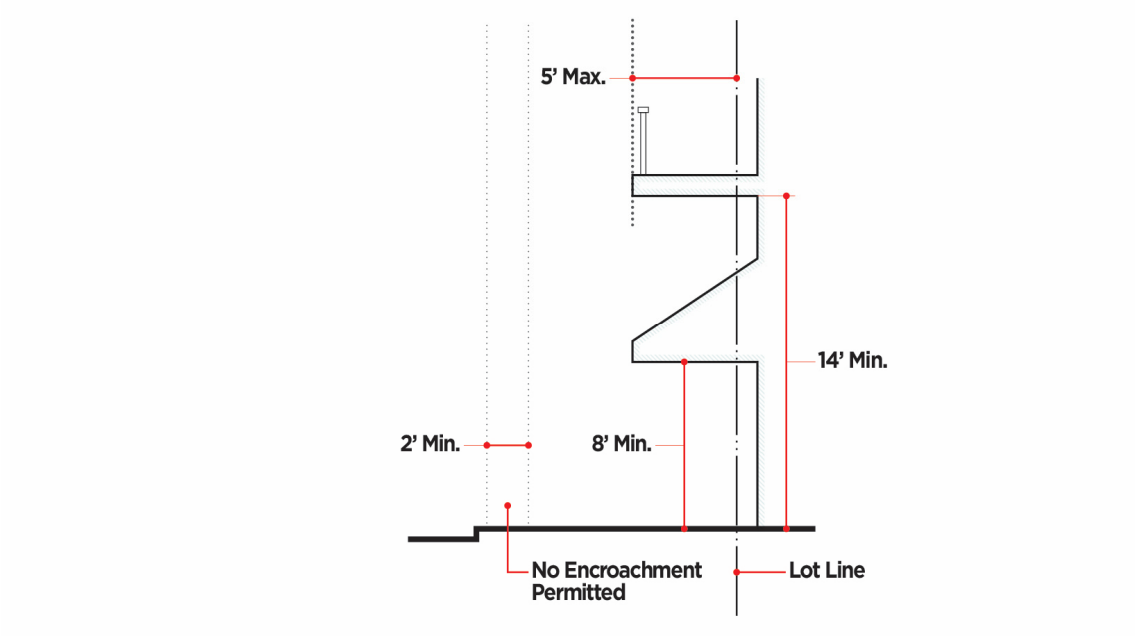
A. A balcony with a minimum ground clearance of fourteen (14) feet above finished grade may extend five (5) feet over a public sidewalk, provided an encroachment permit is obtained from the Village Engineer.

B. An awning with a minimum ground clearance of eight (8) feet may extend over a public right-of-way, provided and encroachment permit is obtained from the Village Engineer.

C. Canopy support posts shall not be permitted in a public right-of-way.

D. No permitted structures shall encroach into the public right-of-way such that they are within a horizontal distance of 2' from the back of a curb for a street or drive parking lot drive aisle.

Figure 7.8(A). Requirements for Permitted Encroachments in Public Right-of-Way



7.10 MAINTENANCE OF YARDS, COURTS, AND OTHER OPEN SPACES.

A. The maintenance of yards, courts, open spaces, and minimum legally required lot area for a structure shall be the obligation of the owner of such structure or property upon which is located, as long as the structure is in existence. No legally required yard, court, open space, or minimum lot area allocated to any structure shall by virtue of a change of ownership or any other reason be used to satisfy the yard, court, open space, or minimum lot area requirement for any other structure.

B. All yards, courts, open spaces, and minimum lot area requirements allocated to a building, structure, or dwelling group shall be located on the same zoning lot as such building, structure, or dwelling group.

7.11 BUILDING HEIGHT

A. Measurement. Where specified in stories, building height shall be measured in the number of complete stories above the average grade for any elevation fronting on a public street, including habitable attics, half-stories, mezzanines, and at-grade structured parking. One (1) story shall be measured as not less than nine (9) feet nor more than fifteen (15) feet. The following shall be excluded:

1. Spaces completely below grade, such as basements, cellars, crawl spaces, sub-basements, and underground parking structures; and

2. Features that are more than one-half (1/2) story below the average grade.

B. Permitted Appurtenances. The height limitations stipulated elsewhere in this chapter shall not apply to the following:

1. Farm buildings, architectural features, etc. Barns, silos and other farm buildings or structures on farms, to church spires, belfries, cupolas and domes, monuments, water towers, fire and hose towers, observation towers, transmission towers, windmills, chimneys, smokestacks, flag poles, radio towers, masts and aerials; to parapet walls extending not more than four feet above the limiting height of the buildings, etc.

2. Places of public assembly. Places of public assembly in churches, schools and other permitted public and semi-public buildings, provided, that these are located on the first floor of such buildings and provided that for each three feet by which the height of such building exceeds the maximum height otherwise permitted in the district, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the district.

3. Elevator penthouses, water tanks, etc. Bulkheads, elevator penthouses, and water tanks, provided no linear dimensions of any such structure exceeds 25% of the corresponding street lot line frontage; or to towers and monuments, fire towers, hose towers, cooling towers, grain elevators, gas holders or other structures, where the manufacturing process requires a greater height.

4. The portion of the structures listed above that exceed the heights otherwise permitted in the district shall not occupy more than 20% of the area of the lot, and unless modified by the Board, shall be not less than 50 feet in all parts from every lot line not a street lot line.

7.12 CLEAR VISION AREAS

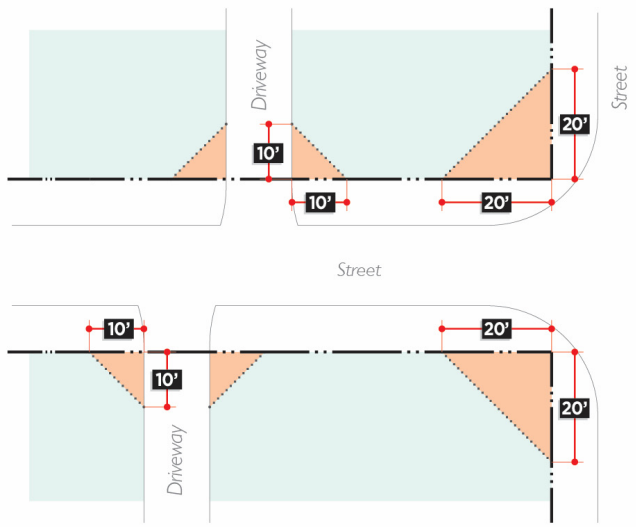
A. Clear vision areas are required in locations where an unobstructed view of approaching traffic is necessary for the safety of pedestrians, bicyclists and drivers. A clear vision area is typically, but not exclusively, a triangular area at the intersection of two (2) streets, or a street and a driveway; however, clear vision areas may be required at other locations identified in this Chapter and in other Chapters of the Village Code.

B. Required clear vision areas do not apply to structures that host the primary use of the lot and are permitted within the area as defined in Paragraph C below based on yard requirements as defined in Chapters 3-6.

C. Measurement

At the intersection of two (2) streets or the intersection of a street and a driveway, the required clear vision area shall be established as follows:

Figure 7.11(C). Measurement of Clear Vision Areas



1. Street corners. For streets, twenty (20) feet along each lot line starting at the intersection of the lot lines, and connected by a straight line to form a triangular area. In the case of a rounded corner, the measurement shall be taken from the intersection of the front lot lines extended.

2. Driveways. For driveways, ten (10) feet along the lot line and the driveway starting at the intersection of the lot line and the closest edge of the driveway, and connected by a straight line to form a triangular area.

3. Other Required Areas. Other areas for clear vision areas may be requested by the Zoning Administrator or Traffic Engineering Manager.

D. Landscaping or Structures

No plantings, signs, fences, walls or other structures exceeding thirty (30) inches in height shall be established or maintained in clear vision areas. The Village's Traffic Engineer may require a reduction in the height of any screening improvement or a different location of a new building or structure otherwise required in this Chapter to ensure an adequate clear vision area for driveways and streets. Such limitations shall be required only for that portion of the building, structure or screening improvement necessary to provide an adequate clear vision area.

7.13 COMPOST BIN

A. The compost bin must be contained in a fully enclosed receptacle with a tightly fitted lid.

B. Compost bins must be maintained in a sanitary condition so as not to become a nuisance. Compost may not contain sewage, meat, bones or grease.

7.14 DRIVE-IN OR DRIVE-THROUGH FACILITY

The following requirements are intended to minimize the potentially adverse effects of drive-in or drive-through activities on adjacent residential properties, pedestrians and traffic flow.

A. Accessory Use

Drive-In or Drive-Through facilities shall be permitted only as an accessory use that supports the operations of a primary use on the same lot.

B. Hours of Operation

Hours of operation shall be restricted to the hours of 6 a.m. to 12 Midnight if located within one hundred fifty (150) feet of a residential zoning district.

C. Vehicle Stacking

The stacking area shall meet the requirements of Section 10.8 of this ordinance.

D. Pedestrian Walkways

Pedestrian walkways shall be clearly visible, and be emphasized by enhanced paving or markings where they intersect drive-in or drive-through aisles.

E. Screening Requirements

Any side adjacent to a residential zoning district shall be screened with a six (6) foot high solid fence, wall, landscaping or combination thereof. All service areas and ground-mounted mechanical equipment shall be screened from ground-level view.

F. Banks, Credit Unions, and Financial Institutions

Drive-through lanes servicing Automated Teller Machines (ATMs), transaction windows and tubes shall be reviewed for number, activity level, placement, proximity to residential uses, noise and hours of operation. Drive-through lanes shall not be placed in the front of a building.

7.15 ENVIRONMENTAL PROTECTION

A. Floodplains

Zoning lots, or portions of zoning lots, located in areas designated as floodplains on FEMA's Flood Insurance Rate Maps are subject to the following requirements:

1. The following uses are permitted in floodplains:

    a. Open type uses, such as loading and unloading areas, parking lots, storage of motor vehicles for not more than twenty-four (24) hour periods, and gardens

    b. Storage yards for equipment and materials in movable containers and not subject to major damage by flood, provided such uses do not include acids, caustics, flammable liquids, trash, rags, bottles, scrap metal or any other materials commonly referred to as "junk"

    c. Open type public and private recreational facilities, such as public parks, forest preserves, golf clubs, golf driving ranges, drive-in theaters, recreational lakes and other similar recreational uses

    d. Fences, provided their surface is at least seventy (70) percent open space.

2. The following conditions of use shall pertain to portions of a zoning lot in a designated floodplain:

    a. No filing of land shall be permitted except where approved by the Village and subject to such conditions as may be stipulated to protect the public interest.

    b. The natural drainage grade shall not be substantially altered.

    c. Surface water retention shall be provided in accordance with the regulations of the Chicago Metropolitan Sanitary District.

    d. Any structures permitted shall be placed on the lot so as to offer the minimum obstruction to the flow of water and shall be firmly anchored to prevent the structure from floating away and thus threatening to further restrict bridge openings and other restricted sections of the stream.

    e. Where, in the opinion of the Planning Commission, topographic data, engineering and other studies are needed to determine the effects of flooding on a proposed structure or the effect of the structure on the flow of water, the Planning Commission may require the applicant to submit data or other studies prepared by competent engineers.

    f. No basement or other floor shall be constructed below existing ground level.

B. Tree Protection During Construction

Protection measures shall be undertaken to preserve designated trees during site development or construction. Trees determined to be preserved through the site clearing and tree removal process that have been certified as healthy prior to any clearing or construction activities, shall be protected utilizing the provision of this section.

1. Tree Protection Plan
   Prior to the issuance of permits for site work or construction, the property owner or agent of the property owner shall submit a plan detailing how each of the preserved trees shall be protected for review and approval.

2. Protect the Drip Line
   Enclose the dripline of a tree and areas of exposed roots outside of this area with fence, roping, flagging or other protective barrier.

   a. Barrier shall be easily visible to equipment operators.

   b. Hand tools only shall be utilized to remove brush or weeds within the barrier.

   c. Storage of equipment, materials, fill or debris within the barrier is prohibited.

   d. Equipment shall not be cleaned or repaired within the barrier.

3. Bark Protection
   Trunks of trees to be preserved within 15 feet of the building site and access roads shall be wrapped with sections of snow fence or boards wired together.

   a. No nails or spikes shall be driven into preserved trees.

   b. No preserved trees shall be used for signs, fencing, roping or cables.

4. Historic or Specimen Trees
   The Village may require a fertilization process throughout construction to further support the survival of a tree.

5. Protection from Grade Changes
   Protect trees from any grade changes that can impair the ability of its roots to obtain necessary amounts of air, water and land minerals.

a. Raising of Grade
If raising the grade within the dripline, the following applies.

i. If raising the grade within the dripline of a tree is determined absolutely necessary for the development of the site, the Village may require one of the following protection methods.

- Relocate the tree.
- Installation of an aeration system consisting of a dry well around the trunk together with a layer of gravel and stone and a system of drain tiles over the root system at the level of the original grade to ensure adequate air, water circulation and drainage of water away from the trunk.

ii. For exception from this provision, all of the following must be met:

- Fill within the Dripline is less than six inches or less in depth.
- Fill does not contain clay, marl or other heavy impervious fills.
- Fill consists only of porous, loamy or gravelly soil high in organic matter.

b. Lowering of Grade
If lowering the grade within the dripline, the following applies.

i. To protect trees from removal of or damage to feeder roots or changes to the water table, the area within the drip line shall not be lowered.

ii. Terracing or construction of a dry retaining wall for grade differences of less than two feet may be utilized.

c. Positive Drainage
When regrading around a preserved tree, significant changes in drainage within the canopy of the tree shall be rectified by cutting swales or other means.

6. Excavation
   Minimize the damage to protected trees by limiting excavation and providing proper root care after any excavation.

   a. Utility Pipelines
      Utility pipelines shall not be routed within a drip line of a preserved tree unless otherwise approved by the Village because:

      i. No other route is practical.

      ii. Tunnelling under the roots with a power-driven soil augur is impractical or financially infeasible in relation to the value of the tree.

   b. Root Protection
      When excavating in a protected area, the following cautionary steps shall be taken:

      i. Minimize the number of roots cut, especially large main roots.

      ii. Make clean cuts with proper tools and re-trim the roots after excavation.

      iii. Paint cuts of roots of 1/4 inch diameter or larger with a wound dressing, such as orange shellac.

      iv. To minimize the time roots are exposed to the air, backfill the trench immediately after excavation, leaving no pockets of air.

      v. Mix peat moss with fill soil to promote new root growth.

7. Damage Mitigation
   Where, despite the foregoing provisions, significant damage has been done to the roots, the tree shall be fertilized and excess branches that cannot be supported by the remaining undamaged roots shall be pruned. Tree limbs damaged during construction shall be pruned to 1/4 inch of the branch collar.

8. Removal of Tree Protection
   Protective Fences and barriers around trees shall be removed only as the final stage of post-construction cleanup.

7.16 FENCE REGULATIONS

A. Generally

All fences erected within the Village of Richton Park are required to comply with the following provisions, as well as all other Village Codes and Ordinances.

1. A fence may be located on a lot line, but no such fence shall protrude in full or part onto any adjacent property.

2. The fence height shall be measured from an established grade to the top most section of said fence. Where the grade forms a contour, the fence shall be required to maintain the same contour.

3. All portions of a fence shall be constructed of consistent materials. Changes in materials or construction are permitted when doing so responds to a change in the function or context of the fence, such adjacent land use, visibility from the public street, etc.

4. All fences shall be constructed of materials that are complementary of and integral to the structural system supporting it.

5. All supporting poles must be placed on the inside of the property where the fence is erected, and the finished side must face out away from the property.

6. No fence shall be constructed in any public right-of-way, landscape, or drainage easement except wherein a release has been given in writing by the owner of the property absolving the Village and/or Utility company doing the work from all liability and damages resulting from the repair, inspection, maintenance, installation or removal of utilities. The Village and/or Utility Company shall in no way be held liable for the replacement, repair, or re-erection of any fence within said easement.

B. Fences, Residential

Any fence erected within a residentially zoned district must be in compliance with the following criteria, as well as all other Village Codes and Ordinances.

1. Front Yards – Front yard fences are prohibited unless granted prior approval by the Planning Commission.

2. Rear Yards – No fence, except as provided for in other Village Ordinances, shall exceed six (6) feet in height.

3. Side Yards – No fence, except as provided for in other Village Ordinances, shall exceed six (6) feet in height. On corner side yards, the fence must be at least ten (10) feet away from the corner side lot line.

4. A fence located in a residential area shall be of any suitable construction material or type, including decorative masonry or brick, finished wood, decorative metal, decorative vinyl, or other aesthetically appropriate systems.

5. Residential fences shall not be constructed of unfinished or temporary materials of a primarily utilitarian nature, such as chicken wire, square welded mesh wire, barbed wire, electrically charged fence or wire, temporary snow fence, solid concrete block, or fence topped with sharp edged materials.

C. Fences, Nonresidential

Any fence erected within a non-residential district must be in compliance with the following criteria as well as all other Village Codes and Ordinances.

1. No fence shall exceed ten (10) feet in height. No fence shall be allowed to extend past the front yard or the side yard building line on a corner lot, unless granted approval by the Planning Commission.

2. Any fence enclosure blocking access to any area or structure open to the public must meet the current accessibility criteria as established by the Americans with Disability Act (1990) and the Illinois Accessibility Code.

D. Construction

Construction materials shall be the same as for residential districts, with the exception that barbed wire may be used within manufacturing districts. Barbed wire shall only be constructed above a height of nine feet from established grade, shall be turned to the inside of the property where erected, and not be closer than five (5) feet from any public place or residential property.

1. Construction and Safety Requirements

   a. Every fence shall be designed to have a minimum life expectancy of twenty (20) years, with the performance of the minimum necessary maintenance.

   b. All fences shall be designed and constructed to resist a horizontal wind pressure of fifteen (15) pounds per square foot (approximately 120 miles per hour winds).

   c. All fences shall have an exterior gate access to the enclosed property.

   d. All fences shall be constructed in accordance with the “Standard Specifications” of the Village of Richton Park, which are available at the Building Department. All construction and safety standards are required to be met at the time of inspection.

E. Maintenance

Fence maintenance shall be the responsibility of the property owner, in accordance with all Village Codes and Ordinances. In order to ensure that a fence will not become a nuisance or unsafe structure, it has been determined that a one (1) degree variance from perpendicular constitutes a violation.

7.17 OUTDOOR COMMERCIAL ACTIVITY

Outdoor activities shall be permitted in the MU, C-1 and C-2 Districts, subject to the following requirements and restrictions:

A. Ancillary Use

Outdoor activities shall be ancillary functions to the principal permitted use.

B. Parking Lot

The area used by outdoor activities shall not occupy any required parking spaces.

C. Pedestrian Space

A minimum pedestrian clear space of five (5) feet is required along all public walkways.

D. Clear Vision

Outdoor activities shall be located outside of clear vision areas.

E. Site Plan

A site plan shall be submitted that includes the location and dimensions of the outdoor activities; site dimensions of the building; and existing public improvements, such as fire hydrants, bus shelters, trees and tree grates and parking meters. Photographs of the area shall be included.

F. Outdoor Displays

Outdoor displays shall meet the following requirements:

1. The items or products shall be located no farther than fifteen (15) feet from the commercial building or structure.

2. The items or products shall not be displayed during non-business hours

3. Display areas that abut a residential district along a side or rear lot line shall be effectively screened from view of the residential zoning district by a solid wall or fence, or dense vegetative screen six (6) feet in height.

G. Food Preparation and Cooking

Outdoor food preparation and cooking shall be subject to Special Land Use approval and the following requirements:

1. Food preparation shall be directly related to the principal use on the same lot.

2. All equipment shall be located on private property.

3. Cooking apparatus must be separated from areas of pedestrian movement.

4. Smoke emissions shall not impair pedestrian or vehicular sight distances or serve as a distraction at street intersections.

7.18 OUTDOOR SEATING

Outdoor seating areas are permitted subject to the following requirements and restrictions:

A. Ancillary Use

Outdoor seating areas shall be permitted as an ancillary use to a permitted primary use such as a restaurant, café or similar establishment. A use that includes the consumption of alcohol shall also comply with other relevant regulations of the zoning ordinance and Village Code.

B. Site Plan and Photographs

A site plan shall be submitted that includes the location and dimensions of the outdoor seating area; site dimensions of the building; and existing public improvements, such as fire hydrants, bus shelters, trees and tree grates and parking meters. Photographs of the area shall be included.

C. Pedestrian Space

A minimum pedestrian clear width of five (5) feet is required along all public walkways at all times.

D. Trash Receptacles

Trash receptacles related to outdoor seating areas shall be maintained and shall be located outside of the public right-of-way during non-business hours.

E. Dining Areas

Outdoor dining areas shall be designed so as to be architecturally compatible with existing structures on the subject property.

F. Rooftop, Side and Rear Yard Locations

Outdoor seating areas which are not located at the front of a building or on a public sidewalk shall be subject to the Special Land Use Standards for review. A permit may be granted for such outdoor seating areas provided that there are no residential uses located within three hundred (300) feet of the subject property's lot line or when the space shall be used during usual business hours for office workers and not members of the general public. Office uses shall document the nature of the use as part of the departure request.

G. Hours of Operation

The hours of operation for outdoor seating or other outdoor activity areas located within three hundred (300) feet of a residential use shall end at of 10:00 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday, unless otherwise approved by the Planning Commission.

7.19 PATIOS

A. Attached patios, decks, and pools attached via deck or patio, may encroach into the required rear yard as long as they are no more than 200 total square feet in area and shall not be closer than ten (10) feet from the rear lot line and five (5) feet from the side lot line.

B. Patios shall be permitted obstruction in the required rear yards of lots which do not meet the established yard and setback requirements for the district in which they are constructed, under the following conditions.

1. The patio height does not exceed (24) inches from finished grade or the threshold of the principal structure, whichever is less.

    a. Any patio exceeding (24) inches in height or the threshold of the principal structure, whichever is less, shall be considered an accessory structure and regulated under the requirements of the applicable district.

2. Attached patios must meet the required side yard setback for the principal structure.

3. Attached patios may not extend from the principal structure a distance greater than 33% of the length of the existing backyard.

7.20 PEDESTRIAN, TRANSIT, AND BICYCLE ACCESS AND AMENITIES

A. Pedestrian Access

Pedestrian access shall be required for all sites to improve the health, safety, and welfare of the public by providing clear pedestrian pathways at perimeter and internal site locations to reduce pedestrian and vehicular conflicts, improve accessibility for persons with disabilities and establish a multi-modal environment that is supportive of walking, biking and transit use.

1. The construction and repair of on-site sidewalks shall comply with all chapters of the Village Code.

2. Walkways in Parking Lots
   Paved walkways shall be provided for access to adjacent parks, shopping areas, transit stops, anticipated walkways and institutions. Pedestrian movement shall be accommodated within parking lots through raised walkways, marked crosswalks or similar methods.

3. Trail Connections
   Where trails exist or are planned, non-residential properties shall include paths or sidewalks to connect building entries to the trail system, where appropriate and feasible.

4. Minimum Width for Pedestrians
   At least five (5) feet of sidewalk space shall be kept clean and clear for the free passage of pedestrians at all times. An Administrative Departure may be approved by the Zoning Administrator upon consultation with the Traffic Engineer, and a lesser width of clear area approved if it is determined that public safety shall not be substantially impaired. In evaluating a request for an Administrative Departure, the following shall be considered:

   a. Street classification and usage;

   b. Vehicular and pedestrian traffic volumes;

   c. Nature of vehicular and pedestrian traffic (i.e. school children, etc.);

   d. Availability and practicality (i.e., convenience) of alternative pedestrian routes; and

   e. Time of day, time of week, time of year, and duration of obstructions.

B. Transit Access

Where public transit service is available or planned, convenient access to transit stops shall be provided.

1. Transit Shelters
   Where transit shelters are provided, they shall be placed in highly visible locations for purposes of safety.

2. Landscaping
   Landscape and/or plaza areas are encouraged at transit stops.

3. Transit Coordination
   Developments with a lot area of more than five (5) acres shall apply for Pace's Design Review Assistance For Transit (DRAFT) process as describes in Pace's Transit-Supportive Guidelines for the Chicagoland Region as part of the Planned Unit Development approval process.

C. Bicycle Amenities

Bicycle amenities should be considered where possible to facilitate the use of alternative transportation. Regulations regarding bicycle parking and access are located in Section 10.13 (Bicycle Parking).

7.21 PERFORMANCE STANDARDS

A. Applicability

The regulations of Subsection 7.20 are applicable to all development in any zoning district in the Village. All uses shall also comply with all applicable U.S. and Illinois EPA requirements which exceed the requirements of this ordinance.

B. Noise

Noise shall be measured at any adjacent lot line and/or district boundary, and shall be regulated dependent upon the zoning designation of adjacent lots as indicated in Table 7.20(A). At the specified points of measurement, the sound pressure level of any activity or operation (except those not under the direct control of the industrial use, such as transportation facilities) shall not exceed the values shown in Table 7.20(A) between the hours of 7 a.m. and 7 p.m. The instruments used for these measurements shall conform to all current American National Standards Institute specifications. Impact noises shall be measured by means of an impact noise analyzer. Impact noises are those whose peak values are more than 3 db higher on the fast response than the r.m.s. values indicated on the sound level meter.

TABLE 7.20(B). MAXIMUM SOUND PRESSURE LEVELS (DB) ALONG DISTRICT BOUNDARIES

Octave Band Center Frequency (Hz)	Adjacent Zoning District		
	Industrial District	Commercial District	Residential District
31.5	88	83	86
63	79	71	75
125	69	59	64
250	62	52	57
200	58	47	53
500	58	47	53
1000	54	44	49
2000	51	40	46
4000	49	37	44
8000	47	35	41

C. Vibration

Vibration, measured at any adjacent lot line and/or district boundary, shall not exceed the limits listed in Table 7.20(B). The instrument used for these measurements shall be a three-component recording system. Particle velocity as specified below may be measured directly, or if computed on the basis of displacement and frequency, measurements shall be computed from the formula of 6.28 FD, where F is the frequency of the vibration in cycles per second and D is the single amplitude displacement of the vibration in inches.

TABLE 7.20(C) MAXIMUM PERMISSIBLE PARTICLE VELOCITY OF THE GROUND		
Adjacent Zoning District	**Particle Steady State Inches/Second**	**Velocity Impact Inches/Second**
Commercial District	0.10	0.20
Residential District	0.02	0.04

1. The maximum particle velocity shall be the vector sum of three (3) simultaneous mutually perpendicular components recorded.

2. For the purpose of this ordinance, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than 100 per minute. Discrete impulses which do not exceed 100 per minute shall be considered impact vibrations.

D. Smoke

1. For the purpose of grading the density or equivalent capacity of smoke, the Ringelmann Chart described in the U.S. Bureau of Mines Information Circular 83333 shall be employed. The emission of smoke or particulate matter of a density or equivalent greater than No. 2 on the Ringelmann Chart is prohibited at all times except as otherwise provided hereinafter.

2. Dust and other types of air pollution borne by the wind from such sources as storage areas, yards, roads, and the like within lot boundaries shall be kept to a minimum by appropriate landscaping, paving, oiling, fencing, wetting, or other acceptable means.

3. The open burning of refuse, paint, oil, debris and any other combustible material is prohibited in all industrial districts.

4. Particulate matter loading in points per acre described below shall be determined by selecting a continuous four (4) hour period which will result in the highest average emission rate.

5. BP Business Park District
   The emission of smoke having a density or equivalent opacity in excess of Ringelmann No. 0 is prohibited. However, for two (2) minutes in any four (4) hour period, smoke up to and including Ringelmann No. 2 shall be permitted.

   a. The rate of emission of particulate matter from all vents and stacks within the boundaries of any lot shall not exceed 0.2 pounds per acre of lot area per hour.

6. Industrial District
   The emission of smoke having a density or equivalent opacity in excess of Ringelmann No. 1 is prohibited. However, for three (3) minutes in any sixty (60) minute period, smoke up to and including Ringelmann No. 3 shall be permitted.

   a. The rate of emission of particulate matter from all stacks and vents within the boundaries of any lot shall not exceed eight (8) pounds per acre of lot area per hour.

E. Odor

The release of materials capable of becoming odorous either by bacterial decomposition or chemical reaction shall meet the standards of the district in which the odor is created.

1. Odor thresholds shall be determined in accordance with ASTM D1391-57, "Standard Method for Measurement of Odor in Atmospheres (Dilution Method)" or its equivalent.

2. In the BP Business Park District, odorous materials released from any operation or activity shall not exceed the odor threshold concentration beyond the lot line, measured either at ground level or habitable elevation.

3. In the I Industrial District, odorous materials released from any operation or activity shall not exceed the odor threshold concentration at or beyond the district boundary line in a residential district, measured either at ground level or habitable elevation.

F. Toxic Matter

The measurement of toxic matter shall be at ground level or habitable elevation and shall be the average of any twenty-four (24) hour sampling period. The release of any airborne toxic matter shall not exceed the fractional quantities permitted of those toxic materials currently listed in Threshold Limit Values adopted by the American Conference of Governmental Industrial Hygienists. If a toxic substance is not contained in this listing, the applicant shall satisfy the Village of Richton Park that the proposed levels will be safe to the general population. In all districts, the release of airborne toxic matter shall not exceed 2.5 percent of the Threshold Limit Value across lot lines.

G. Fire and Explosive Hazards

1. Detonable Materials
   Activities involving the storage, utilization or manufacture of materials or products which decompose by detonation shall be in accordance with the regulations of each manufacturing district. Such materials shall include, but are not limited to: all primary explosives such as lead azide, lead styphnate, fulminates, and tetracene; all high explosives such as TNT , RDX, HMX, PETN, and picric acid; propellants and components thereof, such as dry nitro-cellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chloride and potassium nitrate; blasting explosives such as dynamite and nitroglycerine, unstable organic compounds such as acetylides, tetrazoles and ozonides; unstable oxidizing agents such as perchloric acid, perchlorates and hydrogen peroxide in concentrations greater than 35 percent; and nuclear fuels, fissionable materials and products, reactor elements such as Uranium 235 and Plutonium 230.

2. In the BP Business Park District, the storage, utilization or manufacture of materials or products which decompose by detonation is limited to five (5) pounds.

3. In the I Industrial District, the storage, utilization or manufacture of materials or products which decompose by detonation is limited to five (5) pounds. Quantities in excess of five (5) pounds of such materials may be stored or utilized, but not manufactured, when permitted by the Village of Richton Park Fire Department.

H. Fire Hazard Solids

In all districts the storage, utilization or manufacture of solid materials, which are active to intense burning, shall be conducted within spaces having fire resistive construction of no less than two (2) hours and protected with an automatic fire extinguishing system. Outdoor storage of such materials shall be not closer than forty (40) feet from lot lines.

I. Fire Hazard Liquids and Gases

The storage, utilization or manufacture of flammable liquids or gases which produce flammable or explosive vapors shall be permitted only in accordance with this section, exclusive of the storage of finished products in original sealed containers (55 gallons or less), which shall be unrestricted.

1. The total storage capacity of flammable liquids and gases shall not exceed those quantities permitted in the Table 7.21(Ia) and 7.21(Ib) for each of the industrial districts.

TABLE 7.21(Ia) PERMITTED STORAGE CAPACITY OF FLAMMABLE LIQUIDS				
District	Above Ground		Below Ground	
	Less than 125	125-300	Less than 125	125-300
BP	5,000 gal.	20,000 gal.	10,000 gal.	40,000 gal.
I	Unlimited			

Table 7.21(D). Permitted Storage Capacity of Flammable Gases

TABLE 7.21(Ib) PERMITTED STORAGE CAPACITY OF FLAMMABLE GASES		
District	**Above Ground**	**Below Ground**
BP	150,000 SCF	300,000 SCF
I	1.5 X 10 SCF	Unlimited

2. The storage of flammable liquids having a flash point of 300o F or higher may be permitted without restriction in all manufacturing districts, subject to other requirements for the district.

J. Glare

In all manufacturing districts, any operation or activity producing glare shall be conducted so that light from the source shall not cause illumination in excess of 0.5 foot-candle when measured at the lot line of a residential district.

7.22 PAVING MATERIALS

A. **Approved Materials**

A variety of designs and paving materials including concrete, asphalt, paving block, brick, cobble stone, tile, and other materials are permitted in all zoning districts. The paving materials to be used shall be resistant to weathering and installed with the consideration of function, cost, availability, appearance, and the user. All paved areas with the exception of residential driveways, patios, and sidewalks shall be designed to meet the minimum weight requirements for emergency vehicle access as established by the Village Fire Department.

TABLE 7.21(A): PAVING MATERIALS		
Material	**Cost**	**Comments**
Asphalt	Low construction cost	A durable material that can be easily cut and repaired as needed. Requires occasional resurfacing. Is an absorber of heat and is aesthetically unappealing in large expanses.
Concrete	Moderate construction cost	Requires minimal maintenance, but if not made property will crack. Not attractive in large expanses, but does work well with other paving materials.
Concrete Aggregate	High construction cost (twice normal concrete)	Long life expectancy with minimal maintenance. The exposed finish is more attractive than normal concrete.
Cement Pavers	Moderate construction cost	Long life expectancy and attractive textured surface. Requires minimal maintenance, but has a limited range of available colors.
Brick & Brick Pavers	Moderate to high construction cost	Is made in a wide range of colors and is highly attractive. Can be laid in a variety of patterns and is durable. Snow is not easily removed and if not cared for, can be dangerous to pedestrians.
Brick Grid	Moderate	Economical and attractive when used in conjunction with other paving surfaces (i.e. entrances, courts, plazas, and private spaces) Requires minimal maintenance when constructed properly.
Wood Decking	Low construction cost	Used primarily for special effects and has a wide range of designs. Requires continual maintenance and repair. If not treated properly has a very limited life span.
Stone	High construction cost	Excellent surface material. It is durable and attractive and is made in a wide range of colors, textures, and styles. Granites are among the most durable. The type of stone used should be appropriate for the local climate and environmental conditions.

7.23 RAIN GARDENS

A. Setback

Rain gardens shall be located a minimum of one foot from any lot line.

B. Loose Soil

Loose soil associated with a rain garden must be covered or confined so that the soil is not moved from the lot, particularly after each growing season.

7.24 ON-SITE LIGHTING

Lighting on a given site shall adhere to the following standards. City staff and officials may request submittal of a formal lighting plan at their discretion, the content of which shall be determined at the time that such a request is made.

A. Light Trespass and Distraction

Lighting shall be provided in such a way as to not interfere with roadway traffic, spill over on adjacent properties, and/or pollute the night sky. The light level shall be no greater than 0.5 horizontal footcandles or 2.0 vertical footcandles at any property line or public right-of-way line. Where this footcandle restriction cannot be met, an administrative variance may be applied for.

B. Light Trespass

Specifically, the following types of light trespass are prohibited:

1. Any light not designed for roadway illumination that produces direct or reflected glare that could disturb the operator of a motor vehicle.

2. Any light that may be confused with, or construed as, a traffic control device, except as authorized by state, federal or local government.

C. Unshielded Lighting

The use of unshielded lighting, including incandescent light bulbs hung or strung on poles, wires, or any other type of support, are prohibited, except on a temporary basis in areas where approved sale of seasonal goods, carnivals, fairs or other similar activities are held and only when such activities are taking place.

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SECTION 8 – USE PROVISIONS

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8.1 ACCESSORY BUILDING

A. No accessory building shall be used for residential purposes, except as otherwise provided in this Ordinance.

8.2 ASSISTED AND SUPPORTIVE LIVING FACILITIES

A. Any assisted or supportive living facility shall be located at least one thousand five hundred (1,500) feet from any family or group community residence. The assisted or supportive living facility shall be licensed by the State of Illinois under the Illinois Nursing Home Care Act (210 ILCS 45), Nursing Home Administrators Licensing and Disciplinary Act (225 ILCS 70), or other applicable Illinois statute and shall meet all county and state health department requirements pertaining to facilities, equipment, and other features as well as complying with all applicable regulations of the Village.

8.3 BED AND BREAKFAST

A. Principal Residence of Owner

The detached single-family dwelling in which the Bed and Breakfast operates shall be the principal residence of the owner/operator and the owner/operator shall live on the premises when the Bed and Breakfast is in operation.

B. Exterior Appearance

The structure shall maintain an exterior appearance that is in character with surrounding residential uses.

C. Guest Rooms

The number of guest rooms is limited to one (1) less than the total number of bedrooms in the dwelling unit, not to exceed five (5) guest rooms total. Maximum occupancy is limited to two (2) adults per guest room.

D. Maximum Stay

Length of stay for a lodger shall not exceed fourteen (14) consecutive days and not more than 30 days in one (1) calendar year.

E. Separate Cooking Prohibited

No separate cooking facilities shall be provided.

F. Special Events

A Bed and Breakfast establishment may be used for an event where non-guests of the bed and breakfast are allowed to gather on the premises. Food and drink may be served to non-guests at an approved event. Such events shall occur no more than four (4) times within a calendar year, with a maximum duration of two (2) days per occurrence. Sufficient parking shall be provided for each event and occupancy shall be determined by the Fire Department and/or Building Official with proper safeguards for places of assembly in force. A temporary use permit shall be obtained in compliance with Section 15 - Administrative Procedures and Enforcement except that duration of each occurrence as specified in this provision shall apply.

8.4 CHILD DAY CARE HOMES AND CHILD DAY CARE CENTERS

In addition to all underlying zoning regulations, licensing requirements, and other building regulations, Child Day Care Homes and Centers shall conform to the following requirements:

A. Day Care Homes shall have received a license from the State of Illinois under the Child Care Act of 1969 (225 ILCS 10/0) from the Department of Children and Family Services.

B. In a residential district, no structural or decorative alteration will be allowed which will alter the single-family character of an existing or proposed residential structure or be incompatible with surrounding residences.

C. The site must be landscaped in a manner compatible with adjacent residences.

D. All yards containing equipment, amenities, or objects used by clientele for operation of the Child Day Care facility shall be enclosed in an opaque fence with a minimum height of six (6) feet. No such equipment, amenities, or objects shall be located or stored in the front yard.

8.5 CLUB OR LODGE

A. Food and alcoholic beverages may be served on its premises provided they are secondary and incidental to the principal use.

8.6 CONTRACTOR OR CONSTRUCTION SERVICES

A. The processing of materials, construction, or fabrication of products (including carpentry, electrical, HVAC, masonry, painting, plumbing, roofing, etc.) to be delivered to the consumer shall be processed or manufactured in an enclosed building.

B. Raw materials or finished products awaiting delivery may be stored outside, so long as the designated storage area is enclosed by an opaque fence at least 12' in height and setback from all property lines at least 20'. The exterior of the fence shall be properly maintained and screened by landscaping.

8.7 ELECTRICAL SUBSTATIONS AND PRIVATE UTILITIES

A. Outdoor Enclosure

The outdoor enclosure of above-ground essential service utilities shall be screened using a permanent wall to recognize the permanence of the infrastructure, reduce maintenance requirements and lessen the opportunity for graffiti or vandalism on site.

8.8 HOME OCCUPATIONS

In all residence districts, any customary home occupation shall be permitted provided that:

A. It is conducted entirely within the dwelling by a member of the family residing in the dwelling and is incidental and secondary to the use of the dwelling for dwelling purposes.

B. It is not conducted from a detached or attached accessory building or require internal or external alteration, or involve construction features of use of equipment not customary in a dwelling, and the entrance to the space devoted to such occupation shall be from within the dwelling and not more than one-fourth of the floor area of a story including also a cellar of the dwelling is devoted to such home occupation.

C. There is no display or activity that will indicate from the exterior of the dwelling that it is being used in part for any use other than a dwelling, except one nameplate conforming to Section 12 of this ordinance.

D. It is conducted by only a member of the family residing on the premises, plus only one additional person, whether or not a member of such family.

E. No mechanical equipment is used, except such as is customarily used for purely domestic or household purposes.

F. No stock in trade is kept or sold including also such as are made on the premises that require receipt or delivery of merchandise, goods or equipment by other than U.S. letter carrier mail service or the passenger automobile of the person conducting the home occupation. Retail sales of foods, beverages and other perishables are specifically prohibited.

G. Teaching of musical instruments and dancing shall be conducted only in a single family detached dwelling and then, not more than two pupils at one time, and academic or religious instructions may be given to nor more than six pupils at one time in a single family detached dwelling, and not more than one pupil at one time in any other type of dwelling unit.

8.9 HOSPITALS

In any district where hospitals are permitted, the following requirements shall be met:

A. The minimum site for any hospital shall be five (5) acres.

B. All principal buildings shall be located at least twenty-five (25) feet from all lot lines.

C. The site shall have a minimum length and width dimension of two hundred (200) feet.

D. Hospitals shall, upon application for approval, submit a traffic management plan that identifies preferred routes for emergency responsiveness for review by the Village Traffic Engineer.

8.10 HOUSEHOLD SERVICES

A. Household services (such as laundry, dying and dry cleaning, household goods or appliance repair, etc.) are permitted as per Section 4 - Commercial Districts of this ordinance, so long as such services can be conducted without noise, vibration, odor, dust or any other condition which might be disturbing to the occupants of adjacent buildings.

B. When such services occupy more than six thousand (6,000) square feet, it shall be located in the BP or I district.

8.11 LIVE-WORK UNIT

A. Space Limitations

The commercial portion shall remain ancillary to the primary residential use. Not more than one-half (½) of the usable area of the dwelling may be devoted to a non-residential use. No part of an accessory structure, either attached or detached shall be used.

B. Direct Access

There shall be direct access between the working and living spaces within the live-work unit.

C. Residency

At least one full-time employee of the business activity occupying the live- work unit shall also reside in the unit; conversely at least one of the persons living in the live portion shall work in the work portion.

D. No Separate Leases

The working space shall not be leased separately from the living space; conversely the living space shall not be leased separately from the working space.

E. Multiple Live-Work Units

Where there are multiple live-work units within a single structure, each unit shall be physically separated from other units and uses within the structure, and access to individual units shall be from a common open space, corridor, hallway, or other common access area.

8.12 LOCATIONAL STANDARDS

A. The following uses are not permitted within 1,000 feet of a similar use, or another such use listed below:

1. Barber shop
2. Beauty parlor
3. Tanning salon
4. Spa

B. The following uses are not permitted within 1,000 feet of a similar use, or another such use listed below, or within 1,000 feet of a school:

1. Massage parlor

C. The following uses are not permitted within 2,000 feet of a similar use, or another such use listed below, or within 2,000 feet of a school:

1. Pawn shop or broker
2. Tattoo and piercing establishment
3. Currency exchange or loan office

8.13 MATERIALS SALVAGE AND PROCESSING

A. The processing of salvaging and processing of materials shall occur in an enclosed building.

B. Objects waiting to be salvaged, parts already salvaged, may be stored outside, so long as the designated storage area is enclosed by an opaque fence at least 12' in height and setback from all property lines at least 20'. The exterior of the fence shall be properly maintained and screened by landscaping.

8.14 MEDICAL MARIJUANA DISPENSARIES

A. Medical marijuana dispensaries are permitted in accordance with the following provisions, provided that the applicant has obtained a license issued through the State of Illinois in accordance with the Compassionate Use of Medical Cannabis Pilot Program Act (410 IL 130), and conforms with all regulations therein.

B. A registered caregiver shall be allowed as a home occupation assuming the establishment meets all requirements of the State if Illinois and other regulations of this ordinance. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marijuana not in strict compliance with that Act and the General Rules. Also, since Federal law is not affected by that Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law. The following requirements for a registered primary caregiver shall apply:

1. The medical use of marihuana shall comply at all times and in all circumstances with the Compassionate Use of Medical Cannabis Pilot Program Act and the General Rules of the State of Illinois, as they may be amended from time to time;

2. A registered primary caregiver must be located outside of a one-thousand (1,000)-foot radius from any school, including child care or day care facility, to insure community compliance with Federal "Drug-Free School Zone" requirements;

3. Not more than one (1) primary caregiver shall be permitted to service qualifying patients on a parcel;

4. Not more than five (5) qualifying patients shall be assisted with the medical use of marijuana within any given calendar week;

5. All medical marijuana shall be contained within the main building in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices that permit access only by the registered primary caregiver or qualifying patient, as reviewed and approved by the Building Official and the Richton Park Police Department;

6. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marijuana are located;

7. If a room with windows is utilized as a growing location, any lighting methods that exceed usual residential periods between the hours of 11pm to 7am shall employ shielding methods, without alteration to the exterior of the residence, to prevent ambient light spillage that may create a distraction for adjacent residential properties;

8. That portion of the residential structure where energy usage and heat exceeds typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Richton Park Fire Department to insure compliance with the Illinois Fire Protection Code.

8.15 OUTDOOR STORAGE OF EQUIPMENT, MATERIALS, AND COMMERCIAL VEHICLES

Any commercial service provider located in the MU, C-1, or C-2 districts shall meet the following requirements:

A. In the MU district, no external storage of equipment, materials, or commercial vehicles related or unrelated to the primary use of the establishment is permitted.

B. In the C-1 ad C-2 district, external storage of equipment, materials, or commercial vehicles related to the primary use of the establishment are permitted, so long as they are enclosed in an opaque fence that is a minimum of 6’ in height, and located at least 25’away from all property lines.

8.16 PRIVATE SOLAR ENERGY PRODUCTION

A. Solar energy collection systems are permitted as an accessory use with the following conditions.

1. Building-Mounted Systems

   a. Location
   Building mounted systems may be located on any roof face of principal or accessory structures. Systems should be flush mounted when possible.

   b. Quantity
   The total square footage of the system panels may not exceed the total area of roof surface of the structure to which the system is attached.

   c. Measuring Height
   Height is measured from the roof surface on which the system is mounted to the highest edge of the system.

d. Maximum Height

i. Systems shall not extend beyond three feet parallel to the roof surface of a pitched roof.

ii. Systems shall not extend beyond four feet parallel to the roof surface of a flat roof.

iii. Systems shall not extend more than five feet above the highest peak of a pitched roof.

2. Ground-Mounted Systems

a. Location
Ground mounted systems shall not be located within any required setback, and shall not be located within the front or corner side yard.

b. Fencing
Any yard containing a ground mounted solar energy production system shall provide a fence along adjacent properties. The fence shall comply with Section 7.15 of this Chapter..

c. Maximum Height
The maximum height of a ground mounted solar energy production system, including any structural elements or energy producing elements, shall not exceed a height that is one foot less than the height of the fence provided in accordance with Section 8.16.2.b above.

8.17 RESTAURANTS SERVING ALCOHOL

A. Restaurants serving alcohol are not permitted to have drive-thru service.

8.18 URBAN GARDENING

Urban gardens are permitted under the following conditions for both accessory and permitted use in all districts.

A. Setbacks for the underlying zoning district apply.

B. Urban garden produce may be sold commercially through an onsite farm stand that conforms to all setback regulations of the underlying zoning district and has a maximum height of 12 feet.

C. Mechanical equipment, other than the type customarily identified as lawn and garden equipment, creating offensive noise, dust, odor or electrical disturbance shall be prohibited. Within a residential zoned district, the use of motorized equipment shall be restricted to hours beginning at 8:00 a.m. and ending at 10:00 p.m.

D. The site shall be designed and maintained to prevent any chemical pesticide, fertilizer or other garden waste from draining on to adjacent properties.

E. An on-site trash storage container shall be provided and located as close as possible to the rear lot line. Trash shall be removed from the site at least once a week.

F. Accessory structures including buildings or signs shall comply with requirements of the underlying zoning district.

G. Only individuals or organizations authorized by the property owner shall participate in the community garden.

H. The owner of any lot used for a community garden shall give each abutting property owner or occupant written notice of the owner's or the owner's agent's name, address, and telephone number and the use conditions provided in this ordinance for community gardens, no less than 30 days prior to the start of any community garden use.

I. Cultivated areas shall be prevented from encroaching onto adjacent properties.

J. The property shall be maintained free of high grass, weeds or other debris. Dead garden plants shall be regularly removed and, in any instance, no later than November 15th of each year.

8.19 VEHICLE FUELING STATION

In districts where vehicle fueling stations are permitted, the establishment of such uses shall be subject to the following requirements:

A. All gasoline pumps, lubrication or similar devices and other service facilities shall be located at least twenty-five (25) feet from any street right-of-way line or side or rear lot line.

B. No access drive shall be within two hundred (200) feet of a fire station, school, public library, church, park or playground.

C. All devices for dispensing or selling milk, ice, cold drinks, and the like shall be located within the principal building.

D. Any vehicle fueling station that does not include vehicle repair may include a convenience store of up to 1,000 square feet.

E. Whenever a vehicle fueling station has been abandoned, all underground storage tanks shall either be removed or filled with some acceptable material approved by the Zoning Administrator. A vehicle fueling station shall be considered abandoned when the owner, tenant, or lessor has not sought to continue the use for a period exceeding twelve (12) months.

F. All waste and trash receptacles shall be in a screened enclosed area.

8.20 VEHICLE WRECKING AND SALVAGE

A. Vehicle wrecking and salvage operations are permitted in the BP and I districts, so long as they occur in completely enclosed buildings or are screened by a solid wall or uniformly painted solid fence at least twelve (12) feet high. The exterior of the fence shall be properly maintained and screened by landscaping.

8.21 VETERINARY CLINIC

A. Veterinary clinics are prohibited from the outdoor boarding of animals. All boarding bays shall be located inside the primary structure.

B. All outdoor areas designated for animal recreation shall be enclosed by a fence with a minimum height of 6', and a minimum opacity of 75% of the area of the fence.

8.22 WIND ENERGY COLLECTION SYSTEM

A. Small wind energy systems

Small wind energy systems are permitted as an accessory use on all zoning districts with the following conditions.

1. Freestanding Systems.

   a. Freestanding systems are not allowed on zoning lots less than 10,000 sq. ft. For information on all other zoning lot sizes, refer to Table 8.21(A).

TABLE 8.21(A) MINIMUM LOT SIZE REQUIREMENTS BY WIND ENERGY GENERATION CAPACITY

	Maximum Quantity Allowed by Rated Capacity		
Zoning Lot Size (in sq ft)	**less than/ equal to 5kW**	**less than/ equal to 20kW**	**less than/ equal to 40kW**
10,000 - 29,999	1	none	none
30,000 +	unlimited	unlimited	none
greater than/equal to 130,000	unlimited	unlimited	unlimited

   b. Clearance
   Minimum clearance between the lowest tip of the rotor or blade and the ground is 12 feet.

   c. Permitted Yard Location

      i. Allowed only in the side and rear yards.

ii. Front yard locations may be allowed in nonresidential districts with a special use permit provided there are no residential districts within 120 feet of any property line of the zoning lot where the turbine will be located.

d. Height
No turbine may be greater than 60 feet high.

e. Setbacks
The base of the system shall be setback 1.1 times the height of the highest edge of the system from all property lines, overhead utility line poles, public sidewalks or trails, and public rights-of-way. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zoning district.

f. Access
Climbing access (rungs or foot pegs) to the tower shall not start until twelve (12) feet above grade to prevent unauthorized access.

2. Building Mounted Systems.

a. Quantity
One turbine is allowed for every 750 square feet of the combined roof area of all structures on a zoning lot. For a pitched roof, each surface of the roof shall be included in the roof area calculation.

b. Rated Capacity
A maximum rated capacity of 3kW per turbine is allowed.

c. Height
The maximum height of 15 feet is measured from the roof surface on which the system is mounted to the highest edge of the system with the exception of any pitches 10:12 or greater. The system shall not extend more than five feet above the highest peak of a pitched roof.

d. Location
Allowed on all principal and accessory structures.

3. Requirements for all small wind energy systems.

a. Noise
Except during such short-term events such as utility outage or a severe windstorm, a wind energy system shall not exceed 55 dBA when in or adjacent to all residential districts, and 60 dBA when in or adjacent to all non-residential districts.

b. Safety
Every wind energy system shall have an internal automatic braking device to prevent uncontrolled rotation of over speeding.

8.23 WIRELESS COMMUNICATION FACILITIES

A. Requirements

All wireless telecommunication facilities shall be subject to the requirements of this Section, as well as any other applicable provisions of the Village Code.

B. Zoning district requirements

Wireless telecommunication facilities shall be permitted with the following conditions:

1. No new wireless telecommunication towers shall be permitted in the SF-1, SF-2, MR, MF, MU or C-1 districts. Stealth design of wireless facilities, towers and antennas shall be permitted as a special land use in these districts. Co-locations on existing wireless telecommunication facilities or existing structures that do not require any additional height shall be a permitted use in these districts.

2. Wireless telecommunication facilities shall be permitted as a special use in the C-2, BP, I, and P districts.

3. New wireless telecommunication towers located within a Village park shall be prohibited. Stealth design of wireless facilities, including towers and antennas, shall be permitted as a special land use in the P district. Co-locations on existing wireless telecommunication facilities or existing structures that do not require any additional height shall be a permitted use in the P district.

C. Compliance with federal regulations

1. All telecommunication facilities shall comply with current regulations of the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC) or any other federal or state agency with authority to regulate telecommunication facilities, including towers and/or antennas.

2. In the event of a change in Federal or State regulation, the owner of the telecommunication facility shall bring it into compliance with the revised regulations within six months of the effective date of such regulations, unless a different compliance schedule is mandated by the State or Federal agency.

D. Compliance with building codes

All wireless telecommunication shall be constructed in compliance with all applicable building codes, including the Electronic Industries Association/Telecommunication Industry (EIA/TIA) standards for the construction of facilities including towers, antennas, and support structures.

E. General site location requirements

No new wireless telecommunication towers shall be permitted within a radius of 1,000 feet of an existing wireless telecommunication tower unless the applicant can demonstrate that the existing telecommunication tower is unsuitable for technical or structural reasons.

F. Setback requirements:

1. Wireless telecommunication towers shall be setback at least 50% of the tower height from any adjoining property.

2. Other structures associated with the wireless telecommunication tower (such as equipment shelters, guy wire anchors) shall comply with the setback requirements of the district in which the tower is located.

3. The setback requirements of this section are minimums. The Planning Commission may require additional setback distance as part of a special use approval.

G. Co-location requirements

Unless made technically infeasible as a result of the use of stealth design, new wireless telecommunication towers shall be designed to permit co-location by at least two additional entities and proposed locations for wireless telecommunication facilities shall be adequately sized and configured to allow the placement of at least two additional telecommunication equipment shelters.

H. Tower design

Wireless telecommunication towers that are not of stealth design shall be constructed as freestanding structures (monopole or lattice towers, as approved by the Planning Commission) and shall have a neutral surface finish color to reduce visual obtrusiveness, except as otherwise required by a State or Federal agency.

I. Signs

Wireless telecommunication facilities shall not be used for advertising purposes. Wireless telecommunication facilities shall display one sign, not to exceed two square feet, which identifies the service provider and an emergency telephone number. These restrictions shall not apply to any safety signs placed on the security fence or tower.

J. Fencing

Wireless telecommunication facilities shall be enclosed by a solid screening fence not less than six feet in height. The Planning Commission shall review the need for the installation of anti-climbing devices and make a determination based on adjacent land use and zoning patterns.

K. Screening

Wireless telecommunication facilities shall be effectively screened with a landscape buffer, approved by the Planning Commission, to obscure views of the tower base, equipment shelter, security fencing, or guy wire anchors from adjacent uses and public rights-of-way. Locations where the visual impact of the tower will be minimal or where existing vegetation provide an effective natural screen or where the security requirements of the principal use prevent screening (utility substations), the Planning Commission may modify this requirement.

L. Lighting

Wireless telecommunication towers shall not be artificially lighted unless required by the FAA, FCC, or other agency with jurisdictional authority. If lighting is required by federal regulation, the applicant shall use the least intrusive form of lighting acceptable under the controlling regulation.

M. Equipment shelter design

The design and materials used in the construction of the equipment shelter shall, to the extent possible, blend the structure with the surrounding built or natural environment. The equipment shelter shall not exceed 15 feet in height.

N. Off street parking

New wireless telecommunication facilities of non-stealth design shall provide one off-street parking space to accommodate maintenance vehicles, if practicable. Driveways and parking spaces serving such facilities may have a gravel surface, provided the surface is maintained in a dust-free condition and graded to maintain proper drainage.

O. Permitted additional antenna

Wireless telecommunication antennas shall be considered a permitted accessory use when placed on or attached to any existing wireless telecommunication structure, provided that all other applicable ordinance requirements are complied with. Any initial wireless telecommunication antenna placed on an alternative tower structure shall be subject to the same review and approval procedures as a new wireless telecommunications facility. Subsequent antennas on alternative tower structures shall be considered permitted accessory uses in all districts.

P. Permitted tower placement

An existing wireless telecommunication tower may be placed for the purposes of accommodating the co-location of additional wireless telecommunication antennas subject to the following review and approval process:

1. Tower replacements that result in the addition of 50 or fewer feet of additional tower height shall require site plan view and approval by the Planning Commission;

2. Tower replacements that result in the addition of more than 50 feet in height shall require special land use review and approval by the Planning Commission;

3. Tower replacements that require the installation of tower lights shall require special land use review and approval by the Planning Commission.

Q. Application requirements

In addition to any other applicable requirements of this ordinance, the following information shall be provided in support of an application to initially construct a wireless telecommunication tower:

1. Certification from an Illinois licensed professional engineer as to the manner in which the proposed wireless telecommunication tower is designed to collapse;

2. A report that addresses the review criteria contained in subsection (R) below. This report shall include a map depicting the existing and known proposed location of telecommunication, including telecommunication wireless towers and wireless telecommunication antennas attached to alternative tower structures, within a one-mile radius of the proposed site. This includes wireless telecommunication towers located within adjacent jurisdictions within the one-mile radius;

3. The name, address, and telephone number of the person to contact regarding site maintenance or other notification purposes. The tower owner shall periodically update this information;

4. A statement that indicates the applicant's intent to allow the co-location of other antennas, provided that the cost of modifying the existing tower is borne by the co-locating entity and reasonable compensation is paid by the co-locating entity.

R. Review criteria

A wireless telecommunication tower shall not be approved unless it can be demonstrated by the applicant that there is a need for the tower which cannot be met by placing wireless telecommunication antennas on an existing tower or other suitable structure, or placement of an existing tower:

1. No existing towers or alternative tower structures have the structural capacity to support the proposed antenna nor can existing towers or alternative tower structures be reinforced to support the proposed antenna;

2. No existing towers or alternative tower structures are located within the geographic area that meets the system's engineering requirements;

3. The cost of using an existing tower or other suitable structure or replacing an existing tower exceeds the cost of constructing a new wireless telecommunication tower; or

4. The installation or use of an alternative communication technology is unsuitable or infeasible.

S. Removal of abandoned facilities

Any wireless telecommunication tower or antenna that is not operated for a continuous period of 12 months shall be considered abandoned and the owner of such tower or antenna shall remove the same within 90 days of receiving an abandonment notification from the Village. Failure to remove an abandoned tower or antenna within 90 days shall be grounds for the removal of the tower or antenna at the owner's sole expense.

T. Bond

Applicant shall provide the Village with proof of an annual performance bond in the amount of $7,500 to ensure that the applicant will comply with the provisions set forth in division (l) regarding the removal of an abandoned tower and/or antenna.

U. Inspection

An inspection of the wireless telecommunication facility shall be required every two years after the completion of improvements. The inspection shall be carried out by the owner of the facility and shall certify the structural integrity of the wireless telecommunication facility. The inspection certification shall be submitted to the Department of Community Development and filed with the site permit documents. If the Department of Community Development determine that an inspection has not been completed within the two-year time period, a notice will be sent to the owner. The owner shall have 30 days in which to comply with this requirement. If the inspection is not completed within the 30 days, the permit for the wireless telecommunication facility will be revoked.

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SECTION 9 – NON-COMFORMING BUILDINGS AND USES

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9.1 CONTINUANCE OF USE

A. Any lawfully established use of a building or land, on the effective date of the ordinance or amendments thereto, that does not conform to the use regulations for the district in which it is located, shall be deemed to be a legal non-conforming use and may be continued, except as otherwise provided herein.

B. Any legal, non-conforming building or structure may be continued in use, provided there is no exterior physical change other than necessary maintenance and repair, as otherwise permitted herein.

C. Any building for which a permit has been lawfully granted prior to the effective date of the ordinance or of amendments thereto, may be completed in accordance with the approved plans; provided construction is started within 90 days and diligently prosecuted to completion. Such building shall thereafter be deemed a lawfully established building.

9.2 DISCONTINUANCE OF USE

A. Whenever any part of a building, structure or land occupied by a non-conforming use is changed to or replaced by a use conforming to the provisions of the ordinance, such premises shall not thereafter be used or occupied by a non-conforming use.

B. Whenever a nonconforming use of a building or structure or part thereof, has been discontinued for a period of 12 consecutive months, or whenever there is evident a clear intent on the part of the owner to abandon a non-conforming use, such use shall not be re-established, and the use of the premises thereafter shall be in conformity with the regulations of the district.

C. Where no enclosed building is involved, discontinuance of a non-conforming use for a period of six (6) months shall constitute abandonment, and shall not thereafter be used in a non-conforming manner.

D. A non-conforming use not authorized by the provisions of the zoning ordinance in effect at the time the amendatory ordinance becomes effective, shall be discontinued and not re-established, except when the provisions of the amendatory ordinance find the use to be conforming to the district in which it is then located.

9.3 CHANGE OF NON-CONFORMING USE

A. The non-conforming use of any building, structure or portion thereof, which is designed or intended for a use not permitted in the district in which it is located, may be changed to another non-conforming use thereof, but only if such other use is permitted by a Special Use Permit as authorized in Section 15. Administration and Procedures.

B. A non-conforming structure that was erected, converted or structurally altered in violation of the provisions of the ordinance which this ordinance amends shall not be validated by the adoption of this ordinance, and such violations or any violations of this ordinance may be ordered, removed or corrected by the proper officials at any time.

9.4 REPAIRS AND ALTERATIONS

A. Normal maintenance of a building or other structure containing a non-conforming use is permitted, including necessary non-structural repairs and incidental alterations which do not extend or intensify the non-conforming use.

B. No structural alteration shall be made in a building or other structure containing a non-conforming use, except in the following situations:

a. When the alteration is required by law.

b. When the alteration will actually result in eliminating the non-conformity.

c. When a building in a residential district containing residential non-conforming uses may be altered in any way to improve livability, provided no structural alteration shall be made which would increase the number of dwelling units or the bulk of the building.

9.5 DAMAGE AND DESTRUCTION

If a building or other structure containing a non-conforming use building or structure is damaged or destroyed by any means to the extent of 50 percent or more of its replacement cost at the time of such damage or destruction, the building or other structure may thereafter be rebuilt and used only for a conforming use and in compliance with the current provisions of the district in which such building or structure is located.

9.6 ADDITIONS AND ENLARGEMENTS

A. A non-conforming building may be enlarged or extended only if the entire building is thereafter devoted to a conforming use, and is made to conform to all the regulations of the district in which it is located.

B. No building partially occupied by a non-conforming use shall be altered in such a way as to permit the enlargement or expansion of the space occupied by such non-conforming use.

C. No non-conforming use may be enlarged or extended in such a way as to occupy any required usable open space, or any land beyond the boundaries of the zoning lot as it existed on the effective date of the ordinance, or to displace any conforming use in the same building or on the same parcel.

D. A building or structure which is non-conforming with respect to yards, floor area ratio, or any other element of bulk regulated herein shall not be altered or expanded in any manner which would increase the degree or extent of its non-conformity with respect to the bulk regulations for the district in which it is located.

9.7 EXEMPTED BUILDINGS, STRUCTURES AND USES

A. Wherever a lawfully existing building or other structure otherwise conforms to the use regulations herein but is non-conforming only in the particular manner hereinafter specified, the building and use thereof shall be exempt from the requirements of subsections 9. 4 and 9.5.

B. In any residential district where a dwelling is non-conforming only as to the number of dwelling units it contains, provided no such building shall be altered in any way so as to increase the number of dwelling units therein.

C. In any residential district, where a use permitted in the TC Districts occupies ground floor space within a multiple family dwelling.

9.8 CONVERSION TO SPECIAL USE

Any legal non-conforming use may be made a special use by the granting of a special use permit, as authorized in the Administrative Section.

9.9 REMOVAL OF NON-CONFORMING SIGNS

As regulated in Section 12.14 (Non-conforming Signs).

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SECTION 10 – OFF-STREET PARKING AND LOADING

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10.1 PURPOSE AND INTENT

This purpose of this Section is to establish off-street parking, loading, and stacking space requirements related to the use of property with the intent of a) reducing congestion on public streets; b) controlling dust and soil erosion; and c) providing safe and convenient access, thereby promoting the public health, safety and welfare.

10.2 APPLICABILITY AND GENERAL PROVISIONS

A. Existing Structures and Facilities

1. All uses established after the effective date of this Ordinance shall provide off-street parking and loading space in accordance with the standards set forth in this chapter.

2. Uses existing on the effective date of this Ordinance that are in compliance with the parking and loading requirements under which said uses were established shall be deemed to be legally nonconforming.

B. Damage or Destruction

For any conforming or legally non-conforming building or use which is in existence on the effective date of this ordinance, which subsequent thereto is damaged or destroyed by fire, collapse, explosion or other cause, and which is reconstructed, re-established or repaired, off-street parking or loading facilities need not be provided, except that parking or loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored or continued in operation. However, in no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this Section for equivalent new uses or construction.

C. Change in Use

When the existing use of a building or structure shall hereafter be changed to a new use, parking and loading facilities shall be provided as required for such new use. Additional parking or loading spaces shall be required in the amount by which the requirements for the new use exceed the requirements for the existing use.

D. Change in Intensity of Use

1. Any expansion of use shall require conformance with respect to surfacing requirements for all parking, loading and driveways.

2. A minor expansion of a use (i.e., costing less than 50% of the value of the structure or increasing the area of the use by less than 20%) shall require additional parking and loading for the new or expanded portion of the use. Any existing legal nonconformity in quantity of off-street parking and loading requirements, as described in Paragraph 1 above, may be expanded as a matter of right.

3. A substantial expansion of a use (i.e., costing more than 50% of the value of the structure or more than 20% increase in area) shall require conformance with all provisions of this chapter.

E. Temporary Encroachments

Temporary encroachment into required parking spaces for seasonal sales display area may be authorized by the Zoning Administrator for up to 90 days during a year based upon a determination that adequate parking is available to meet the demand during the period of encroachment.

F. Provision of Additional Spaces

To minimize excessive areas of pavement, the voluntary establishment of additional off-street parking or loading facilities shall be permitted, but shall not exceed the required number of parking spaces by more than twenty (20) percent, except as approved by the Zoning Administrator. In granting additional spaces, the Zoning Administrator shall determine that the parking or loading is needed based on documented evidence of actual use and demand provided by the applicant. The location, design and control of such facilities shall be in accordance with this Section.

10.3 ACCESSIBLE PARKING

A. ADA Compliance

All parking lots must comply with the State of Illinois Accessibility Code (1997 Edition) issued under the Americans with Disabilities Act of 1990 (ADA) for the amount and design of accessible vehicle parking spaces required in parking lots and structures.

B. Required Spaces

With the exception of single family detached and single family attached dwellings, in all off-street parking facilities where parking is provided for employees, visitors or both, parking spaces for disabled persons shall be provided. 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.

C. Dimensions and Design

Such spaces shall comply with the design standards presented in the State of Illinois Accessibility Code (1997 Edition), 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 the disabled 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.

10.4 CONSTRUCTION

All off-street parking and loading facilities required by this Section shall be completed prior to the issuance of the certificate of occupancy of the structure they serve.

D. Submission of Site Plan

Any application for a building permit, or for a certificate of occupancy where no building permit is required, shall include therewith a site plan – drawn to scale and fully dimensioned – showing any parking or loading facilities to be provided in compliance with this ordinance.

E. Temporary Certificate of Occupancy

Pursuant to this Article, a temporary certificate of occupancy may be issued for a use for which the required parking or loading spaces have not been provided if a performance bond in a form acceptable to the Village Attorney and in an amount equal to the projected costs of the improvements is received as assurance that the required facilities will be constructed in a time frame and manner agreed to by the Zoning Administrator and the administrative services department. Nothing is this Section shall be interpreted as barring any other remedy available for enforcement of this title.

10.5 CROSS-ACCESS BETWEEN ADJACENT LOTS

Where parking lots for separate uses abut one another and the opportunity for connected cross-access exists, such access in encouraged. Cross-access should be done in a logical manner that results in safe and efficient circulation between adjacent parking areas. When cross-access is provided, both property owners shall be exempt from landscaping and fencing requirements to the width of the drive aisle plus an additional 20' measured from each face of curb of the drive aisle.

10.6 SHARED PARKING FACILITIES

The Zoning Administrator may authorize a reduction in the total number of required parking spaces for two (2) or more uses jointly providing off-street parking when their respective hours of peak operation do not overlap. Shared parking shall be subject to the location requirements of Section 10.7 (Location of Off-Street Parking Facilities) and the following conditions:

A. Computation

The number of shared spaces for two (2) or more distinguishable land uses shall be determined by the following procedure:

1. Multiply the minimum parking required for each individual use, as set forth in Table 10.10(A): Off-street Parking Required by Use, by the appropriate percentage indicated in Table 10.6(A): Shared Parking Calculations, for each of the six (6) designated time periods;

2. Add the resulting sums for each of the six (6) columns;

3. The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations;

4. Select the time period with the highest total parking requirement and use that total as the shared parking requirement.

B. Other Uses

If one (1) or all of the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications in Table 10.6(A): Shared Parking Calculations, as determined by the Zoning Administrator, then the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the Zoning Administrator shall determine the appropriate shared parking requirement, if any, for such uses.

C. Process

An application for shared parking shall be submitted on a form approved by the Zoning Administrator, as specified in Section 15 - Administrative Procedures and Enforcement.

TABLE 10.6(A): SHARED PARKING CALCULATIONS						
GENERAL LAND USE CLASSIFICATION	WEEKDAYS			WEEKENDS		
	1:00am-7:00am	7:00am-6:00pm	6:00pm-1:00am	1:00am-7:00am	7:00am-6:00pm	6:00pm-1:00am
Office	5%	100%	5%	0%	15%	0%
Retail sales and services	0%	100%	80%	0%	100%	60%
Restaurant (not 24 hour)	20%	70%	100%	30%	75%	100%
Residential	100%	60%	100%	100%	75%	95%
Theater	0%	60%	100%	0%	80%	100%
Hotel Guest rooms Restaurant lounge (in hotel)	100%	55%	100%	100%	55%	100%
Conference rooms	0%	100%	100%	0%	100%	100%
Religious institution	0%	25%	50%	0%	100%	50%

D. Shared Parking Agreement

No shared use of parking spaces shall be permitted unless:

1. A written agreement, in a form approved by the Village Attorney, is executed by the parties requesting a sharing of off-street parking spaces and filed with the application for a certificate of zoning compliance;

2. Approval is obtained from the Zoning Administrator that confirms that the use of such facility by each user does not take place at the same hours during the same days of the week.

3. All other requirements of this Section are otherwise met.

4. Any subsequent change in ownership or use shall require proof that the minimum parking requirements, per this Section, have been met for each use. The owner of an existing building or use shall have one-hundred eighty (180) days within which to accommodate all required off-street parking or to apply for a variation. If the owner is unable to accommodate the parking or fails to apply for a variation, then the occupancy permit shall be revoked with respect to the use for which the separate parking was required. The occupancy permit shall be reinstated when all applicable provisions of this Section are complied with. As an alternative to a variation, a new alternate shared parking agreement may be arranged in accordance with this Section.

10.7 LOCATION OF OFF-STREET PARKING FACILITIES

The location of off-street parking spaces in relation to the use served shall be as prescribed in this subsection. All distances shall be walking distances from a main entrance of the use served to the nearest point of the parking facility.

A. Off-Site Parking Facilities

When required parking facilities are provided on land other than the zoning lot on which the building or use served by such facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the parking facilities are accessory.

1. No such off-site parking facilities shall be authorized and no occupancy permit shall be issued where the plans call for parking other than on the same zoning lot until and unless the Planning and Zoning Commission has reviewed the plans and heard the applicant and made findings that the common ownership or possession of the zoning lot and the site of the parking facilities are reasonably certain to continue and that the off-site parking facilities will be maintained at all times during the life of the proposed use or building, providing the off-site parking facilities are within five hundred (500) feet of the main entrance with walkways provided. This Section is not applicable for residential uses.

B. Parking Easements and Tracts

Parking may be located in the front, rear and side yard setbacks. In commercial centers either the required parking spaces shall be located on the same lot as the use, or all parking, access, and maneuvering areas shall be available for all users on the commercial center through the use of easements or tracts.

1. The easement or tract shall be established by a recorded statement on the plat that the easement or tract is to be used and maintained by all the lot owners within the commercial center. An easement may be established pursuant to a grant of easement or other appropriate recorded document.

2. For attached dwelling units and multi-family developments, parking, access and maneuvering areas may be provided in a tract. The tract shall be established by the recorded plat, with a statement on the plat that the tract is to be used and maintained by all the lot owners within the development.

C. Residential Uses

The following standards apply to the location of parking spaces for residential uses:

1. Off-street parking facilities accessory to residential use and developed in any residential district in accordance with the requirements of this Section shall be used solely for the parking of passenger automobiles or not more than one non-commercial truck providing such truck does not exceed a gross weight of 8,000 pounds or a height from ground to roof of seven (7) feet.

2. All required parking spaces for residential uses shall be located on the same lot as the building or use served.

3. Parking spaces may be located in any yards except required front yards, but shall be permitted in that portion of the front yard wherein the driveway is located.

4. Recreation vehicles and equipment may be located in any yard in accordance with Section 10.14 (Parking and Accessory Use Restrictions).

5. For single family detached and single family attached dwellings, parking shall be permitted in private driveways, but no such parking may encroach onto the public right-of-way. However, such driveway parking shall not be considered as satisfying the off street parking requirements for such single family detached and single family attached dwellings.

6. When two (2) or more parking spaces are required, there shall be an unobstructed parking space for each vehicle, such as double garage, double driveway or separate parking stalls. Tandem parking is permitted, however a parking space that is blocked by a tandem parking space shall not count toward fulfilling off-street parking requirements

7. Off-street parking facilities accessory to residential use and developed in any residential district shall be used solely for the parking of passenger automobiles or the vehicles owned or operated by the occupants of the dwelling structures.

D. Non-Single Family Uses

Except for parking areas on the same lot as a single family detached or single family attached dwelling, off-street parking and loading areas shall meet the following requirements:

1. Front Yard Setbacks

   a. Within the MR and MF District, no parking shall be permitted in the front yard of the property between the right-of- way and the main building or structure, except that parking spaces shall be permitted in that portion of the front yard wherein the driveway is located.

   b. Within the TC Districts, no parking shall be permitted in the front yard of the property between the right-of- way and the main building or structure.

   c. Within the C-1 District, one double-loaded parking aisle with a maximum of 60 feet is permitted in the front yard of the property between the right-of- way and the main building or structure.

   d. Within the C-2, BP, and I District, parking shall be permitted in the front yard of the property between the right-of- way and the main building or structure. If parking is located along the front property line, a required setback of 10’ shall be provided between the property line and edge of the parking lot.

2. Side and Rear Yard Setbacks

   Where located within or abutting a Residential District, the parking area shall maintain the minimum side and rear yard setbacks as required in the Residential District, except where an alley abuts the property, in which case the required rear yard setback may be reduced to five (5) feet. Parking shall not be located within landscape buffer areas.

3. Location
   All required parking spaces In the MR, MF, TC, C-1, C-2, BP, and I Districts shall be within one thousand (1,000) feet of the use served except for spaces accessory to dwelling units which shall be within three hundred (300) feet of the use served.

4. No parking spaces accessory to a use in a Commercial or Industrial District shall be located in a Residential District, except that private, free, off-street parking accessory to such uses and municipal parking lots may be allowed by special use permit in accordance with the Section 15 - Administrative Procedures and Enforcement in any MR or MF District within two hundred (200) feet of and adjacent to any Commercial or Industrial District.

10.8 DESIGN STANDARDS, ACCESS AISLE, AND SPACE REQUIREMENTS

Design requirements are as follows:

A. Parking Dimensions

1. Except for parking spaces serving single family detached and single family attached dwellings, dimensions of parking spaces and maneuvering areas shall be provided Table 10.8(B): Dimensional Standards for Parking Spaces and Aisles and as shown in the Figure 10.8(B) Parking Design Standards.

2. Parking spaces for single-family and two-family dwellings shall be a minimum of nine (9) feet wide by eighteen (18) feet long.

3. All parking spaces shall have a minimum vertical clearance of seven (7) feet.

B. Ingress and Egress

All parking areas shall be designed or arranged such that no vehicle can have direct access to or egress from any off-street parking space directly from a public right-of-way. In any instance stated in this section, ingress to and egress from a parking space shall be from an aisle, driveway, or similar arrangement by forward motion of the vehicle.

1. Access Ways
   Off-street parking shall be provided with vehicular access ways to a street, alley, or cross-access connection.

   a. Residential Access
      Within all Residential zoning districts access ways shall be a minimum of ten (10) feet wide except as follows:

      i. A single family residential driveway apron and curb cuts shall not exceed 25 feet in width, exclusive of curb returns.

      ii. Two (2) one-way drives, each twelve (12) feet wide may be provided in lieu of one (1) twenty (20) foot driveway.

iii. If a driveway is longer than one hundred (100) feet or serves more than the required parking for four (4) dwelling units, the minimum width shall be twenty (20) feet.

b. Non-Residential Access
Within all non-Residential zoning districts, access drives shall be a minimum width of twenty-four (24) feet or two (2) separate driveways each twelve (12) feet wide.

c. Width
Except in unusual circumstances, no access way from a public street shall exceed thirty-five (35) feet in width.

d. Location
No access way or lane shall be within one hundred (100) feet of any corner formed by the intersection of the right-of-way of two (2) or more streets as measured from curb line to center line of access. On a corner where a traffic signal or stop sign exists, such entrance or exit shall be located at such distance and in such manner so as not to cause or increase traffic hazard or undue congestion.

e. Alignment
The alignments of access ways shall be at right angles and offsets are not to exceed twenty degrees (20º).

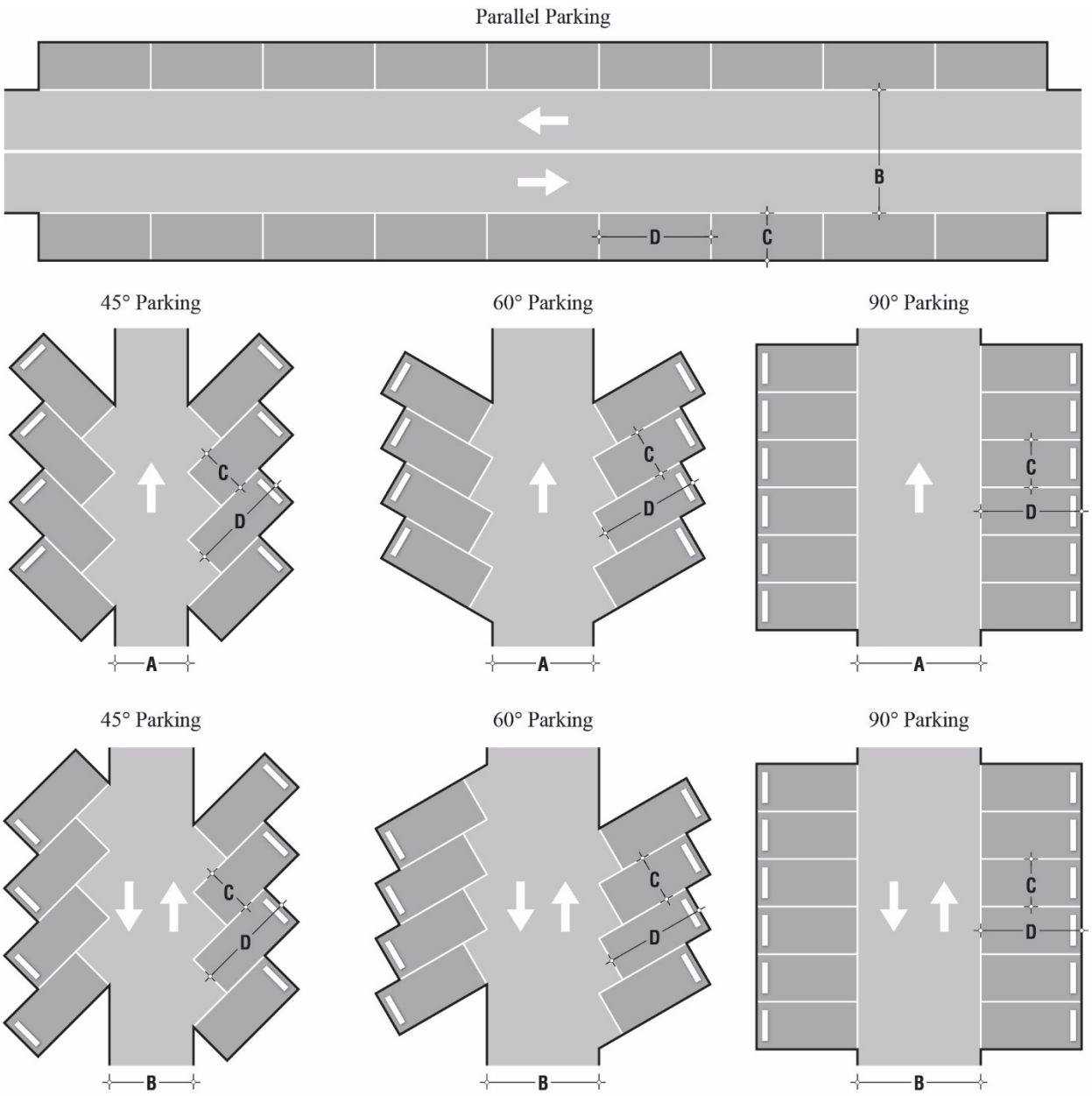
f. Curb Cuts
Location, design and width of any driveway that intersects with a public street shall be in accordance with the Village's curb cut regulations. Commercial curb cuts into local residential streets shall be prohibited. A local residential street is defined as a street which serves primarily residential traffic and is developed primarily with residential uses.

g. Curb Cut Frequency
No lot can have multiple vehicular curb cuts for purposes of vehicular ingress and egress without a minimum of 125’ separation between such curb cuts along a street. A variation may be granted if, due to the particular situation of the parcel, this requirement cannot be satisfied.

2. Drive Aisles
Within off-street parking lots, one-way traffic aisles shall be at least eleven (11) feet in width and two-way traffic aisles shall be at least twenty (22) feet in width. Furthermore, all aisles shall be provided as shown in the Figure 10.8(B): Dimensional Standards for Parking Spaces and Aisles.

TABLE 10.8(B): DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES								
	0° (PARALLEL)		45°		60°		90°	
	typical	compact	typical	compact	typical	compact	typical	compact
A - Width of Aisle: One-Way	11	11	14	14	18	18	20	20
B - Width of Aisle: Two-Way	22	22	22	22	22	22	24	24
C - Width of Space	9	8	9	8	9	8	9	8
D - Depth of Space	22	20	19	17	20	18	18	16

FIGURE 10.8(B) PARKING DESIGN STANDARDS



C. Public Right-of-Way

All parking aisles and parking spaces shall be entirely within the lot lines, and not on a public right-of-way. Parking spaces and loading spaces shall be so arranged that no part of any vehicle overhangs the public right-of-way. Parking or maneuvering areas located within the public right-of-way shall not be used to meet off-street parking or off-street loading requirements.

D. Backing Across Property Lines

No parking space shall be permitted where the vehicle leaving a parking space must be backed across any property line adjacent to a public right-of-way except for single family detached and single family attached dwellings.

E. Parking Structure or Garage

Parking or maneuvering areas located inside a structure or garage shall be provided as shown on Figure 10.7(A) of this Section. A garage where the doors providing vehicular access are adjacent to a public right-of-way shall be required to have a minimum setback of ten feet from such right-of-way or meet the zoning district minimum setbacks, whichever is greater.

F. Compact Spaces

A maximum of ~~10~~ 30% percent of all provided parking spaces may be compact spaces. Dimensions for compact spaces are shown on Figure 10.7(A) of this Section. Compact spaces shall be designated as such.

G. Surfacing

1. All off-street parking, stacking, and loading areas shall be surfaced with asphalt, concrete, brick, pavers, or an equivalent material in accordance with Village of Richton Park's standard construction specifications. Surfaces such as pervious asphalt, pervious concrete or turf blocks are permitted; subject to the requirements of this Ordinance and other Village policies pertaining to stormwater management. Drive aprons from an alley or street shall be concrete.

2. Surfacing materials shall be maintained in a smooth, well-graded condition,.

H. Drainage

Off-street parking areas and driveways shall be constructed to dispose of all surface water without crossing sidewalks and without adverse effect upon adjacent property;

I. Striping

Except for parking spaces for single family detached or single family attached dwellings, all parking spaces shall be clearly delineated or striped as required by Ordinance and restored as often as necessary to be readily discernible.

J. Pedestrian Circulation

Parking areas shall include designated pedestrian paths between the public sidewalk or right-of way and an on-site sidewalk or building entry. Pathways shall be designated by, at a minimum, distinctive striping and could also include decorative paving materials, elevated crossing areas, and/or signage warning motorists of pedestrians.

K. Perimeter Enclosures, Curbing or Wheel Stops

1. Except for parking areas provided for single-family attached or single-family detached dwellings, the perimeter of all parking, maneuvering, driveways and vehicular display or storage areas shall be enclosed by a permanent wall, fence, curb, wheel or bumper barrier. The barrier must be a minimum of six inches in height. A discontinuous barrier may be used as long as the separation between barriers does not exceed four feet.

2. Bumper stops, wheel stops or curbing shall be provided to prevent vehicles from damaging or encroaching upon any adjacent parking or loading space, sidewalk, landscaped area or parking lot island, fence, wall or building.

L. Lighting

Lights used for illumination of parking areas and driveways shall be directed away from adjacent properties and rights-of-way so as to confine direct rays to the site.

M. Tandem Parking

Except for parking spaces for single family detached or single family attached dwellings, a parking space that is blocked by a tandem parking space shall not count toward fulfilling off-street parking requirements. A tandem parking space is a parking space located such that it abuts the second space and access to that second space can only be made through the abutting (tandem) space.

N. Other Amenities in Parking Lots

Amenities that support the primary use of the site (i.e. shopping cart corrals, trash containers, etc.) are permitted in parking areas so long as they conform to the following requirements:

1. The physical components of the amenity are contained entirely out of the designated drive aisle.

2. Objects used in conjunction with the amenity are adequately restrained to prevent deliberate or accidental obstruction of designated parking spaces or drive aisles.

3. Consideration is given to special safety needs, such as signage, lighting, or others, caused by the presence of the amenity.

4. The amenity is designed to minimize visual obstruction between parking spaces and drive aisles.

5. The area occupied by the amenity cannot be used in calculating the overall number of parking spaces in determining compliance with other sections of this Article.

O. Repair Bays

Repair bays within an automobile service station, repair garage, or other similar use shall not be counted as part of the required off-street parking spaces.

P. Self-storage or Mini-warehouse Facilities

1. A driveway aisle for mini-warehouse or self-storage facilities shall be a minimum width of 20 feet. A driveway aisle where access to storage units is only on one side of the aisle shall be 16 feet in width.

2. No off-street parking spaces are required for these facilities. Off-street parking as indicated in Section 10.9 (Off-Street Parking Requirements) shall be provided for any accessory use (i.e., office, dwelling) of the mini-warehouse or self-storage facility.

Q. Landscaping and Screening

1. All sides of open off-street parking areas shall be screened from any adjoining residentially zoned lot by a solid and opaque fence, wall, berm, dense evergreen hedge, or effective equivalent having a height of not less than six (6) feet. Such fence, wall, berm, hedge or effective equivalent, shall be maintained in good condition.

   a. When walls or fences are utilized they shall be of brick, stone, pre-cast concrete, or a combination thereof.

2. All parking lots shall be landscaped in accordance with Section 11 - Landscaping.

R. Display or Storage Areas

Required parking, maneuvering, or access areas for vehicular sales uses shall not be used for display or storage of vehicles. Display or storage areas shall be delineated on required plans. For determining compliance with this Article, every two-hundred fifty (250) square feet of area used for display or storage for automobile sales uses shall represent one parking space. Striping shall not be required for automobile display or storage areas.

10.9 STACKING SPACES AND LANES FOR DRIVE-THROUGH FACILITIES

A. Requires Stacking Spaces

Every drive-through facility shall provide a minimum of two (2) stacking spaces per bay, unless otherwise required by Table 10.10(E): Off-Street Parking Requirements or this Ordinance.

B. Stacking Space Design Standards

Stacking spaces provided for drive-through uses shall be:

1. A minimum of nine (9) feet in width, as measured from the outermost point of any service window to the edge of the driveway, and eighteen (18) feet in length.

2. Placed in a single line behind the drive-through facility.

3. Located such that:

   a. When in use, they do not obstruct ingress or egress to the site and do not obstruct access to required parking or loading spaces.

   b. The first space begins behind the vehicle parked at a last point of service, such as a window or car wash bay.

   c. They shall not interfere with other on-site traffic circulation, parking facilities, pedestrian movements or cause automobiles to queue within public rights-of-way.

4. The Zoning Administrator shall review proposed stacking areas leading up to and from the service window, menu board, or similar service area for a drive-in or drive-through facility, and shall determine the number of stacking spaces required for that use or, alternatively, may require the applicant to provide a queuing analysis for uses generating more than thirty (30) trips per hour.

C. Drive-through Stacking Lanes

Automobile stacking lanes for drive-through uses shall be provided according to the following:

1. Restaurants shall provide 80 feet behind each order and pickup window, or if the functions are separated, 30 feet behind an order board, and 50 feet behind the pickup window;

2. Financial institutions or financial transactions facilities (i.e., bill payment window) shall provide 50 feet behind each window or transfer facility. Where more than one window or transfer facility is provided, the stacking lanes may be distributed in 20-foot increments among the various lanes as long as no lane is less than 30 feet in length;

3. A carwash shall provide 40 feet behind each bay or stall;

4. Drive-through stacking lanes for uses not specifically mentioned shall provide 30 feet behind the pickup location;

5. Within the TC districts, all drive-thru windows shall be located to the rear of the building.

6. The minimum width of a drive-through lane shall be eight feet;

7. Required drive-through stacking lanes shall not intersect with pedestrian access to a public entrance of a building;

8. Each drive-through lane shall be striped, marked or otherwise distinctly delineated;

9. Drive-through stacking lanes shall not be located in parking space maneuvering aisles.

10.10 OFF-STREET PARKING REQUIREMENTS

A. Minimum Requirements

Except as otherwise expressly stated, off-street motor vehicle parking spaces must be provided in accordance with the parking ratio requirements of Table 10.10(E): Off-Street Parking Requirements. In some cases, uses which are considered part of a generic use category are listed with specified parking requirements. These specific uses are listed only for the purposes of this Section and do not indicate whether such uses are either a permitted or special use within any district. Certain general uses listed within the districts do not have parking requirements and are not listed within Table 10.10(A).

B. Parking Plan Required

A parking site plan shall be submitted for any development or use that is required to provide more than three (3) off-street parking spaces. The plan shall accurately designate the required parking spaces, access aisles, and driveways, and the relation of the off-street parking areas to the uses or structures the areas are designed to serve.

C. Maximum Parking

Except as otherwise specified in Section 10.2 (Applicability and General Provisions), no parking lot shall exceed the required number of parking spaces by more than twenty (20) percent.

D. Computation

The total number of required parking and loading spaces shall be based upon the requirements for the principal use of the lot. However, when more than one (1) use occupies the same lot, the number of required spaces shall be the sum of the separate requirements for each use. In computing the number of off-street parking or loading spaces required by this Section, the following standards for computation shall apply:

1. Multiple Uses
   Unless otherwise expressly stated, lots containing more than one use must provide parking in an amount equal to the total of the requirements for all uses. Where exact future tenants are unknown, the Zoning Administrator may establish overall parking requirements pursuant to subsection E, below.

2. Fractions
   When measurements of the number of required spaces result in a fractional number, any fraction of less than ½ is rounded down to the next lower whole number, and any fraction of ½ or more is rounded up to the next higher whole number.

3. Area Measurements
   Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed on the basis of gross floor area (GFA).

4. Occupancy or Capacity-Based Standards
   For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations must be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.

5. Ancillary Uses
   Ancillary uses shall be calculated separately.

6. Unlisted Uses
   Upon receiving a development application for a use not specifically listed in subsection E, below, the Zoning Administrator is authorized to apply the parking ratio specified for the listed use that is deemed most similar to the proposed, or establish a different minimum parking requirement on the basis of parking data provided by the applicant and the planning department.

E. Parking Ratio Requirements

The amount of required off-street parking spaces for individual uses shall be determined in accordance with Table 10.10(E): Off-Street Parking Requirements. The following methodology is to be used in conjunction with Table 10.10(E): Off-Street Parking Requirements in determining the required number of parking spaces.

1. Base Parking Requirement
   In order to determine the final parking requirement for a given lot or use, the base parking requirement shall first be established based on the following methodology:

   a. Floor Area
      Where floor area is the unit of measurement to determine the required number of off-street parking and loading spaces, Gross Floor Area (GFA) shall be used.

   b. Bench Seating
      In calculating bench seating for places of assembly, each continuous four (4) foot segment of benches, pews or other similar seating shall be counted as one (1) seat.

c. Employees
Where the number of spaces required is based on the number of employees, calculations shall be based upon the maximum number of employees likely to be on the premises at any one time.

d. Occupancy
Where occupants are used as a measurement, all calculations shall be based on the maximum capacity permitted under fire safety and building codes.

e. Stalls
Where vehicle stalls are used as a measurement, all calculations shall be based on the number of service bays, garage door openings or booths.

f. Uses
Parking shall be calculated separately for each use in a building, structure or on a lot, except that the Zoning Administrator may determine that a lower standard would be adequate for shared parking, as described in Section 10.6.

TABLE 10.10(E) OFF-STREET PARKING REQUIREMENTS		
Use Categories	**Use Types**	**General Requirement**
Residential Uses		
Household living	Single family detached dwellings	2 spaces per unit
	Single family attached, multi-family dwellings, or upper story residential	TC District: 1.5 spaces per dwelling unit All Other Districts: 1.5 spaces per efficiency or one bedroom unit 2 spaces per 2 or more bedroom units
	Accessory Dwelling Unit	1 space per dwelling unit
Group living	Nursing home	1 space per 5 beds
	Assisted living facility not having individual dwelling units	1 space per 4 beds
	All other group living uses	1 space per 3 beds
Institutional Uses		
Day care	All day care	1 space per employee, plus one space for every five children at maximum capacity
Educational facilities	High school	1 space per 4 seats in main assembly area, but not less than 5 per classroom
	All other educational facilities	1 space per 4 seats in main assembly area, but not less than 1 per classroom
Health services	Hospital	1 space per 2 beds
	All other health services uses	TC District: 1 space per 400 GFA All Other Districts: 1 space per 250 GFA
Religious	All religious uses	1 space per 4 seats in main assembly area
Community facilities	Government use or facility	1 space per employee, plus one space for every 500 GFA
	All other community facilities uses	15 spaces, plus one space for each 400 GFA

TABLE 10.10(E) OFF-STREET PARKING REQUIREMENTS		
Use Categories	**Use Types**	**General Requirement**
Commercial Uses		
Retail, sales-oriented	Warehouse club	1 space per 300 GFA
	Building supply and lumber	1 space per 300 GFA
	Flea market or auction (indoor)	1 space per 100 GFA
	All other retail sales and service	TC District: None for first 1,500 GFA, then 1 space per 350 GFA All Other Districts: 1 space per 250 GFA
Personal service	Undertaking establishment or mortuary	1 space per 4 seats in assembly area
	All other personal service oriented uses	TC District: None for first 1,500 GFA, then 1 space per 350 GFA All Other Districts: 1 space per 250 GFA
Eating and drinking establishments	Cafes, ice cream shops	TC District: None for first 1,500 GFA, then 1 space per 200 GFA All Other Districts: 1 space per 100 square feet
	All other eating and drinking establishments	TC District: None for first 1,500 GFA, then 1 space per 300 GFA All Other Districts: 1 space per 200 GFA
Entertainment	Bowling alley	3 spaces per lane
	Theater	1 space per 4 seats
	Sporting event stadium or arena	1 space per 4 seats
	Golf course, driving range	1 space per tee box
	Golf course, miniature	1 space per hole
	Golf course, all others	3 per green, plus 1 for every three driving range booths, plus 1/3 of the spaces required for other uses as identified in this table
	All other indoor entertainment	1 space per 300 GFA
	All other outdoor entertainment	Determined by Zoning Administrator
Financial services	Banks and financial institutions	TC District: None for first 1,500 GFA, then 1 space per 300 GFA All Other Districts: 1 space per 300 GFA
	Currency exchange or loan office	1 space per 200 GFA
Professional office/studio	All professional office/studio uses	TC District: None for first 1,500 GFA, then 1 space per 500 GFA All Other Districts: 1 space per 400 GFA
Lodging	Hotels and motels	1 space per room, plus 1 space per 200 GFA conference or restaurant area
Vehicle and equipment sales and service	Vehicle fueling stations	1 space per 250 GFA
	Vehicle repair and service	3 spaces per service bay
	Vehicle sales/lease and rental	1 space per 600 GFA
	All other vehicle and equipment sales and service uses	Determined by Zoning Administrator

TABLE 10.10(E) OFF-STREET PARKING REQUIREMENTS		
Use Categories	**Use Types**	**General Requirement**
Industrial Uses		
Light manufacturing	Contractor or construction services	1 space per 250 GFA
	Business services	1 space per 250 GFA
	Waste-related services	1 space per 1,000 GFA
	Assembly, Manufacturing, or Production	1 space per 1,000 GFA
	Commercial food production and beverage bottling and distribution	1 space per 1,000 GFA
	All other light industrial	1 space per 600 GFA
Warehousing and Distribution	Self storage facility	1 space per employee
	All other warehousing and distribution uses	1 space per 1,000 GFA
Outdoor storage and operations	All outdoor storage and operations uses	Determined by Zoning Administrator
Transportation	Public transportation terminal facilities	1 per 400 GFA of passenger terminal area
	All other transportation uses	Determined by Zoning Administrator
Utilities and alternative energy	All utilities and alternative energy uses	Determined by Zoning Administrator

10.11 OTHER PARKING USES

For commercial uses not listed heretofore in the 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 Administrator. Parking spaces shall not be used for any other purpose except by special use permit.

10.12 OFF-STREET LOADING REQUIREMENTS

Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.

A. Loading Space Area

Loading space for vehicles over two (2) ton capacity shall not be closer than fifty (50) feet to any property in a Residential District unless completely enclosed by building walls, a solid fence, wall or landscaped buffer not less than ten (10) feet in height and width. Overnight parking of mechanical trailers in operation shall be prohibited within one hundred (100) feet of a Residential District.

B. Dimensions

The minimum dimensions of an off-street loading space are ten (10) feet wide by twenty-five (25) feet long, with a minimum vertical clearance of 14 feet, or as determined by the Zoning Administrator such greater distances as are needed to accommodate vehicles so that no vehicle overhangs into the public right-of-way or interferes with internal circulation.

1. A minimum maneuvering aisle width of 24 feet shall be provided for the off-street loading spaces.

C. Location

1. Off-street loading spaces required for any use shall be located on the same zoning lot as the use or building and shall not project into a public right-of-way.
2. Off-street loading spaces shall be located at least twenty-five (25) feet from the intersection of any two (2) streets.
3. No off-street loading space shall be located in a front or corner side yard.
4. All off-street loading spaces shall be located a minimum of fifty (50) feet from the lot line of any lot 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 (6) feet in height.

D. Not For Parking

Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

E. Special Use, Other Uses

For special uses and uses other than prescribed for in this Ordinance, loading spaces, adequate in number and size to serve such use shall be provided as determined by the Planning and Zoning Commission.

F. Surfacing

All open, off-street loading space shall be improved with a compacted madacam base not less than seven (7) inches thick, surfaced with not less than two (2) inches of asphalt or some comparable material with comparable construction. However, a modified base and surface can be provided for semi-pervious parking areas with the approval of the Zoning Administrator.

G. Loading Spaces Required

For the uses listed in Table 10.12(G): Required Off-Street Loading Spaces, off-street loading space shall be provided on the basis of gross floor area of a building or portions thereof devoted to such uses in the amounts shown herein:

FIGURE 10.12(G): REQUIRED OFF-STREET LOADING SPACES	
Total Of Gross Floor Area Per Building (Sq. Ft.)	**Loading Spaces Required**
Commercial, Office, and Industrial Uses	
Up to 2,999	Planning and Zoning Commission Review
3,000 to 19,999	1
20,000 to 49,999	2
50,000 to 100,000	3
Above 100,000	Planning and Zoning Commission Review
Hospitals, Institutions, and Similar Uses	
Up to 9,999	Planning and Zoning Commission Review
10,000 to 49,999	1
50,000 to 100,000	2
Above 100,000	Planning and Zoning Commission Review

H. Below Minimum Floor Area

Uses for which off-street loading facilities are required herein, but which are located in buildings of less floor area than the minimum for which such facilities are required shall be provided with adequate receiving facilities as determined by the Planning and Zoning Commission.

10.13 BICYCLE PARKING REQUIREMENTS

A. Applicability

For properties within Commercial Districts, except TC districts, designated bicycle parking spaces should be provided in accordance with the requirements of this subsection. Bicycle facilities should be of high quality and reflect the architecture of the primary structure. Properties requiring less than 25 vehicle parking spaces are exempt from this requirement.

B. Minimum Required Spaces

Bicycle parking facilities should be provided at a rate of one (1) bicycle space per twenty-five (25) vehicle parking spaces with a minimum of 5 spaces and a maximum of 10 spaces.

C. Location

Bicycle parking shall be conveniently located near building entry points. Bicycle parking placement shall not conflict with pedestrian travel. Bicycle facilities provided in the public right-of-way may be used in parking calculations, so long as the entry point providing primary access to the building is set back no more than 20' from the front lot line.

D. Facility

Bicycle parking shall be provided using bicycle rack or locker-type parking facilities and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement or the building.

10.14 PARKING AND ACCESSORY USE RESTRICTIONS

A. Commercial Vehicles in Residential Districts

The following restrictions shall apply to the parking or storage of commercial vehicles on property within residential districts.

1. No commercial vehicle of one (1) ton capacity or more shall be parked on any residentially-zoned private property or public right-of-way in a Residential District, except for vehicles engaged in loading or unloading, or vehicles in connection with current work being performed on the adjacent premises.

2. Only one (1) commercial vehicle of less than one (1) ton capacity, which is used on a regular basis and is the owner's principal means of transportation to and from his employment, may be stored or parked outdoors overnight on residentially-zoned private property.

3. Permitted commercial vehicles, as described in Paragraph 2 above, shall include such vehicles that are owned and used for commercial purposes by the occupant of a dwelling or guest, provided that the vehicle is stored or parked in the permitted parking area for that dwelling. Such permitted commercial vehicles may include the logo of the commercial business painted on or applied to the vehicle.

4. No stored or parked commercial vehicle shall be occupied or used for human habitation.

5. All other non-standard sized commercial vehicles including, but not limited to, semi-truck tractor units, with or without attached trailers, commercial trailers, buses, limousines, tow trucks, panel trucks, construction vehicles, or other large commercial and non-standard sized livery vehicles are not permitted to be stored or parked outdoors overnight on residentially zoned property.

6. A special-use permit shall be required for a commercial or related use in a Residential District for required parking on an adjacent lot or a lot across the street, but not more than two hundred (200) linear feet from the use served. Such use shall meet the requirements of Table 10.8(B): Dimensional Standards for Parking Spaces and Aisles.

B. Recreational Vehicles in Residential Districts

In any residential district, it shall be unlawful to park a recreational vehicle or equipment anywhere other than as permitted by the "permitted accessory uses" in the district where the recreational vehicle exists.

1. Recreational vehicles and equipment may be parked or stored as follows:

   a. In a front yard on private driveway serving single family dwellings provided such equipment does not exceed a height from ground to roof of seven (7) feet.

   b. In a side yard provided such equipment does not exceed nine (9) feet in height from ground to roof and is parked at least two and a half (2 ½) feet from the side lot line and at least ten (10) feet from any building on an adjoining lot. Recreational equipment exceeding nine (9) feet in height may be parked in a side yard only if it can be wholly stored in location that complies with the required setback for that zoning district..

   c. In a rear yard provided it is parked at least five (5) feet from a side or rear lot line and ten (10) feet from any building on an adjoining lot.

   d. No recreational vehicle parking or storage is permitted in designated easements.

2. No recreation equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

3. No major recreational equipment shall be stored out of doors on residential premises unless it is in condition for safe and effective performance of the function for which it is intended or can be made so at a cost not exceeding the value of the equipment in its existing state.

4. In no case shall any such equipment be so stored for a period of more than six months if not in condition for safe and efficient performance of the function for which it is intended.

C. Utility Trailers

The parking of not more than one (1) utility trailer [not exceeding eight (8) feet wide by twenty (20) feet long] in the side or rear yard or driveway only is hereby permitted, provided that no living quarters or businesses shall be maintained in any such utility trailer and shall comply with the yard requirements for accessory buildings of the zoning district in which it is located.

D. Vehicle Repair Work

1. In a Residential District, no motor vehicle repair work shall be permitted in conjunction with accessory off-street parking spaces or loading areas provided for a commercial or industrial use.

2. In a Non-Residential District, no motor vehicle repair work shall be permitted in conjunction with accessory off-street parking spaces or loading areas unless such service is provided by a uniformed employee of the associated business.

3. The sale of gasoline and motor oil, when permitted in conjunction with accessory off-street parking areas, shall be located with respect to residential properties so as not to create a nuisance.

4. No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities in any district.

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SECTION 11 – LANDSCAPING

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11.1 PURPOSE AND INTENT

A. The regulations of this Chapter establish minimum requirements for landscaping and screening. Landscaping shall be provided as part of any site plan or subdivision design. Landscaping regulation is designed to achieve a number of objectives including to:

1. Maintain and protect property values;
2. Create transitions;
3. Reduce the negative impacts of surrounding land uses;
4. Provide relief from traffic, noise, heat, glare and the spread of dust and/or debris;
5. Enhance the aesthetic appearance of the Village;
6. Reduce soil erosion and silting of local detention facilities and lakes;
7. Preserve existing plant and wildlife species; and,
8. Reduce the effects of wind and heat through the provision of shade.

B. All plans shall be conceived with the entire site in mind by integrating the various elements of the site. The intent of the ordinance shall be to preserve and enhance the existing vegetation and ground cover, minimize coverage by impervious surfaces, regulate grading and the movement of soils by working with the natural grade of the site, and provide onsite detention through the use of landscaping for run off created by impervious surfaces.

11.2 APPLICABILITY

A. This landscape ordinance shall be applicable to all zoning districts and land uses within the Village. The regulations contained herein shall be applied for any plan, plat or permit requiring review and or approval involving of any land development, alteration and or modification of a zoning lot, building structure, or parking facility contained therein requiring Planning Department approval to maintain and protect property values;

B. Individuals purchasing property within a completed residential development and homeowners associations in the case of townhome and condominium developments with established landscaping covenants shall be exempt from the planting specification and regulations contained herein, with the following exceptions:

1. Any landscape plan approved as part of a development shall be maintained as the minimum landscape requirements for that development and shall not be removed without Planning Commission approval;

2. All maintenance responsibilities as specified in this Section and the proximity of plant materials to municipal utilities and property as stated in this Section shall be enforced;

3. Parkway trees and plantings shall be required to meet and established regulations for the applicable district.

11.3 LANDSCAPE PLAN SUBMITTAL REQUIREMENTS

A. A landscape plan shall be submitted with any application requiring site plan review. At a minimum the final landscape plan shall be required to indicate the following, or be a component of a larger development proposal that includes the following:

1. The applicant's name and address and interest in the property;

2. The owner's name and address, if different from the applicant, and the owner's signed consent to the filing of the plan;

3. The street address and legal description of the property;

4. Title, scale, north marker, and date;

5. Zoning of site and all adjoining property;

6. All lot lines, easements and rights-of-way;

7. All surrounding roads names;

8. The total square footage of the site area dedicated for vehicle use, including parking, loading, queuing, circulation, and drop-off/pick-up area;

9. Existing and proposed trees, shrubs, and ground cover, natural features such as outcroppings, wetlands, and other landscaping elements.

10. Existing and/or proposed locations of plantings and/or construction details including paving materials, walls, fences, and street furniture.

11. Tree species, spacing, number of trees, and an approximate planting time table.

12. Existing plant material to be preserved during construction shall be indicated on the submitted landscape plans along with the proposed methods for protection.

13. Existing and proposed site contours on the project site and one hundred (100) feet beyond the site lot lines, at intervals not to exceed two (2) feet;

14. Typical cross section, including slope, height and width, of berms and the type of ground cover to be placed on them;

15. All existing and proposed drainage and detention areas;

16. Size and location of berms, fences and other screening or screening devices; and

17. Other information or documentation as the zoning administrator may deem necessary to allow a full and proper consideration and disposition of the particular plan, including but not limited to special features, sign locations, lighting, decks, paving, gazebos,.

B. Minor and Major Changes to Approved Landscape Plans.

1. Minor changes to the landscape plan that do not result in a reduction in the net amount of plant material as specified on the approved landscape plan shall be approved by the Zoning Administrator.

2. Changes to the size and amount of plant materials of an approved landscape plan shall be considered a major change. Major changes shall be approved by the body granting approval of the landscape plan initially.

11.4 GENERAL LANDSCAPING REQUIREMENTS

A. Topsoil Preservation

A permit shall be required prior to the clearing, grading, transportation, or other movement of soil or earth. A detailed sketch plan showing all property lines, acreage, zoning, proposed utilities and structures, existing utilities and structures, soil type, adjacent land-uses, and flood plains shall be provided. A topsoil preservation permit shall not be required for roto-tilling, planting, or other activity typically associated with privately maintained residential lots and gardens.

Topsoil moved during construction shall be redistributed on all re-graded surfaces to provide a minimum of six (6) inches of even cover throughout the development area, and shall be stabilized following final grading using seed, sod, hydro-seed, or other vegetation. During construction, erosion control devices including silt fences, hay bales, and tarps shall be used to prevent destabilized soils from being washed or blown from the site. All erosion control measures shall be approved by the Village Engineer prior to beginning construction.

B. Protection of Existing Plantings and Natural Features

Prior to approval of the subdivision or development of a zoning lot, the Landscape Plan shall demonstrate that a minimum of ten (10) percent of the natural features of the site, including trees, rare plants, water courses, historic areas, and other irreplaceable assets shall be maintained. This requirement is in addition to all other required land donations.

Temporary material and soil deposit may not be placed within five (5) feet of shrubs or within ten (10) feet of the drip line of any tree designated to be retained on the landscape plan. Protective barriers and tree wells shall be installed around all plants, trees, and/or groups thereof that are to be retained. Barriers shall be at least four (4) feet in height and constructed of durable materials and are to remain in place until construction is completed.

C. Debris Removal

All stumps, tree parts, litter, brush, weeds, scrap or excess building materials, or other debris shall be removed from the site prior to the issuance of the occupancy permit. No tree stumps, tree parts, or other debris shall be buried anywhere in the development. Plant and tree material which is reduced to mulch may be used in landscaping areas, subject to Village Engineer approval.

D. Slope Plantings

Landscaping of terraces, cuts, and fills shall be done using plant materials shown to prevent soil erosion. All slops greater than twenty five (25) percent shall be landscaped with ground cover and materials appropriate for the type of planting, soil conditions, and the surrounding environment.

E. Additional Landscaping

All areas not covered by site improvements shall be landscaped with grass, shrubs, trees, ground cover or a combination thereof in accordance with the approved landscape plan. In addition to the required ground cover, street trees, and screening, additional landscaping elements and plantings may be required where necessary for climate control, privacy, or other reasons in accordance with the landscape plan.

F. Planting Specifications

Only nursery grown plant materials shall be installed within new development and along municipal right of ways. All landscaping shall be done following approval of the final grading by the Village Engineer. Deciduous trees shall have minimum (2½) inch caliper measured thirty six (36) inches above the root ball at planting. The size of bushes and evergreens shall be allowed to vary depending on the location and type of planting to be used. All planting materials shall be guaranteed by the developer for a minimum of one (1) year from the time of planting. Any dead and/or dying trees or plants at that time shall be removed and replaced by the developer.

G. Plant Species

The species of plantings shall be selected from those determined to be tolerant of a hardiness zone of five (5), as designated by the US Department of Agriculture, and those listed as permitted plan materials in Section 13.10. Other species may be considered and approved by the Planning and Zoning Commission provided the Applicant can demonstrate 1) a unique need for such plant materials, and 2) that such materials are not detrimental to the objectives of this Section.

H. Timing of Planting

All required plant material shall be planted prior to issuing a Certificate of Occupancy. In the event that the project is completed during a time of year when planting is impractical, a performance guarantee or surety acceptable to the Village in the amount of the remaining improvements shall be provided.

I. Completion of Improvements

Tree stakes, guy wires and tree wrap shall be removed after completion of the initial growing season.

J. Maintenance

1. All landscape elements landscape elements located on any zoning lot as defined within this Ordinance shall be regularly cared for and maintained free from and physical deterioration so as not to become a hazard to any person, personal property, or public or private utility, infrastructure, or improvement. All landscaping shall be maintained in accordance with Section P.M. 303-41 of the Village's Property Maintenance Codes.

2. The Village may remove or have removed any landscape element or portion thereof which encroaches or overhangs into any public right-of-way, landscape, drainage, and/or utility easement.

K. Privacy Walls and Fences

Walls and fences may be erected where necessary for privacy, screening, separation, security, erosion control, or other reasonable function. The design and materials used shall be functional and compatible with the surrounding environment and meet the requirements of Section 7 of this zoning ordinance.

L. Berms

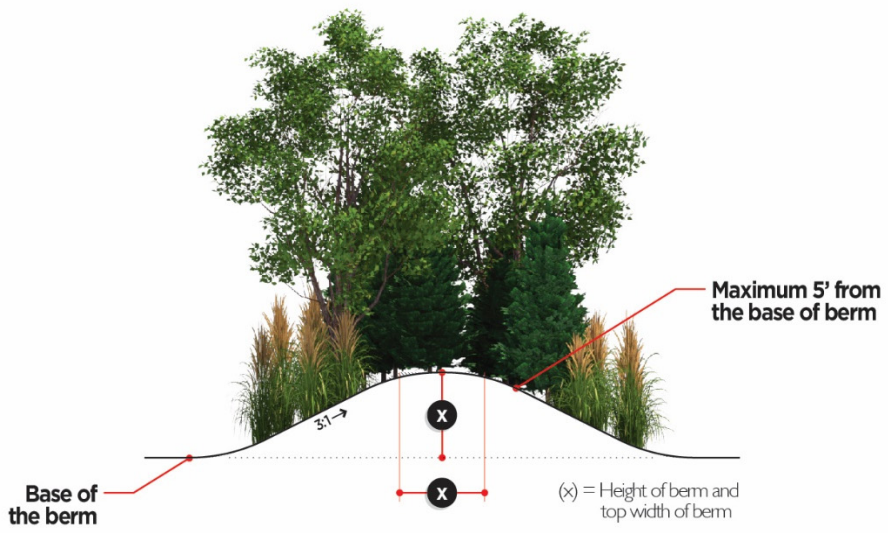
1. Berms shall:

   a. Not exceed a three to one (3:1) horizontal to vertical ratio and a maximum height of five (5) feet above the base of the berm.

   b. Be stabilized with a ground cover or suitable vegetation and properly located outside of clear vision areas.

   c. Retain in good condition existing healthy vegetation designated for preservation.

Figure 11.4(L). Berms



M. Phased Construction

Large tracts shall be graded in workable units following a scheduled timeline so that construction does not result in large areas left bare and exposed to seasonal runoff.

11.5 PLANT MATERIAL REQUIREMENTS

A. Scale and Nature of Landscape Material

The scale and nature of landscape materials shall be appropriate to the size of the site and related structures.

B. Plant Material Selection

The scale and nature of landscape materials shall be appropriate to the size of the site and related structures. All planting materials used shall be of good quality, be capable to withstand the seasonal temperature variations of northeastern Illinois, as well as the individual site microclimates, be free of disease and insects, and meet the American Standard for Nursery Stock of the American Nurserymen standards for minimum acceptable form, quality and size for species selected. The use of species native or naturalized to northeastern Illinois is encouraged. Size and density of plant material, both at the time of planting and at maturity, are additional criteria that shall be considered when selecting plant material. Where appropriate, the use of drought and salt tolerant plant material is preferred.

C. Shade Trees

1. **Requirements per District**

   a. Residential Districts
   Residential lots shall provide parkway shade trees in accordance with the following:

      i. Single-lot, single-family and two-family dwelling uses: A minimum of one (1) parkway shade tree per street frontage (corner lots) and one (1) additional shade tree per street frontage to be located in the front or corner side yard of the zoning lot. The required additional tree(s) may be of an alternate species as deemed appropriate for the intended location and use.

      ii. Multi-lot or Multi-family dwelling uses and other uses: A minimum of one (1) parkway shade tree for every fifty (50) feet of street frontage or a fraction thereof.

   b. Commercial, Industrial, and Public and Semi-Public Districts
   All parcels located in Commercial, Industrial, and Public and Semi-Public districts shall provide a minimum of one (1) parkway shade tree for every fifty (50) feet of street frontage or a fraction thereof.

2. **Location and Spacing**

   a. Shade trees shall be installed on both sides of all public streets in accordance with the approved landscape plan. Trees shall be allowed to be evenly spaced, massed, or some combination thereof along the right-of-way. Trees planted at specific intervals shall be spaced according to tree size as follows:

TABLE 11.5(C) TREE PLANTING INTERVALS	
Tree Size (Ft.)	**Planting Interval (Ft.)**
Large trees (40+)	50-60
Medium trees (30-40)	35-50
Small trees (up to 30)	25-35

   b. With space intervals of more than forty feet, small ornamental trees may be planted between the larger trees. Trees shall be planted so as not to interfere with any utility, roadway, sidewalk, sight line, or street lights. Tree locations, landscape design, and spacing plan shall be approved as part of the submitted landscape plan. To prevent interference with surrounding objects trees shall maintain the minimum following distances from the objects below:

TABLE 11.5(B) MINIMUM FOLLOWING DISTANCES	
Object	**Distance (Ft.)**
Street Corner	40
Light Pole	40
Curb Cut	20
Signs	20
Fire Hydrant	10
Public Utilities	10
Curbs/Sidewalks	3*

3. **Tree Type**
   The type of trees to be planted shall be specified by developer and may vary depending on the intended effect of the landscaping. No single species shall make up greater than twenty five (25) percent of the total number trees within the development.

   The Community Development Department shall maintain a base list of appropriate plant species. All trees are to be of the male species to prevent damage to municipally owned utilities from seeding. (Alternate species may be permitted subject to Zoning Administrator approval).

4. **Planting Specifications**
   All trees shall have a minimum (2½) inch caliper width, at thirty six (36) inches above the root ball. All tree species shall be nursery grown and trees within a particular species shall be relatively uniform in size and shape. Trees shall be planted in accordance with established horticulture standards. The developer shall be responsible for the watering and maintenance of all trees for a period of one (1) year from the time of planting. Any dead and/or dying trees and plants during that time shall be removed and replaced by the developer.

D. Evergreen Trees

Evergreens trees shall have a minimum height of six (6) feet at planting and shall be incorporated into the landscape treatment of a site, particularly in those areas where year-round screening and buffering is required.

E. Ornamental Trees

Single stem ornamental trees shall have a minimum trunk size of three (3) inches in caliper at planting, unless otherwise specified. Multiple stem ornamental trees shall have a minimum height of eight (8) feet at planting, unless otherwise specified.

F. Shrubs

1. Unless otherwise specified, all large deciduous and evergreen shrubs shall have minimum height of three (3) feet at installation, and all small deciduous and evergreen shrubs shall have a minimum height of eighteen (18) inches at installation.

2. Large shrubs shall be considered to be those shrubs that reach five (5) or more feet in height at maturity. Small shrubs shall be considered to be those shrubs that can grow up to five (5) feet in height if left unmaintained, but are generally kept at heights of eighteen (18) to thirty (30) inches.

G. Turf and/or Lawn Grasses

Lawn grasses shall be planted in species normally grown as permanent lawns in the Richton Park area.

1. Generally, grasses may be plugged, sprigged, seeded or sodded. When complete sodding or seeding is not used, nursery grass seed shall be sown and mulched for immediate protection until permanent coverage is achieved. Grass sod and seed shall be free of weeds and noxious pests or disease.

2. In swales and other areas susceptible to erosion, rolled sod, erosion reducing net or suitable mulch shall be used, and shall be staked where necessary for stabilization.

H. Residential Ground Cover

All lot areas not covered by site improvements or required buffering, trees, bushes, or other vegetation shall be covered using sod.

1. New Development. All new residential development shall be required to sod all yards of the lot prior to the issuance of a certificate of occupancy.

2. Existing Development. Where ground cover is removed, destroyed, or dies for any reason, the property owner shall replace said ground cover using one or a combination of the methods permitted within this ordinance.

I. Stabilization

All landscape planting areas shall be stabilized and maintained with seed, sod, ground covers, mulches or other approved materials to prevent soil erosion and allow rainwater infiltration.

J. Irrigation

Landscape design pursuant to the requirements of this Chapter shall recognize the need for irrigation and water conservation. The need for sprinkler irrigation systems shall be determined by the type of plant material and the condition/growing medium that they are installed in. All irrigation systems shall be designed to minimize the use of water.

K. Plant Species Diversity

Diversity among required plant material is required not only for visual interest, but to reduce the risk of losing a large population of plants due to disease. Table 11.5(C) indicates the percentage of diversity required based on the total quantity of species being used. At least seventy-five (75) percent of new plantings shall be species native or naturalized to northeastern Illinois.

TABLE 11.5(K) PLANT SPECIES DIVERSITY

Total Number of Plants Per Plant Type	Maximum of Any Species	Minimum of Any Species	Minimum Number of Species
1-4	100%	Not Applicable	1
5-10	60%	40%	2
11-15	45%	20%	3
16-75	40%	10%	5
76-500	25%	5%	8
500-1,000	30%	5%	10
1,000+	15%	4%	15

L. Prohibited Species

Planting the species as listed in Table 11.5(D) is prohibited in the Village due to their invasive nature. Other species that shall be avoided may be viewed at http://www.invasivespeciesinfo.gov/plants/main.shtml

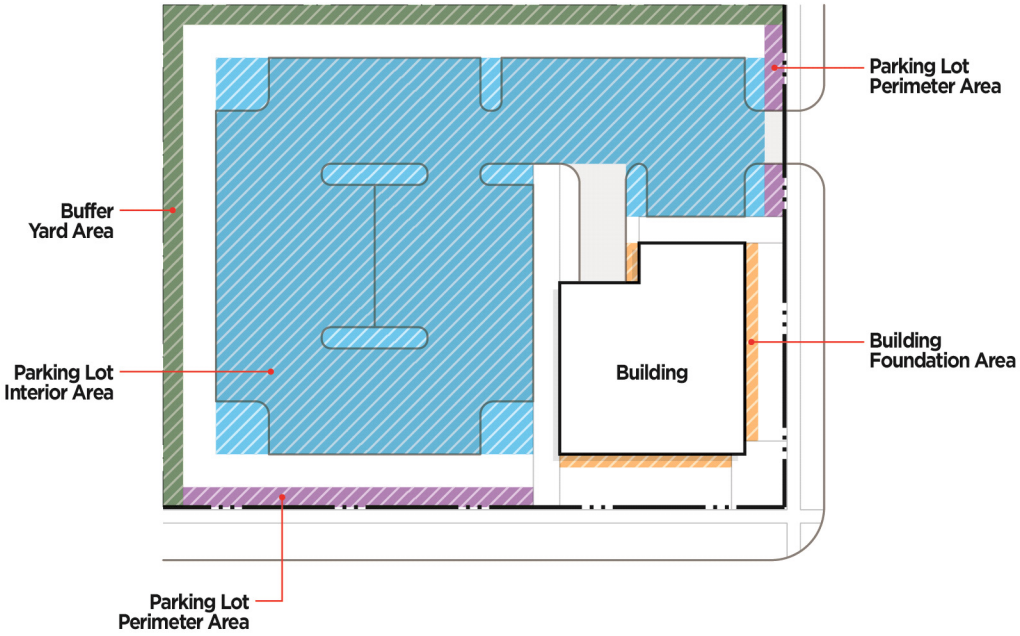
TABLE 11.5(L) PROHIBITED (INVASIVE) SPECIES

Botanical Name	Common Name
Butomus umbellatus	Flowering Rush
Alliaria petiolata	Garlic Mustard
Populus nigra var. italica	Lombardy Poplar
Acer platanoides	Norway Maple
Rosa Multiflora	Multiflora Rose
Phragmites australis	Common Reed
Lythrum salicaria	Purple Loosestrife
Centaurea Biebersteinii	Spotted Knapweed

11.6 LANDSCAPE AREAS

A. Figure 13.6 Landscape and Screening Areas illustrates the location of the landscape and screening requirements as discussed in the previous section.

Figure 11.6(A). Landscaped Areas



11.7 BUILDING FOUNDATION LANDSCAPE

A. If a multi-family residential, non-residential or mixed-use development maintains a front and corner side yard of ten (10) feet or more, building foundation landscaping is required.

B. Foundation plantings shall be installed across sixty percent (60%) of the length of the façade of the building, except where walkways and driveways are located.

C. A minimum four (4) foot wide hedge row shall be planted with one (1) shrub every three (3) feet on center, spaced linearly. Such shrubs shall measure a minimum of twenty-four (24) inches at planting, and shall be a minimum of thirty-six (36) inches to a maximum of forty-eight (48) inches in height at maturity. Foundation plantings may also include trees, additional shrubs, grasses, perennials, and groundcover.

11.8 PARKING LOT LANDSCAPE REQUIREMENTS

A. Applicability

All zoning lots with more than ten (10) parking spaces, shall be subject to the following regulations of this subsection.

B. General Design Requirements

1. Parking Lot Perimeter Landscaping

   a. Applicability
   The parking lot perimeter landscaping regulations of this section apply to all of the following:

      i. The construction or installation of any new surface parking lot or vehicular use area (including parking, loading, queuing, circulation, and drop-off/pick-up area) that is adjacent to front or corner side lot linestreet right-of-way; and

      ii. The expansion of any existing surface parking lot or vehicular use area that is adjacent to street right-of-way, in which case the requirements of this section apply only to the expanded area.

   b. Exemptions
   Installation of parking lot perimeter landscaping is not required when the parking lot or vehicular use area is not visible from adjacent street right-of-way.

   c. Requirements
   Perimeter landscaping is required for all parking lots and shall be established along the edge of the parking lot with a minimum depth of 7 feet. The landscape treatment shall run the full length of the parking lot and shall be located between the property line and the edge of the parking lot. All perimeter parking lot screening areas shall be protected with raised concrete curbs. Landscaped areas outside of shrub and tree masses shall be planted in turf or other live groundcover. The landscaped area shall be improved as follows:

      i. One shrub, measuring a minimum of 18 inches at planting and a minimum of three feet at maturity, shall be planted for every three feet of landscaped area length, spaced linearly to adequately screen vehicle bumpers (ideally creating a solid hedge row).

      ii. Alternatively, a low pedestrian wall the height of which provides effective screening to a maximum height of three feet may be used instead of shrubs. Where feasible, plant materials shall be installed between the sidewalk and the wall to provide a softening effect on the fence or wall.

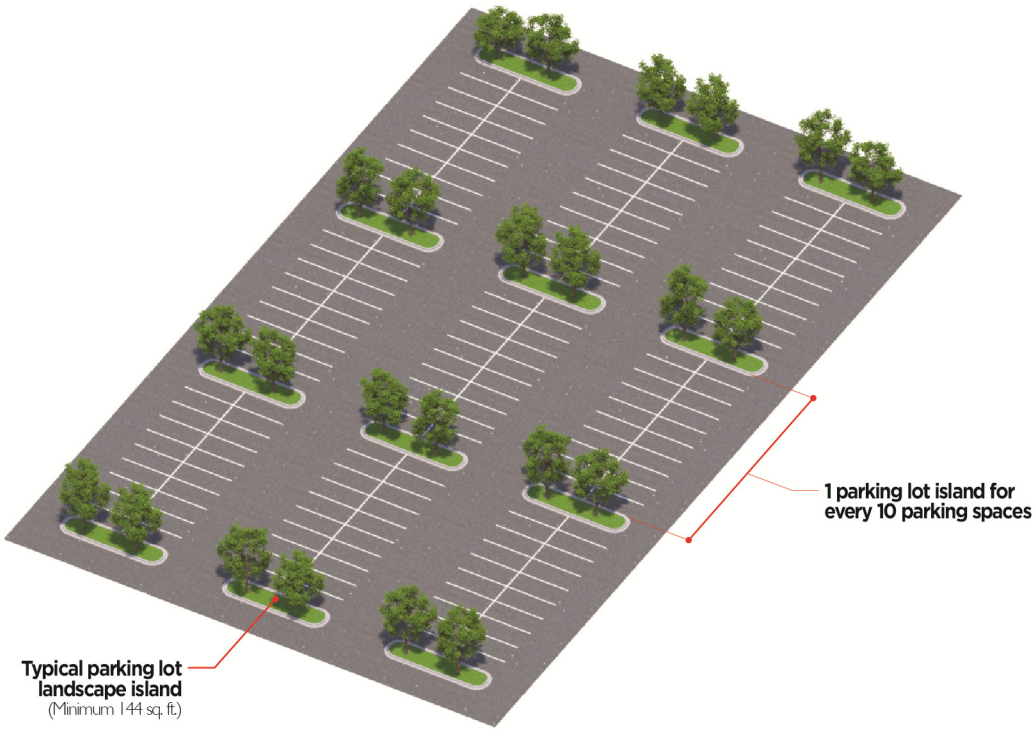
      iii. The perimeter parking lot landscaping area shall be at least five feet in width, as measured from the back of curb, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.

iv. Parking blocks, curbs and other such devises shall be used to prevent automobiles from overhanging landscaped areas. Any area that will be under the overhang of an automobile shall be mulched or paved.

2. Interior Parking Lot Landscaping

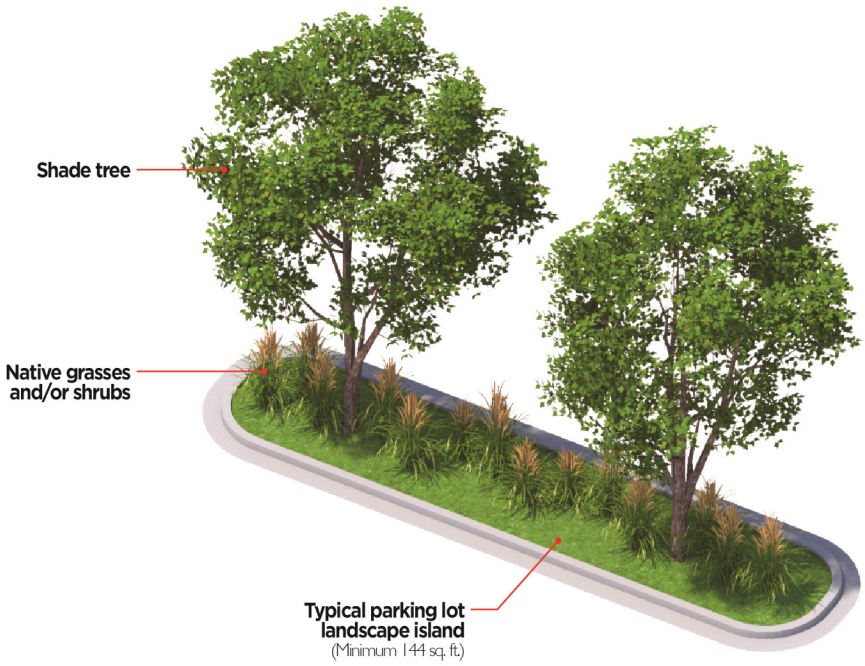
a. Location and Frequency. A parking lot island shall be required at the end of each parking aisle. In addition, parking lot islands shall be provided such that there are no more than 10 contiguous parking spaces without separation by a parking lot island. All parking lot islands shall be designed in accordance with the standards of this subsection.

Figure 11.8(Ba). Parking Lot Interior Landscaping



b. Size and Planting of Parking Lot Islands. Parking lot islands shall be the same dimension as the parking stall. Double rows of parking shall provide parking lot islands that are the same dimension as the double row. A minimum of one (1) shade tree shall be provided for every parking lot island or landscaped area. If the island extends the width of a double row, then two (2) shade trees shall be provided.

Figure 11.8(Bb). Typical Parking Lot Landscape Island



c. Design of Planting Areas. Parking lot islands or landscaped areas shall be at least one-hundred forty-four (144) square feet in area and at least six (6) inches above the surface of the parking lot and protected with concrete curbing, except where designed specifically for the absorption of stormwater. Such islands and landscaped areas shall be properly drained and irrigated as appropriate to the site conditions to ensure survivability.

d. Type of Landscape Material, Shade trees shall be the primary plant materials used in parking lot islands and landscaped areas. Ornamental trees, shrubs, hedges and other plant materials may be used to supplement the shade tree plantings but shall not create visibility concerns for automobiles and pedestrians.

C. Existing Parking Lot Landscaping

1. For existing parking lots that currently do not comply with the required parking lot landscaping, such landscaping shall be provided when:

   a. A new principal building or building addition is constructed, or exterior remodeling of the principal building occurs.

b. Over fifty percent (50%) of the total area of an existing parking lot is reconstructed. Resealing or re-striping of an existing parking lot, which does not entail paving or resurfacing by replacement of the asphalt or concrete, shall not be subject to this requirement.

c. When an existing parking lot under ten thousand (10,000) square feet in area is expanded by fifty percent (50%) or more in total surface area.

d. When an existing parking lot over ten thousand (10,000) square feet in area is expanded by twenty-five percent (25%) or more in total surface area.

11.9 BUFFER YARDS

A. Purpose

It is the objective of the buffer yard to minimize the land use conflicts between incompatible uses. It is not expected that a buffer yard will totally screen such uses. It is expected that the buffer yard design elements identified below will minimize land use conflicts and will enhance over time as landscaping matures. The buffer yard landscaping regulations of this section apply along property lines in those instances identified in this zoning ordinance.

B. Buffer Yard Types

1. Two buffer yard types are established in recognition of the different contexts that may exist. They are as follows:

TABLE 11.9(B) BUFFER YARDS

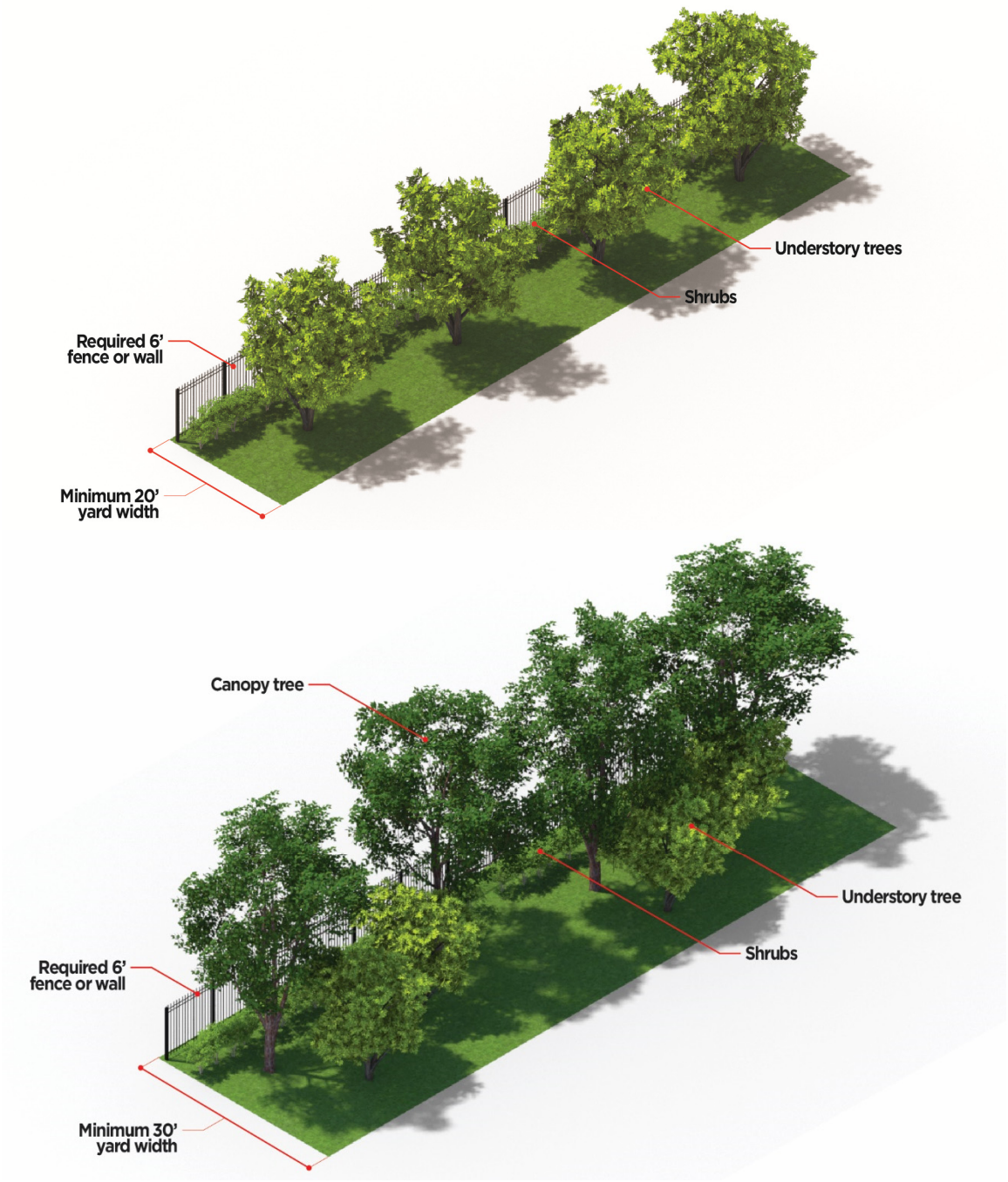
Specifications	BY1	BY2
Min. Yard Width[1] (feet)	20	30
Min. Fence/Wall Height (feet)	6	6
Min. Trees (per 100 feet)		
Canopy	Not required	4
Understory	4	4
Min. Shrubs[2] (per 100 feet)	15	30

[1] Yard widths calculated on the basis of average per 100 feet, provided that the yard width at any point may not be less than 50% of the minimums stated in the table. Required zoning district setbacks may be counted toward satisfying buffer yard widths.

[2] Shrubs are not required in portions of the buffer yard where a berm is provided in accordance with this section.

2. Buffer yards may include a combination of elements including setback distances for separation, tree and shrubs, solid fencing, live groundcover, turf, and/or berming. It is encouraged that existing topography and vegetation be included in the design of the buffer yard as approved by the Community Development Department. Preservation of existing mature trees is strongly encouraged in meeting the requirements of this Section.

Figure 11.9(B). Buffer Yards



C. Application of Buffer yard Types

Buffer yards shall be provided based on Table 13.9.D Buffer Yard Type Requirements, except where adjacent uses are of a similar nature, scale and intensity. As per the table, the type of required buffer yard is dependent upon the zoning district of the subject lot and the zoning district of the adjacent lot(s).

TABLE 11.9(C) BUFFER YARD TYPE REQUIREMENTS [1]

Subject Lot Zoning District [1]	Adjacent Lot Zoning District					
	SF-1, SF-2, SF-3, MR	MF	MU, C-1	C-2	BP, I	P
SF-1, Sf-2, SF-3, MR	----	----	----	----	----	----
MF	BY1	----	----	----	----	----
MU, C-1	BY1	BY1	----	----	----	BY1
C-2	BY2	BY2	BY1	----	----	BY2
BP, I	BY2	BY2	BY2	BY2	----	BY2
P	BY1	BY1	----	----	----	----

[1] Zoning relationship indicated by "----" imply that no buffer yard is required. However, lots are still subject to required setbacks and other landscaping requirements of this Chapter.

11.10 ADDITIONAL LANDSCAPE AND SCREENING REQUIREMENTS

A. Landscape and building elements shall be used to screen areas of low visual interest or visually intrusive site elements (such as trash collection, open storage, service areas, loading docks and blank walls) from off-site view. Such screening shall be established on all sides of such elements except where an opening is required for access. If access is possible only on a side that is visible from a public street, a removable or operable screen shall be required.

1. Screening of Trash and Recycling Receptacles

   a. For all uses, except any individual lot occupied by a single-family or two-family dwelling, using a common trash receptacle and all nonresidential uses:

   b. Solid material screening or full screening landscaping on three sides to a height that screens the containers, having a minimum height of six (6) feet.

   c. Materials used for screening shall complement the architecture of the principal structure. The use of materials that are not solid, such as slats in chain-link, shall not be used to meet this requirement.

   d. Materials and elevations for enclosures that are attached to buildings shall be designed to be compatible with the main structure.

   e. If enclosures are to be attached to buildings they shall comply with applicable fire and building codes.

   f. Enclosure openings directly visible from a public right-of-way and/or adjoining residential areas shall have a solid material gate. For larger enclosure areas, a separate gate access is encouraged.

g. Access drives shall be constructed of material and thickness to accommodate truck loading. Year round accessibility to the enclosure area for service trucks shall be maintained by the property owner or tenant.

h. Enclosures shall be of an adequate size to accommodate expected containers. It is encouraged to design the enclosure area to be expandable to accommodate future additional containers.

i. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by use of barrier curbing, reinforced masonry walls, or other similar means.

j. Trash enclosures shall not be located within a required street front or street side setbacks or occupy area used for required parking spaces.

2. Screening of Ground Mounted Mechanical Units
For all uses, except any individual lot occupied by a single-family, two-family, or three-family dwelling, all ground-mounted mechanical units, including but not limited to: air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment, that are visible from any adjacent public thoroughfare shall be visibly screened from public view. The screen shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen.

3. Screening of Roof Mounted Mechanical Units
All roof-mounted mechanical units shall be screened from adjacent public thoroughfares by the use of an opaque screening material compatible with the architecture of the building or architecturally designed screening such as a parapet wall. The screening of the roof-mounted units shall be designed to blend with the building and roof materials. Additional screening may be required due to topographic differences in the adjoining properties.

4. Loading Docks, Service Yards, and Exterior Work or Storage Areas
Service yards, loading docks and exterior work or storage areas shall be screened from view from public rights-of-way or adjacent lots.

a. The screening shall consist of either of the following:

i. Opaque masonry (stone or brick), solid wood or simulated wood fence having a minimum height of six (6) feet.

ii. Multi-stemmed ornamental trees, evergreen trees, large shrubs or some combination thereof, planted at a minimum ratio of fifty (50) plant units for each one-hundred (100) linear feet of perimeter to be screened. If large shrubs are used, they shall be a minimum of six (6) feet in height at the time of installation.

b. If outdoor storage is allowed, said storage areas shall be screened in a manner such that the materials being stored are completely screened from view. If storage materials exceed the allowable maximum fence height of eight (8) feet, then a combination of berming, fencing and landscaping shall be used to accomplish appropriate screening. In no case shall stored materials exceed the height of the proposed screening method.

5. Drive-Through Facility
   Drive aisles of drive-through facilities must be effectively screened from view along the public right-of-way and at the edges of sites adjacent to residential properties in order to minimize the impact of exterior site lighting, headlight glare and any menu intercom displays. Such screening must be approved during the site plan review process and must consist of an opaque masonry wall (stone, stucco or brick), a solid wood or simulated wood screen fence, or dense evergreen hedge no less than six (6) feet. Plant materials must be installed along the fence or wall to provide a softening effect.

11.11 PERMITTED LANDSCAPE MATERIALS

A list of permitted plant species for use and are compliant with the requirements of this Section is maintained by the Zoning Administrator.

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SECTION 12 – SIGNS

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12.1 PURPOSE AND INTENT

The purpose of this ordinance is to coordinate the type, placement, size, and scale of signs within the Village's various zoning districts so as to promote and protect the public health, safety and welfare; foster an attractive business climate within the commercial and industrial areas of the Village; to ensure compatibility with the surrounding land uses and environment; to encourage creative design and promote reinvestment and maintenance; and provide for equal treatment under the law through strict record keeping and regulation enforcement. These objectives shall be accomplished through regulation of the display, construction use, and maintenance of signs. Sign usage shall be regulated based on the applicable zoning district. The size and scale of signs shall be in accordance with the type and length of building frontage, lot size, and surrounding land-uses and conditions.

12.2 SCOPE

A. Applicability

1. The sign ordinance is designed to regulate those signs of a commercial nature which are to be viewed from any vehicle or pedestrian right-of-way.

2. The sign ordinance shall not regulate traffic and governmental signs, the sign message, signs not intended to be viewed from the public right-of-way, athletic score boards, flags of any nation, government organizations and agencies, gravestones, religious symbols, commemorative plaques, or any other display or structure not defined within this ordinance as a sign.

B. Conflict with Other Regulations

In the event of conflict between the regulations of this Ordinance and those of other local, state or federal regulations, the more restrictive regulation shall govern.

12.3 SIGN PERMIT REQUIRED

A. Sign Permit

Except as expressly provided in Section 12.6 (Signs Permitted in Any District without a Permit), no sign shall be erected, enlarged, expanded, altered, relocated or maintained unless a Sign Permit evidencing the compliance of such work with the provisions of this Section and other applicable provisions of this Ordinance shall have first been issued in accordance with the provisions of Section 12 of this Ordinance; provided, however, that routine sign maintenance, changing of parts designed to be changed or changing the content of a sign in any manner does not change the functional classification of the sign and shall not, standing alone, be considered an alteration of the sign requiring the issuance of a Sign Permit hereunder.

B. Additional Application Requirements

All signs shall require permits and payment of all applicable fees as described in Section 15 (Administrative Procedures and Enforcement).In addition to the information and documents required by other Sections of this Ordinance, every application for a Sign Permit shall be accompanied by:

1. Plans and specifications showing the location on the lot or building face and the method of construction, illumination and support of such sign;

2. A scale drawing showing sign faces, exposed surfaces and the proposed message and design, accurately represented as to size, area, proportion and color;

3. A landscape plan showing plantings proposed for the area within three feet of the base of a monument sign per Section 12.4 (General Standards) below;

4. Photographs of the street sides of the property in question, showing all existing signs on the property;

5. A calculation of the total amount of sign area presently existing on the property;

6. The applicant's attestation that the sum of the areas of the requested sign or signs and the existing signs does not exceed the maximum allowed by the provisions of this Ordinance; and,

7. Sign installation and landscaping must be completed within one (1) year following issuance of a sign permit.

12.4 GENERAL STANDARDS

The following general standards shall apply to all signs.

A. Lighting

1. Location and design of light source
   Whenever an external artificial light source is used for a sign, such source shall be located, shielded and directed so as not to be directly visible from any public street or private residence. No receptacle or device housing a permitted light source for a sign shall protrude more than eighteen (18) inches from the face of the sign or building to which it is attached; provided, however, that a receptacle or device housing a permitted light source for a sign may be located more than eighteen (18) inches from the face of the sign if such light source is ground mounted, locked in place, and cannot be redirected.

2. Level of Illumination
   In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed one-hundred seventy five (175) footcandles when measured with a standard light meter held perpendicular to the sign face at a distance equal to the narrowest dimension of such sign face. All artificial illumination shall be so designed, located, shielded, and directed as to prevent the casting of glare or direct light upon adjacent property or streets. Illumination resulting from any internal or external artificial light source shall not exceed 0.5 foot candles as measured at the property line of the Subject Property. Illumination levels for electronic message center signs shall be prescribed in Paragraph 7 of this Section.

3. Flashing lights prohibited
   Except for public service signs when expressly permitted by this Section, no flashing, blinking or intermittent lights shall be permitted.

4. Light fixture screening
   Light fixtures placed along the base of the sign shall be screened from view by site grading or evergreen shrubs. No unscreened light sources are permitted. Temporary holiday displays, which contain lights, are exempt from these provisions.

5. External illumination
   External illumination shall be provided by steady, stationary light of reasonable intensity, directed solely at the sign and shielded or otherwise prevented from shining directly onto adjacent properties or rights of way.

6. Internal illumination
   Internal illumination shall be provided by interior white lighting of reasonable intensity with primary and secondary images lit or silhouetted (i.e., backlit) on an opaque background. The background of all signs must be opaque. No additional background lighting or illuminated borders or outlines shall be permitted.

7. Additional lighting standards
   The following are additional lighting standards for specific sign types:

   i. Signs without Permits: Signs permitted pursuant to Section 12.6 (Signs Permitted in Any District without a Permit) shall be illuminated only as permitted in that Section.

   ii. Awning and Canopy Signs: Shall be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy, not the underside.

   iii. Monument Signs: Monument signs shall be backlit, directly-lit, or internally illuminated. All letters must be individually affixed. Any direct light source shall be concealed from view from the right-of-way.

   iv. Wall Signs: Letters shall be individually affixed to walls of a building and be either internally illuminated or backlit. All wall signs shall consist of internally illuminated or backlit lettering that is one consistent color for all letters of the sign. Wall signs shall consist of the business name only and not include slogans, tag lines, contact information, or other wording. Wall signs may also include the company's primary registered or trademarked logo.

   v. Electronic message center signs:

      1. All electronic message centers shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.

      2. No electronic message center shall exceed a brightness level of 0.3 foot candles above ambient light as measure using a foot candle (Lux) meter at a preset distance depending on sign area, measured as follows:

Table 12.4(A). Ambient Light Measurement Distance by Sign Area

Area of Sign (sq. ft.)	Measurement Distance (ft.)		Area of Sign (sq. ft.)	Measurement Distance (ft.)
10	32		60	77
15	39		65	81
20	45		70	84
25	50		75	87
30	55		80	89
35	59		85	92
40	63		90	95
45	67		95	97
50	71		100	100
55	74			

B. Landscaping

The base of all permanent ground signs shall be effectively landscaped and maintained in good condition at all times. Ground signs shall be landscaped in accordance with the following:

1. The minimum landscaped area shall extend at least three (3) foot beyond all sign faces or supporting structures in all directions, except in the TC districts, where landscaping shall extend a minimum of two (2) feet from the sign base on all sides.

2. Monument signs shall be landscaped with small shrubs a minimum of two (2) feet in height at planting. The remainder of the landscaped area shall be planted with perennials, turf or other live groundcover. If the monument sign is designed with a decorative base, the Zoning Administrator may waive landscaping requirements.

3. Exposed foundations must be constructed with a finished material such as brick, stone, architectural metal, or wood.

4. Landscaping must be maintained in a manner that prevents the screening or blocking of addresses and other information provided on the monument sign.

C. Electrical Elements

All wiring, fittings and materials used in the construction, connection and operation of electrically illuminated signs shall meet the following requirements:

1. UL Specifications
   Any and all electrical signs shall be manufactured to meet UL Specifications and be UL labeled. Alternate equivalent specifications may be accepted as approved by the Code Official.

2. Village Building & Electric Codes
   Electric signs shall meet all the requirements of the Village Building and Electric Codes.

3. Water Tight
   Electric signs shall be watertight, with service holes to provide access to each compartment with fitted waterproof covers.

4. Interference Not Permitted
   Any electrical equipment or apparatus of a sign which causes interference with radio or television reception shall not be permitted.

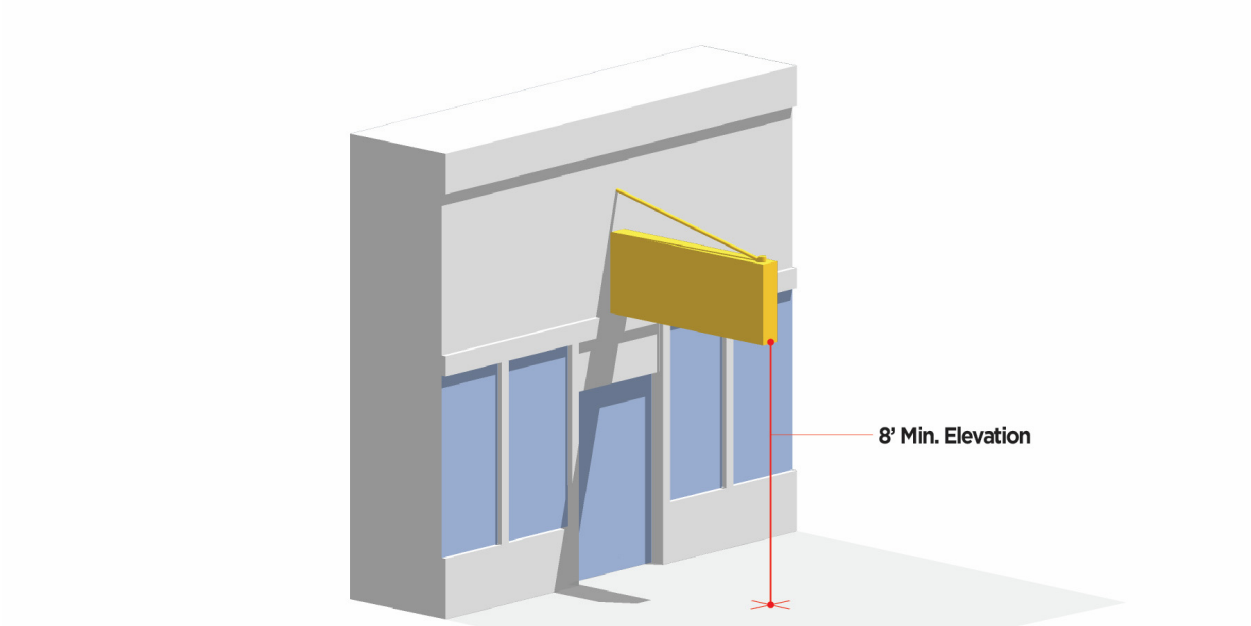
D. Structural Elements

The construction and structural components of all signs shall be in accordance with the standards and regulations of the Village Code of Ordinances. All permanent signs shall be constructed of fire-resistant materials and shall be capable of withstanding wind pressures of at least an 80 mile an hour wind load and of receiving dead loads based on the actual weight of the structure.

E. Minimum Elevation of Certain Signs

The bottom of every awning, canopy, projecting, marquee, wall and pylon sign shall be elevated at least eight (8) feet above grade.

Figure 12.4(E). Minimum Sign Clearance



F. Obstruction of Access Ways

No sign or sign structure shall obstruct free ingress to or egress from a fire escape, door, window or other required access way.

G. Obstruction of Window Surface

No sign shall project over, occupy or obstruct any window surface required for light or ventilation by any applicable provision of the Village Code of Ordinances.

H. Signs in Rights-of-Way

Except as provided in this Paragraph, no sign except governmental signs authorized in this Section shall be placed in or extend into or over any public property or right-of-way.

1. Buildings Located along the Right-of-Way
   Signs structurally affixed to a building such as a wall sign, projecting sign, or awning signs (as permitted in Sections 12.8 through 12.12) may extend over a public right-of-way when the building to which they are affixed is located adjacent the right-of-way. Such signs must adhere to a minimum elevation as defined in Paragraph E.

2. Sandwich Boards
   Within the TC Districts, sandwich boards signs may be placed in a public right-of-way as permitted in Section 12.10 (District Regulations – Commercial Districts).

I. Traffic Safety

a. Confusion With Traffic Signals
No sign shall be maintained at any location where by reason of its position, size, shape, content, color, or illumination it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, sign or device, or where it may interfere with, mislead or confuse traffic.

b. Clear-view Zone

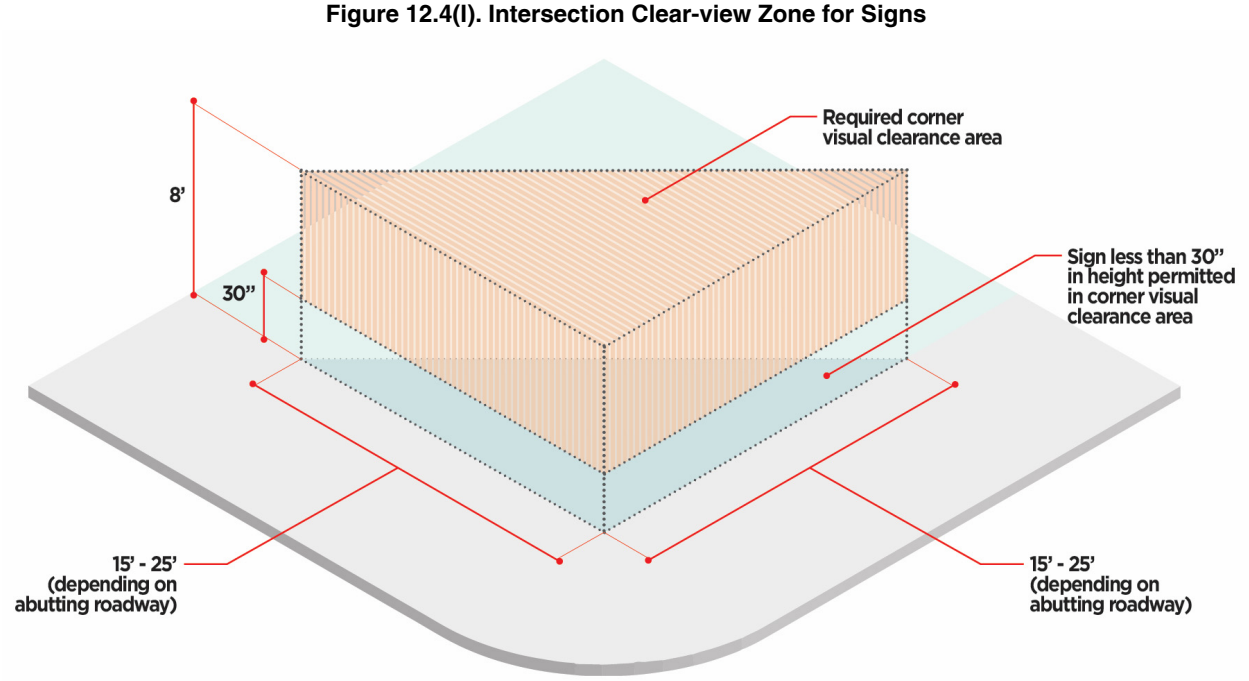
a. A clear-view zone shall be maintained as all intersections wherein no sign, nor any part of a sign other than a supporting pole or brace no greater than eighteen (18) inches in width or diameter shall be located lower than eight (8) feet from grade. Low profile signs less than 30 inches in height may be permitted within a clear-view zone subject to Planning Department approval.

b. A clear-view shall be defined as follows:

i. Any intersection formed by Sauk Trail, Steger Road, Ridgeland Avenue, Central Avenue, Cicero Avenue, Main Street or Governors Highway: twenty-five (25) feet in any direction from the point of intersection of the street right-of-way; or,

ii. Any other intersection: fifteen (15) feet in any direction from the point of intersection of the street right-of-way.

Figure 12.4(I). Intersection Clear-view Zone for Signs



J. General Safety

Notwithstanding any other provision of this Section, no sign shall be located in any area or in any manner so as to create a nuisance or a threat to the public safety and welfare.

K. Sign Maintenance

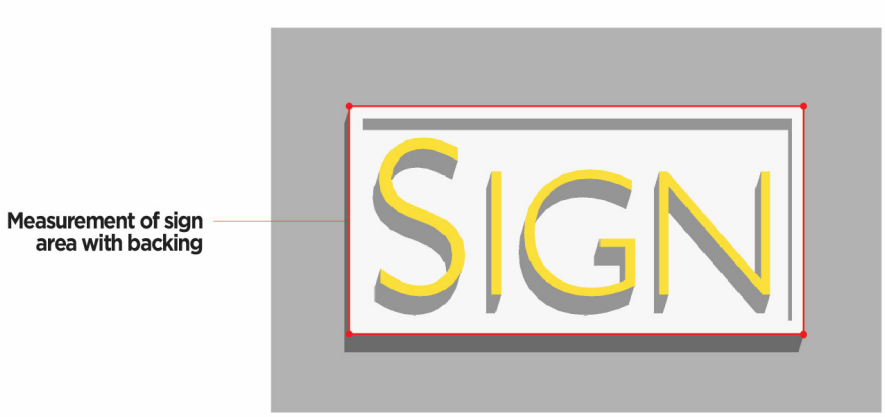
The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in compliance with this Ordinance and all applicable laws, in a safe and secure condition, and in a neat and orderly condition and good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The premises around ground and pylon signs shall be kept clean and free of all rubbish and weeds.

L. Sign Measurement

1. Area to be Included
   The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign. Where a sign has more than one display face, and where the display faces are at a relative angle of greater than 45 degrees, the signs faces shall be calculated separately for the purposes of sign area.

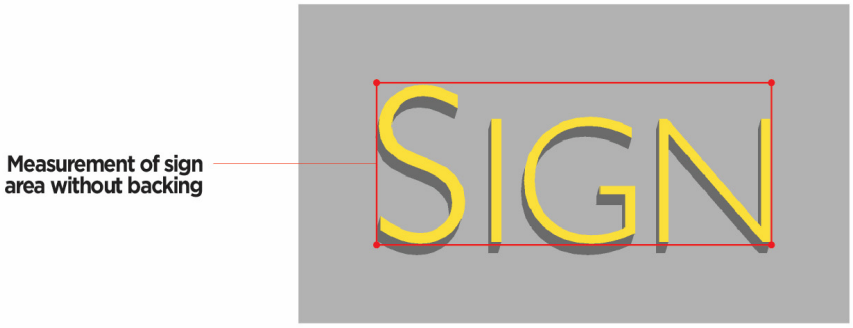
2. Area of Signs with Backing
   The area of all signs with backing shall be measured by computing the area of the sign backing.

Figure 12.4(La). Sign Area for Signs with Backing



3. Area of Signs without Backing
   The area of all signs without backing shall be measured by computing the area of the smallest regular geometric figure that can encompass all words, letters, figures, emblems and other elements of the sign message.

Figure 12.4(Lb). Sign Area for Signs without Backing



4. Area of Signs with and without Backing
   The area of all signs formed by a combination of elements with and without backing shall be measured by counting the area of such elements measured in accordance the foregoing subparagraphs.

5. Signs on Lots with Multiple Users
   Where more than one user occupies a zoning lot, the owner of the lot shall be responsible for allocating permitted signage among such users.

M. Multi-tenant Building Uniform Signage

Multi-tenant buildings shall be required to develop and implement uniform signage requirements for its tenants and conform with the regulations of this ordinance.

N. Pornographic Content

No sign shall depict inappropriate or pornographic content

A. Sign Construction Licensure and Insurance

All persons engaged in the erection, construction, alteration, or maintenance of signs within the Village shall:

1. Be licensed with the Village as per the Building Departments procedures; and,

2. Maintain all required insurance, and shall file with the Village a certificate of insurance and licensing bond to identify and protect the property owner and Village from any form of liability.

12.5 SIGNS PERMITTED IN ANY DISTRICT WITHOUT A PERMIT

The following types of signs shall be exempt from the sign permit requirements, but shall conform to all other regulations contained within this Section.

A. Construction Signs

Such signs shall be limited to one (1) non-illuminated sign for each street frontage of a construction project, not to exceed twenty-four (24) square feet in sign area within residential or public/semi-public districts, or sixty (60) square feet in sign area in commercial and industrial districts. Such sign may be erected fifteen (15) days prior to beginning construction and shall be removed no more than ten (10) days after the issuance of a certificate of occupancy.

B. Government Signs

Such signs including traffic signs and regulatory devices, directional signs, legal notices, signs pertaining to health, hazards, parking, swimming, dumping, emergency, and non-advertising signs as approved by the Board of Trustees or Planning Department for safety purposes.

C. Holiday Decorations

Such signs shall be displayed for a period of not more than sixty (60) consecutive days nor more than twenty (20) days following the holiday in connection with which they are displayed; any other provision of this Section to the contrary notwithstanding, such signs may be of any type, number, area, height, location, illumination or animation so long as they create no safety hazard, nuisance or adverse impact on the adjacent properties.

D. Memorial Signs

Such signs shall be limited to no more than one (1) wall sign per zoning lot; shall be no more than two (2) square foot in area; and shall be non-illuminated.

E. Nameplate Signs (including Home Occupation Identification Signs)

Such signs shall be limited to no more than one (1) wall sign per occupancy; shall be no more than one (1) square foot in area per occupancy and in no event more than three (3) square feet in area; and shall be non-illuminated. Nameplates may include the name of a home occupation conducted within the building.

F. Official Flags or Emblems

Such signs may be displayed on flag poles and when so displayed shall not exceed twenty-four (24) square feet in area. Such signs may also be displayed in the form of a wall sign and when so displayed shall not exceed three (3) square feet in area. Official government flags and emblems such as the American Flag, Illinois state flag, Cook County flag, or Village of Richton Park flag and religious emblems are excluded from this provision.

G. On-site Informational / Directional Signs

Such signs shall be limited to wall or freestanding signs of not more than six (6) square feet in area; shall be, if a freestanding sign, not more than four (4) feet in height; and shall be illuminated only as necessary to accomplish their intended purpose.

H. Real Estate Signs

1. Standard Size
   Such signs shall be limited to one (1) single or double-faced, non-illuminated sign per zoning lot, not to exceed six (6) square feet in area per sign face, and may be located up to the property line. Real estate oriented signs shall be removed no more than ten (10) days after the lease, sale, or rental of said real estate and the name, address and telephone number of the person responsible for such removal shall be marked on the sign. Real estate signs for multi-unit developments or structures and exceeding six (6) square feet in area shall require a permit.

2. Large Size
   Large Size Real Estate Signs exceeding any dimension specified for a Standard Size Real Estate Sign in Paragraph 1 above shall require a permit in accordance with Section 12.9 (District Regulations – Residential Districts).

I. Temporary Signs, Window Display

Such signs, in aggregate, shall not exceed thirty percent (30%) of the area of the window in which they are exhibited, nor block any window area required for light, ventilation or emergency exit by any applicable Code. No such sign shall be illuminated.

J. Temporary Signs, Other

Temporary signs (except for as specified in Section 12.13 (Temporary Signs Requiring a Permit)) are exempt from permit requirements as described in this Section. Although no permits will be issued, compliance with this Ordinance is required.

1. Size
   Such signs shall be no more than twenty-four (24) square feet in area per sign face. No such sign shall be illuminated.

2. Location

   a. Temporary signs shall be located at least 10 feet from the front or corner side property line.

   b. Such signs shall not be posted on public property or rights-of-way.

c. Such signs shall not be erected on a tree, utility pole, or fence whether on public or private property, except governmental signs and temporary portable signs as permitted in accordance with Section 12.13 (Temporary Signs Requiring a Permit).

3. Length of Display and Removal
A temporary sign shall be displayed no more than seventy-five (75) days prior to the circumstance, situation, or event for which the sign is designed. Such signs must be removed by sign owner within fifteen (15) days after occurrence of the event. Examples of events include elections, the sale or lease of the property, issuance of the certificate of occupancy following construction of the building, special community events, and yard sales.

4. Confiscation
The City or property owner may confiscate signs installed in violation of this chapter and dispose of it. The property owner is not responsible for notifying owners of confiscation of illegal sign.

12.6 SIGNS SPECIFICALLY PROHIBITED IN ALL DISTRICTS

The following signs, as well as all other signs not expressly permitted by this Section, shall be prohibited from all districts and shall not be erected, maintained or permitted to continue in any district, except as provided for elsewhere in this Ordinance:

A. Advertising signs.

B. Attention-getting devices.

C. Banner signs, except as permitted in Section 12.7 (Permitted Sign Types by District).

D. Billboard signs.

E. Box signs.

F. Electronic Message Center / Manual Changeable Copy Sign (except as permitted in Section 12.4 (General Standards) of this sign code).

G. Moving or animated signs.

H. Off-premises identification signs.

I. Portable signs.

J. Pylon signs.

K. Roof signs.

L. Temporary signs, except as expressly authorized in this Section, including Section 12.13 (Temporary Signs Requiring a Permit), and when approved in connection with temporary uses.

M. Vehicle/Trailer signs.

N. Any sign that advertises, identifies or pertains to a business no longer conducted, or a product no longer sold, on the premises where such sign is located. Such signs shall be removed within ninety (90) days following cessation of the relevant activity.

O. Any sign on public property, except governmental signs authorized in this Section.

P. Any sign painted directly on a wall, roof or fence.

12.7 PERMITTED SIGN TYPES BY DISTRICT

Functional sign types and structural sign types shall be permitted in various zoning districts as identified in Table 12.7(A) below. These types are permitted in addition to what is permitted in Section 12.5 (Signs Permitted in any District without a Permit).

TABLE 12.7(A). PERMITTED SIGN TYPES BY DISTRICT

Sign Type	District			
	SF, MR, and MF	TC	C	BP and I
Awning		●	●	●
Business Sign		●	●	●
Directory Sign, On-Site		●	●	●
Drive-Through Sign		●	●	●
Electronic Message Center/Manual Changeable Copy Sign[1]		●	●	●
Gas Station Price Sign		●	●	●
Identification Sign	●	●	●	●
Informational Sign, On-Site		●	●	●
Institutional Bulletin Board Sign		●	●	●
Joint Identification Sign		●	●	●
Memorial Sign	●	●	●	●
Monument Sign	●	●	●	●
Off-premises Identification Sign		●	●	●
Projecting / Blade Sign		●	●	
Sandwich Board Sign		●		
Temporary Sign[2]	●	●	●	●
Under Awning Projecting Sign		●	●	●
Wall Sign		●	●	●
Window Sign		●	●	●

[1] Only permitted if such a sign is incorporated into a permitted monument sign. Copy shall not be changed more than once every two minutes and shall be limited to one color; or

[2] Permitted in accordance with the requirements of Section 12.14 (Temporary Signs).

12.8 DISTRICT REGULATIONS – RESIDENTIAL DISTRICTS

Signs shall be permitted in the SF-1, SF-2, SF-3, MR, and MF Districts as follows:

A. Number of Signs Permitted Per Lot

1. All signs permitted in Section 12.5 (Signs Permitted in Any District without a Permit); plus

2. One (1) identification sign per residential subdivision development entrance from a public right-of-way; plus

3. One (1) identification sign per multi-family complex or street frontage; plus

4. One (1) identification sign per street frontage for permitted non-residential uses, including churches and other religious institutions; plus

5. One (1) large size real estate sign per zoning lot, either single or double-faced, and non-illuminated. Large size real estate signs may indicate that the property is for sale or lease. Large size real estate signs shall not be in place for more than twelve (12) months, at which time the sign must be removed or another permit must be issued for another twelve (12) month period. Large size real estate signs must be constructed of quality materials and maintained in good condition. Signs not maintained in good condition may be removed by the Village; plus

B. Maximum Gross Surface Area of Signs Permitted

1. Total Sign Area
   There is no maximum total sign area in residential districts as all permitted signs are signs allowed without permits that shall not be counted toward an allowance of gross sign surface area permitted on a zoning lot.

2. Permitted non-residential uses may apply for a variation to construct a sign beyond the requirements stated in this Section. All variation applications shall conform with the applicable regulations and procedures established in Section 15 (Administrative Procedures and Enforcement)..

C. Sign Area, Height, and Setbacks

Signs in the SF-1, SF-2, SF-3, MR, and MF Districts shall conform with the requirements of Table 12.8(A).

TABLE 12.8(C). SIGN AREA, HEIGHT AND SETBACK REQUIREMENTS FOR THE SF, MR, AND MF DISTRICTS

Sign Type	Max. Sign Area	Max Sign Height	Min. Required Setback
Monument Signs	24 sq. ft. per sign face, not to exceed 2 sign faces	Residential: 6 ft.; Non-residential: 12 ft.	Residential: 5 ft. from right-of-way, 6 ft. from all other lot lines; Non-residential: 5 ft. from right-of-way, 10 ft. from all other lot lines; Must be perpendicular to the street
Real Estate Signs: Large Size	32 sq. ft. per sign face, not to exceed 2 sign faces	6 ft.	5 ft. from right-of-way, 6 ft. from all other lot lines

12.9 DISTRICT REGULATIONS – COMMERCIAL DISTRICTS

Signs shall be permitted in the TC and C districts as follows:

A. Number of Signs Permitted Per Lot

1. All signs permitted in Section 12.5 (Signs Permitted in Any District without a Permit) and Section 12.9 (District Regulations – Commercial Districts); plus

2. One (1) joint identification sign per zoning lot frontage; plus

3. One (1) monument sign per street frontage for zoning lot frontage that is less than five hundred (500) feet in length, and up to two (2) monuments signs per street frontage for zoning lot frontage that is five hundred (500) feet or more in length. Monument signs must be spaced at least three-hundred (300) feet apart on a zoning lot when a zoning lot contains two (2) monument signs per street frontage, and the sign must be a joint identification sign; plus

4. One (1) electronic reader board/changeable copy/video sign per zoning lot frontage that is greater than two hundred and fifty (250) feet in length. Such signs are only permitted if incorporated into a permitted monument sign. No electronic reader board/changeable copy/video sign shall be permitted on any street frontage less than two hundred and fifty (250) feet; plus

5. One (1) wall sign per zoning lot frontage for buildings with a single ground floor tenant, or one (1) wall sign per ground floor business tenant; plus

6. One (1) on-site directory sign per zoning lot frontage; plus

7. One (1) real estate sign: large size; plus

8. One (1) under awning projecting sign for each separate occupancy or entrance of a multi-tenant building; plus

9. Directional/Informational signs as required; plus

10. Incidental signs including non-illuminated service entrance signs.

B. Maximum Gross Surface Area of Signs Permitted

1. Total Sign Area
   The total area of all signs on a zoning lot shall not exceed one (1) square foot per linear foot of zoning lot frontage; provided, however, that construction signs, real estate signs, joint identification signs, and signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot. The maximum amount of sign area shall be allocated proportionally based on the linear zoning lot frontage. All zoning lots shall be allotted a minimum total sign area of sixty (60) square feet.

C. Sign Area, Height, and Setbacks

Signs in the TC, C-1, and C-2 Districts shall conform with the requirements of Table 12.9(C).

TABLE 12.9(C). SIGN AREA, HEIGHT AND SETBACK REQUIREMENTS FOR THE TC AND C DISTRICTS

Sign Type	Max. Sign Area	Max Sign Height	Min. Required Setback
Awning and Canopy Signs	50 sq. ft. per sign face; No sign identifying an individual tenant of a multi-tenant building shall cover more than 5% of the canopy to which it is affixed	20 ft., must be 8 ft. above grade; signs for individual tenants of a multi-tenant building shall be the same heights on the building to which they are affixed	
Electronic Message Center/Manual Changeable Copy Signs	If located within a monument sign, not to exceed 35% of the gross surface area of the monument sign face, as regulated under monument signs	Not to extend beyond the sign face of the monument sign within such a sign is incorporated more than 4 inches, not to exceed the height of said monument signs as regulated under monument signs	Shall adhere to the setback requirements established for the permitted monument sign within which they are incorporated as regulated under monument signs

TABLE 12.9(C). SIGN AREA, HEIGHT AND SETBACK REQUIREMENTS FOR THE TC AND C DISTRICTS, CONT'D.			
Sign Type	**Max. Sign Area**	**Max Sign Height**	**Min. Required Setback**
Gas Station Price Signs	If located within a monument sign, not to exceed 35% of the gross surface area of the monument sign face as regulated under monument sign	Not to extend beyond the sign face of the monument sign within which such a sign is incorporated more than four inches, not to exceed the height of said monument sign as regulated under monument signs	
Monument Signs	TC: 20 sq. ft. per sign face, 40 sq. ft. total; C-1: 48 sq. ft. per sign face, 96 sq. ft. total; C-2: One-half (1/2) square foot per lineal foot of parcel frontage facing a public right-of-way, up to 120 sq. ft. per sign face; Up to 240 sq. ft. total divided equally among 2 sign faces	TC: 8 ft.; C-1: 12 ft.; C-2: 25 ft.	TC: 5 ft. from right-of-way, 6 ft. from all other lot lines; C-1 and C-2: 5 ft. from right-of-way, 10 ft. from all other lot lines
Projecting/Blade Signs	20 sq. ft. per sign face, 40 sq. ft. total	8 ft. clearance from bottom of sign to ground; must be erected on the signable area of a structure, not to project over the roof line or parapet wall elevation of structure	1 ft. from back of curb of any street or parking/loading area; Not to extend more than 6 ft. from building
Real Estate Signs: Large Size	32 sq. ft. per sign face, 64 sq. ft. total	6 ft.	TC: 5 ft. from right-of-way, 6 ft. from all other lot lines; C-1 and C-2: 5 ft. from right-of-way, 10 ft. from all other lot lines
Sandwich Board Signs	12 sq. ft. per sign face, 24 sq. ft. total	4 ft.	TC: Entire sign must be within 4 ft. of building; Maintain clear zone of 4 ft. for sidewalk access/circulation; Must be perpendicular to the street, "sight triangles" must be maintained; Only to be displayed during business hours

TABLE 12.9(C). SIGN AREA, HEIGHT AND SETBACK REQUIREMENTS FOR THE TC AND C DISTRICTS, CONT'D.			
Sign Type	**Max. Sign Area**	**Max Sign Height**	**Min. Required Setback**
Under Awning Projecting Sign [1]	1 sq. ft. per sign face, 2 sq. ft. total	8 ft. clearance from bottom of sign to ground	
Wall Signs [2]	TC and C-1: 100 sq. ft. per sign or 5% coverage of the wall to which it is affixed, whichever is less; C-2: 200 sq. ft. per sign or 5% coverage of wall to which it is affixed, whichever is less	2 ft. below the eave line/top of the parapet of building to which it is affixed; Multi-story building: 30 ft.	

[1] Not to extend beyond the roof line or parapet of building to which it is affixed; Not to cover any architectural

[2] Not to extend beyond the roof line or parapet of building to which it is affixed; Not to cover any architectural features (including, but not limited to, pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel) of the building to which it is affixed; Not to be affixed to HVAC screening, elevator overrun, or other features protruding from the roof of the structure, with the exception of building parapets which have been designed and integrated into the building's architecture and which are in line with and not set back from the perimeter facade of the building.

12.10 DISTRICT REGULATIONS – INDUSTRIAL DISTRICTS

Signs shall be permitted in the I and BP Districts as follows:

A. Number of Signs Permitted Per Lot

1. All signs permitted in Section 12.5 (Signs Permitted in Any District without a Permit) and Section 12.10 (District Regulations – Industrial Districts).

B. Maximum Gross Surface Area of Signs Permitted

1. Total Sign Area
   The total area of all signs on a zoning lot shall not exceed one (1) square foot per linear foot of zoning lot frontage; provided, however, that construction signs, real estate signs, joint identification signs, and signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot. The maximum amount of sign area shall be allocated proportionally based on the linear zoning lot frontage. All zoning lots shall be allotted a minimum total sign area of sixty (60) square feet.

C. Sign Area, Height, and Setbacks

Signs in the BP and I Districts shall conform to the requirements of Table 12.10(C).

TABLE 12.10(C). SIGN AREA, HEIGHT AND SETBACK REQUIREMENTS FOR THE BP AND I DISTRICTS			
Sign Type	**Max. Sign Area**	**Max Sign Height**	**Min. Required Setback**
Awning and Canopy Signs	50 sq. ft. per sign face; No sign identifying an individual tenant of a multi-tenant building shall cover more than 5% of the canopy to which it is affixed	20 ft., must be 8 ft. above grade; signs for individual tenants of a multi-tenant building shall be the same heights on the building to which they are affixed	
Electronic Message Center/Manual Changeable Copy Signs	If located within a monument sign, not to exceed 35% of the gross surface area of the monument sign face, as regulated under monument signs	Not to extend beyond the sign face of the monument sign within such a sign is incorporated more than 4 inches, not to exceed the height of said monument signs as regulated under monument signs	Shall adhere to the setback requirements established for the permitted monument sign within which they are incorporated as regulated under monument signs

TABLE 12.10(C). SIGN AREA, HEIGHT AND SETBACK REQUIREMENTS FOR THE BP AND I DISTRICTS, CONT'D.			
Sign Type	**Max. Sign Area**	**Max Sign Height**	**Min. Required Setback**
Gas Station Price Signs	If located within a monument sign, not to exceed 35% of the gross surface area of the monument sign face as regulated under monument sign	Not to extend beyond the sign face of the monument sign within which such a sign is incorporated more than four inches, not to exceed the height of said monument sign as regulated under monument signs	
Monument Signs	One-half (1/2) square foot per lineal foot of parcel frontage facing a public right-of-way, up to 120 sq. ft. per sign face; Up to 240 sq. ft. total divided equally among 2 sign faces	25 ft.	5 ft. from "right-of-way", 10 ft. from all other lot lines
Projecting/Blade Signs	20 sq. ft. per sign face, 40 sq. ft. total	8 ft. clearance from bottom of sign to ground; must be erected on the signable area of a structure, not to project over the roof line or parapet wall elevation of structure	1 ft. from back of curb of any street or parking/loading area; Not to extend more than 6 ft. from building
Real Estate Signs: Large Size	32 sq. ft. per sign face, 64 sq. ft. total	6 ft.	5 ft. from "right-of-way", 10 ft. from all other lot lines
Under Awning Projecting Sign [1]	1 sq. ft. per sign face, 2 sq. ft. total	8 ft. clearance from bottom of sign to ground	
Wall Signs [1]	200 sq. ft. per sign or 5% coverage of wall to which it is affixed, whichever is less	2 ft. below the eave line/top of the parapet of building to which it is affixed; Multi-story building: 30 ft.	

[1] Not to extend beyond the roof line or parapet of building to which it is affixed; Not to cover any architectural

[2] Not to extend beyond the roof line or parapet of building to which it is affixed; Not to cover any architectural features (including, but not limited to, pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel) of the building to which it is affixed; Not to be affixed to HVAC screening, elevator overrun, or other features protruding from the roof of the structure, with the exception of building parapets which have been designed and integrated into the building's architecture and which are in line with and not set back from the perimeter facade of the building.

12.11 DISTRICT REGULATIONS – PUBLIC AND SEMI-PUBLIC DISTRICT

Signs shall be permitted in the P District as follows:

A. Lots Adjacent to a Residential District

Signs located adjacent to a residential district shall be regulated as permitted in Section 12.5 (Signs Permitted in Any District without a Permit) and Section 12.11 (District Regulations – Public and Semi-Public District).

B. Number of Signs Permitted Per Lot

1. All signs permitted in Section 12.5 (Signs Permitted in Any District without a Permit) and Section 12.8 (District Regulations – Residential Districts); plus

2. One (1) joint identification sign per zoning lot frontage; plus

3. One (1) monument sign per zoning lot frontage; plus

4. One (1) electronic reader board/changeable copy/video sign per monument sign. Such signs are only permitted if incorporated into a permitted monument sign; plus

5. One (1) on-site directory sign per zoning lot frontage; plus

6. One (1) real estate sign: large size; plus

7. Directional/Informational signs as required; plus

8. Incidental signs including non-illuminated service entrance signs.

C. Maximum Gross Surface Area of Signs Permitted

1. Total Sign Area
   The total area of all signs on a zoning lot shall not exceed one (1) square foot per linear foot of zoning lot frontage; provided, however, that construction signs, real estate signs, joint identification signs, and signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot. The maximum amount of sign area shall be allocated proportionally based on the linear zoning lot frontage. All zoning lots shall be allotted a minimum total sign area of sixty (60) square feet.

D. Sign Area, Height, and Setbacks

Signs in the P District shall conform with the requirements of Table 12.11(D).

TABLE 12.11(D). SIGN AREA, HEIGHT AND SETBACK REQUIREMENTS FOR THE P DISTRICT			
Sign Type	**Max. Sign Area**	**Max Sign Height**	**Min. Required Setback**
Monument Signs	48 sq. ft. per sign face, 96 sq. ft. total	12 ft.	10 ft. from right-of-way, 10 ft. from all other lot lines; Must be perpendicular to the street
Real Estate Signs: Large Size	32 sq. ft. per sign face, not to exceed 2 sign faces	6 ft.	5 ft. from right-of-way, 6 ft. from all other lot lines

12.12 AREAS OF SPECIAL SIGN CONTROL

Commercial centers five (5) acres or more in size under common ownership in the C-1 or C-2 Districts are eligible for designation as areas of special sign control as provided herein pursuant to the procedures for a special use application set forth in Section 15 - Administrative Procedures and Enforcement.

A. The Owner of the commercial center may file an application to designate the commercial center as an area of special sign control in accordance with this Section.

B. An application to designate a commercial center as an area of special sign control shall be filed with the Village Clerk and shall be accompanied by:

1. thirteen (13) copies of a signage plan showing the location, size, color and common design elements proposed for all free- standing signs and wall signs to be constructed and maintained in the commercial center;

2. the method of illumination, if any, of all signs shown on this signage plan;

3. a maintenance plan describing how the owner of the commercial center plans to maintain and care for all signs shown on this signage plan;

4. a landscaping plan depicting landscaping around all ground signs shown on this signage plan; and

5. such other data, plans, supporting documentation and fees as may be required by the Village.

C. A designation of a commercial center as an area of special sign control may not be sought for the placement of temporary signs. Temporary signs shall not be posted on any permanent freestanding, ground or pylon signs.

D. Signage plans for commercial centers in designated areas of special sign control are subject to all of the regulations and requirements of this Section, except that such signage plans may include, subject to Planning Commission approval, the following additional elements:

1. The sign area of the monument sign(s) allowed per street may be increased up to a maximum of two hundred thirty (240) square feet, provided that the parcel has not less than two hundred (200) feet of frontage on the facing public right-of-way.

2. The height of free-standing or ground sign(s) may be increased, but shall not exceed thirty-three (33) feet.

E. Any approved signage plan for a commercial center designated as an area of special control shall be binding on the owner and manager of the premises and upon all tenants and occupants of the commercial center, who shall comply with all of the location, construction and design elements approved as part of the signage plan.

F. An area of special control and signage plan may not be recommended or approved unless the Planning Commission finds that the establishment and maintenance of such additional signs in accordance with the proposed signage plan:

1. will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;

2. will not substantially diminish and impair property values within the neighborhood;

3. will provide creative and integrated signage design in the commercial center compatible with surrounding land uses and the environment; and

4. the applicant has complied with all requirements of this ordinance.

12.13 TEMPORARY SIGNS REQUIRING A PERMIT

A. Special Event Sign

Temporary special event sign(s) and decorations as permitted by the Planning Department in accordance with the following conditions:

1. **Public Right-of-way**
   Temporary special event signs are not permitted in the public right- of-way. However, if the property of the business has less than six (6) feet of commercial frontage and the owner signs a written indemnification form releasing the Village from liability, temporary portable special event signs may be placed on the public right-of-way at a location approved by the Community Development Department.

2. **Permits Allowed per Year**
   Each business shall be permitted to display any temporary sign and/or signs with the total combined display time not to exceed six (6) weeks in a calendar year.

3. **Life of Permit**
   Each permit shall be issued for a minimum time period of one (1) week except when the permitted temporary sign is a grand opening sign in accordance with Paragraph D below.

B. Grand Opening Sign

1. Businesses may apply for a temporary sign for the purposes of announcing their grand opening.

2. Grand openings are considered the announcement of a new business, or the announcement of an established business changing ownership.

3. The maximum number of grand opening signs allowed for each business shall be one (1).

4. Grand opening signs must predominately display “Grand Opening” or “Now Open”. Business name, logos, additional text and advertising may also be included at a smaller scale and in a secondary location.

5. Grand opening sign shall not be displayed for a period of longer than 60 days from the date of approval.

12.14 NON-CONFORMING SIGNS

A. Determination of Legal Nonconformity

Existing signs which do not conform to the provisions of this Ordinance may be eligible for designation as “legal non-conforming” provided that:

1. The Planning Department determines such signs are properly maintained and do not in any way endanger the public.

2. The signs were in installed in conformance with the applicable permits, variance, and regulations on the date of the adoptions of this Ordinance.

B. Loss of Legal Non-conforming Signs

A sign may lose its designation as a legal non-conforming if:

1. A sign is relocated or replaced.

2. The structure or site is altered in any way except toward compliance with the current Ordinance. This shall not include changes to the copy of the sign or normal preventative maintenance.

C. Maintenance and Repair of Non-conforming Signs

All non-conforming signs are subject to all regulations of this and all other Village codes and ordinances related to safety, maintenance, and repair. If any non-conforming sign shall become damaged or deteriorated beyond fifty (50) percent of its appraised value, it must be brought into conformance with the existing regulations of this Ordinance.

12.15 CONSTRUCTION AND MAINTENANCE OF SIGNS

A. All signs shall be properly maintained. All exposed surfaces shall be kept clean and painted and, when necessary, defective parts shall be replaced. The Planning Department shall have authority to order to repair of any sign or portion thereof which is determined to be defective, damaged, or significantly deteriorated. Maintenance violations shall be abated within thirty (30) days, in conformance with the Village's property maintenance regulations.

B. All signs shall be installed in compliance with the building, electrical codes, and standard specifications adopted from time to time by the Board of Trustees.

12.16 PERMIT APPLICATION

Permit applications for the construction and/or relocations of a sign shall be made in accordance with the provisions of Section 15 - Administration Procedures and Enforcement.

12.17 SIGN DEFINITIONS

The following definitions apply to all terms used in this Section. Where a definition for a similar term exists in Section 14. Definitions, the definition in this Section shall prevail.

A. Abandoned Sign

Any sign which no longer identifies or advertises a business, lesser, owner, service, product, or activity, and for which no legal owner can be found.

B. Advertising Sign

A sign, other than an off-premises identification sign, that directs attention to or identifies a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located. This term shall include signs, other than customary identification lettering and advertising posters on buses and taxicabs, attached to parked or moving vehicles.

C. Animated Sign

A sign or display causing either kinetic or illusionary motion through natural, manual, mechanical, electrical, or other means. Animated signs shall include the following types:

1. Naturally Energized: A sign whose motion is activated by the wind or other atmospheric conditions. Flags, banners, pennants, streamers, spinners, disks, or other similar wind-driven devises shall be considered naturally energized.

2. Mechanically Energized: A sign whose physical motion is pre-programmed and activated by mechanically-based drives or motors.

3. Electrically Energized: Illuminated signs whose motion or appearance of motion is manifested by electrical means. There are two types of electrically energized signs:

   a. Flashing Signs: An illuminated sign displaying a pre-programmed cycle of illumination in which the period of illumination is either the same or less than the period of darkness and in which the intensity of illumination ranges from zero (0) to one hundred (100) percent during the programmed cycle.

   b. Illusionary Movement: An illumination sign displaying the appearance of motion through the pre-programmed switching and off the illuminated elements of the sign to simulate the characteristics of motion.

D. Area

The area enclosed by one continuous line, connecting the extreme points or edges of a sign. The area shall be determined using the largest sign area or silhouette visible at any one time from any one point. This area does not include the main supporting sign structure, but all other ornamental attachments, inner connecting links, etc., which are not a part of the main supports of the sign, are to be included in determining sign area.

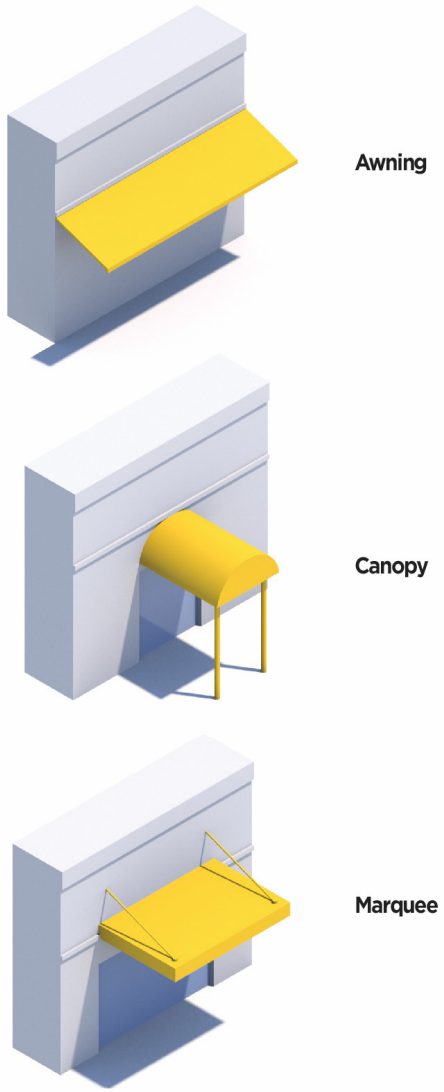
E. Attention-getting Device

A sign designed to attract attention by means of flashing or moving parts, bright color or light, or movement of any kind. Examples of such signs include pennants hung in series, whirligigs, spinners, streamers, flashing lights, search lights and balloons.

F. Awning, Canopy or Marquee Sign

A sign that is mounted or painted on or attached to an awning, canopy or marquee that is otherwise permitted by this Code. No such sign shall project above, below, or beyond the physical dimensions of such awning, canopy or marquee.

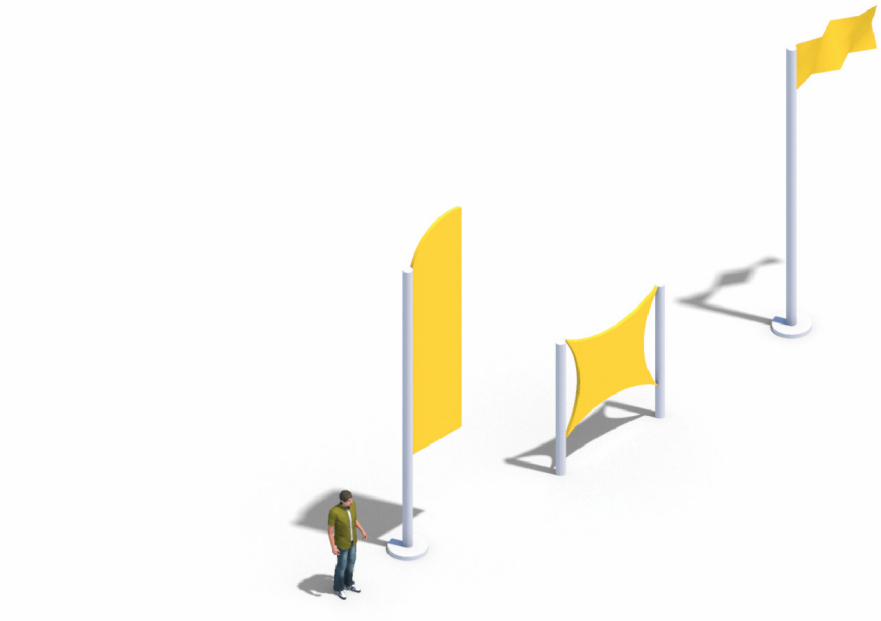
Figure 12.17(F). Awning, Canopy, or Marquee Signs



G. Banner Sign

A sign made of fabric or other similar non-rigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners.

Figure 12.17(G). Banner Signs



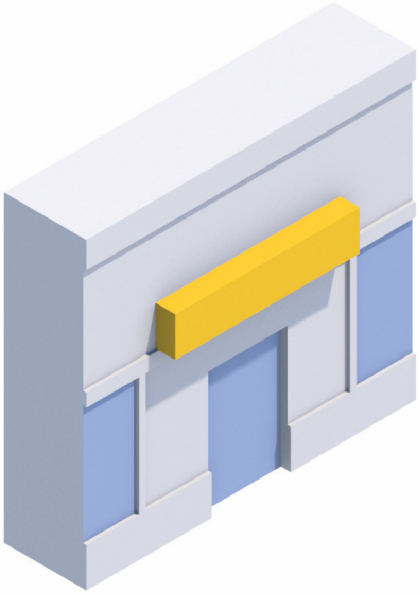
H. Billboard Sign

A board, panel, or tablet used for the display of posters, printed or painted advertising matter, either illuminated or non-illuminated, that directs attention to goods, merchandise, entertainment, or services offered elsewhere than the premises where the sign is located.

I. Box Sign

A sign that is self-enclosed in a typically square or rectangular structure with or without internal lighting. A box sign can be single-or double-sided. Internally illuminated channelized lettering, logo, or groupings of letters and/or logos, not providing any additional sign face, shall not be considered a box sign.

Figure 12.17(I). Box Signs



J. Business Sign

A sign that directs attention to or identifies a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.

K. Canopy, Building

A rigid multi-sided structure which is covered with metal, plastic, fabric, or other material and is supported by a building and column or posts in the ground at one or more points or extremities. Canopy illumination can be by either internal or external sources.

L. Canopy, Freestanding

A rigid multi-sided structure which is covered by metal, plastic, fabric, or other material and supported by columns or posts embedded in the ground. Illumination may be achieved through either internal or external sources.

M. Changeable Sign

A sign whose information and contents can be changed by manual, electrical, or electro-mechanical means. Several types of changeable signs exist as follows:

1. Manually Activated: Signs who information, graphic, and/or symbolic content can be altered by manual means.

2. Electrically Activated: Signs whose informational, graphics, and/or symbolic content can be altered on a fixed display surface comprised of electrically illuminated or mechanically changeable segments. Including the following two types:

3. Fixed Message Electronic Signs: Signs who informational content has been pre-programmed to include specific information such as time, temperature, predicted traffic conditions, or other events requiring prior programming.

4. Computer Controlled Variable Message Electronic Signs: Signs whose informational content can be changed by means of computer driven electronic impulses.

N. Clearance

The vertical distance between the established grade of the adjacent right-of-way or street curb, and the lowest point of any sign, excluding all framework and embellishments extending over that grade.

O. Clear-view Zone

The area of a corner, truce corner, or reverse corner lot closest to the intersection in which is to be kept free of visual impairments to allow a clear view of pedestrian and vehicular traffic.

P. Construction Sign

A temporary sign erected on premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors, and similar artisans, and the owners, financial supporters, sponsors and similar persons or firms having a role or interest in the construction activity.

Q. Copy

The graphic content of a sign surface in either permanent or removable letters, pictographic symbolic, or alphabetic form.

R. Directory Sign, On-Site

A sign, not readable from any public right-of-way, on which the names and locations of the occupants and/or uses of a building or group of buildings is given.

S. Drive-Through Sign

A sign that facilitates the operation of a drive-through facility by aiding with the pick-up, drop-off, ordering or service of such a facility. It includes, but is not limited to, such signs as changeable copy menu boards.

T. Electronic Message Center / Manual Changeable Copy Sign (not including Gas Station Price Signs or that portion of a sign dedicated to time and/or temperature)

A sign or portion thereof designed to accommodate frequent message changes composed of characters, or letters, or illustrations and that can be changed or rearranged, either manually or electronically, without altering the face or surface of such sign.

U. Flashing Sign

An illuminated sign on which the artificial light is not maintained constant or stationary in intensity or color at all time when such sign is in use. For the purpose of this ordinance, a revolving sign, or any advertising device which attracts attention by moving parts, operated by mechanical equipment or movement is caused by natural sources, whether or not illuminated with artificial lighting, shall be considered a flashing sign.

V. Freestanding Sign

A sign on a frame, pole or other support structure not attached to any building.

W. Gas Station Price Sign

A changeable copy sign advertising gasoline prices.

X. Governmental Signs

A sign erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance or governmental regulation.

Y. Ground Sign

A sign which is supported by one or more uprights or braces in or upon the ground.

Z. Holiday Decorations

Signs in the nature of decorations, clearly incidental to and customarily and commonly associated with any national, local or religious holiday.

AA. Home Occupation Sign

A sign advertising or identifying a home occupation on the site of the home occupation.

BB. Identification Sign

A sign giving only the name, trademark or other readily recognized symbol or address, or any combination thereof, of a building, business, development or establishment on the premises where it is located.

CC. Informational Sign, On-site

A sign commonly associated with, and limited to, information and directions necessary or convenient for persons coming on the property, including signs marking entrances and exits, parking areas, one-way drives, rest rooms, pick-up and delivery areas and the like. Logo and business name shall be permitted on, on-site Informational signs for properties with multi-tenants.

DD. Institutional Bulletin Board Sign

A sign that identifies a religious organization, school, library, community center, or similar institutional or community service use on whose premises it is located and that contains only the name of the institution or organization, the name or names of persons connected with it, and greetings, announcements or events or activities occurring at the institution or similar message.

EE. Joint Identification Sign

An identification sign limited in content to the identification of a planned development, office plaza, shopping center, business park or the like and not containing any reference to the individual uses sharing the development, plaza, center, park or the like.

FF. Memorial Sign

A sign or tablet memorializing a person, place, event or structure.

GG. Monument Sign

A freestanding sign defined by a solid support structure (other than support poles) with equal to or greater width than the faceplate.

Figure 12.17(GG). Monument Signs

HH. Moving Sign

See “Animated Sign” definition.

II. Name Plate Sign

A sign limited in content to the name or address, or both, of the owner or occupant of a building or premises on which it is located. If any premise is occupied by more than one occupant, the nameplate sign may identify all such occupants, as well as the premises, and may include necessary directional information.

JJ. Off-premises Identification Sign

A sign giving the name, trademark or other readily recognized symbol or address, or any combination thereof, of a building, business, development or establishment, which sign is located off the lot on which such building, business, development or establishment is located.

KK. Official Flag or Emblem

A flag or emblem of a government or of a membership organization.

LL. Paint on Wall Sign

A sign painted on the wall of a building or structure with the exposed face of the sign in a place parallel to the face of the wall.

MM. Portable Sign

A sign that is not permanently affixed to a building, a structure or the ground, but not including customary identification lettering on vehicles and advertising posters on buses and taxicabs.

NN. Private Sale Sign

A temporary sign advertising private sales of personal property at "house sales," "garage sales," "rummage sales" and the like.

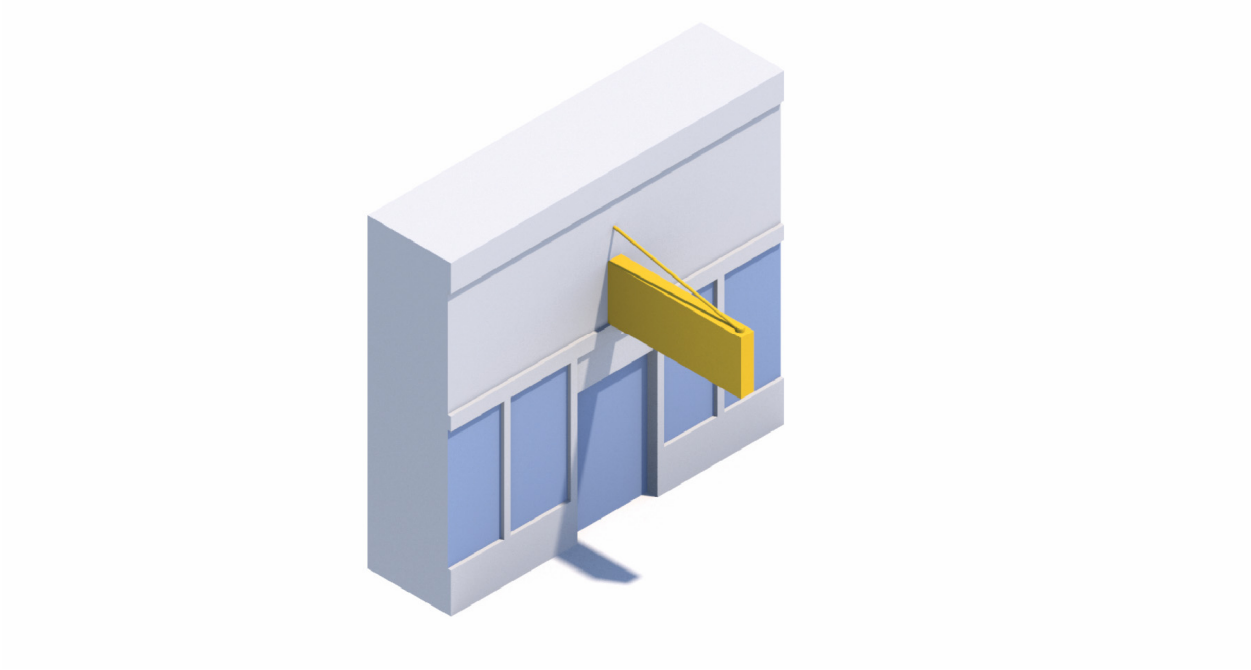
OO. Private Warning Sign

A sign limited in content to messages warning, caution or danger.

PP.Projecting Sign (or Blade Sign)

A sign that is wholly or partially dependent upon a building for support and that projects more than twelve (12) inches from such building.

Figure 12.17(PP). Projecting Signs



QQ. Public Service Signs

A sign displaying only the time, temperature, stock market quotations or civic messages by means of a lamp bank.

RR. Pylon Sign

A sign that is mounted on a freestanding pole or other supports.

Figure 12.17(RR). Pylon Signs

SS. Real Estate Signs

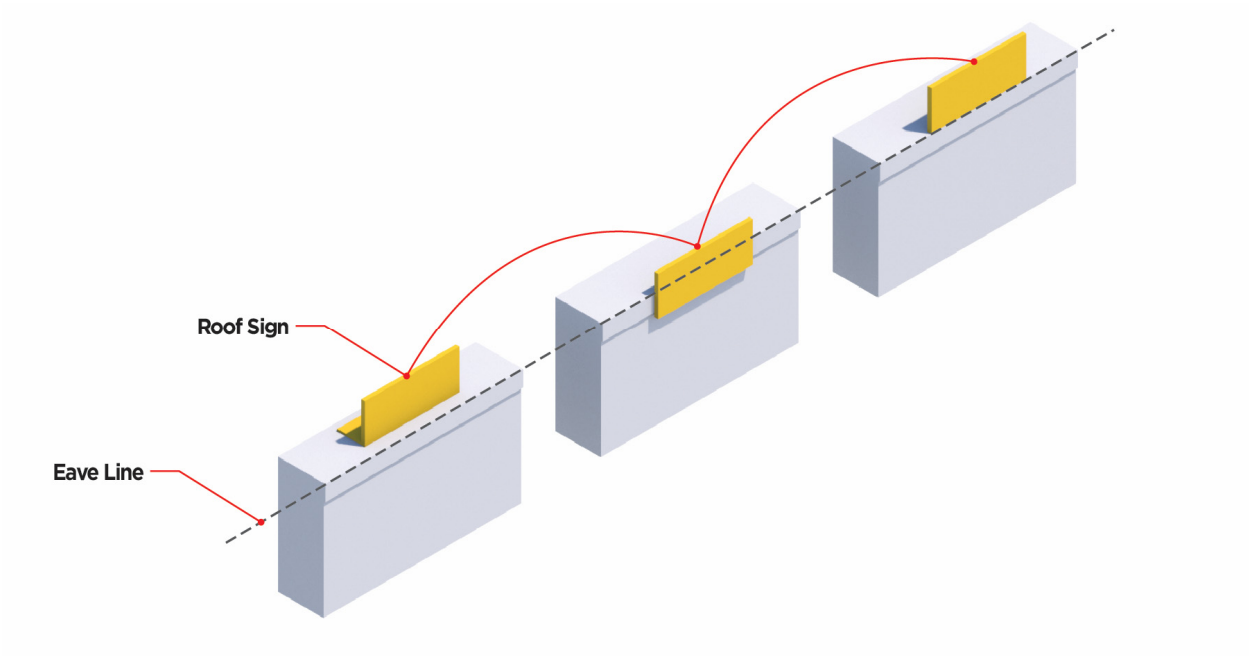
1. Standard Size. A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located and limited to one (1) single or double-faced, non-illuminated sign per zoning lot, not to exceed six (6) square feet in area per sign face.

2. Large Size. A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located and limited to one (1) single or double-faced, non-illuminated sign per zoning lot, not to exceed thirty-two (32) square feet in area per sign face.

TT. Roof Sign

A sign that is mounted or painted on the roof of a building, or that is wholly dependent upon a building for support and that projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Figure 12.17(TT). Roof Signs



UU. Sandwich Board Sign

A movable sign not secured or attached to the ground or surface upon which it is located.

Figure 12.17(UU). Sandwich Board Signs

VV. Sign

A name, identification, description, illustration, display or device which is affixed to, painted or represented upon a building, structure, or land and which directs attention to a product, place, activity, person, institution, or business. For the purpose of definition, a sign structure may be single face or double face. However, a sign shall not include any display of any court, public or official notice, nor shall it include the flag, emblem, insignia of a nation, political unit, school, religious or charitable institution or organization. A sign shall also include a permanent sign located within an enclosed building in such a manner as to be viewed or intended for view primarily from the exterior of the building.

WW. Temporary Sign

A sign or advertising display constructed of cloth, canvas, fabric, paper, plywood or other light material and intended to be displayed for a short period of time, as permitted in accordance with Section 12.5 (Signs Permitted in any District without a Permit) and Section 12.13 (Temporary Signs Requiring a Permit).

XX. Under Awning Projecting Sign

A sign suspended beneath a canopy, ceiling, roof, or marquee.

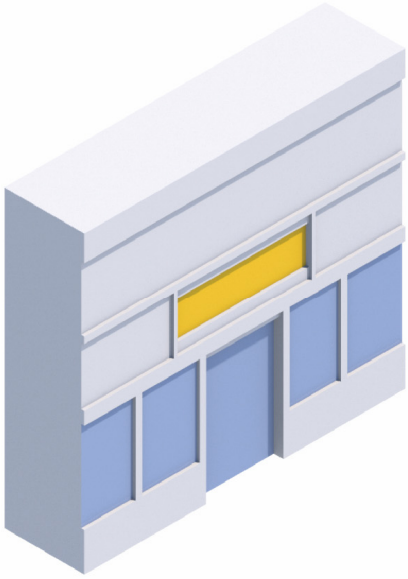
YY. Vehicle/Trailer Sign

A sign that is attached to or painted on a vehicle or trailer that is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

ZZ. Wall Sign

A sign fastened to the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve (12) inches from such building or structure.

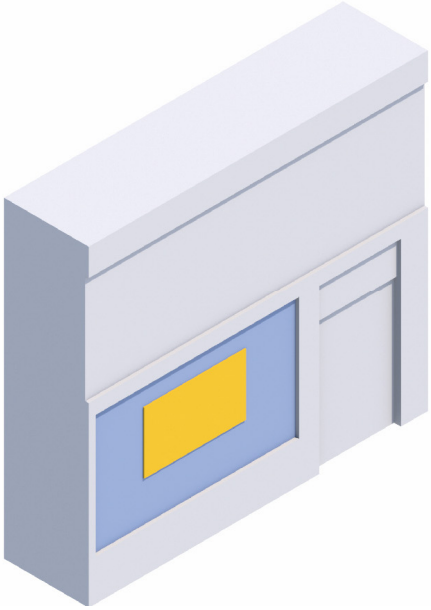
Figure 12.17(ZZ). Wall Signs



AAA. Window Sign

A sign that is applied or attached to the exterior or interior of a window or located within the interior of a structure so that its message can be read from the exterior of the structure.

Figure 12.17(AAA). Window Signs



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SECTION 13 – PLANNED UNIT DEVELOPMET

13.1 Intent and Purpose
13.2 General Provisions
13.3 Exceptions from District Regulations
13.4 Application Procedures
13.5 Application Requirements
13.6 Effect of Approval or Denial
13.7 Amendments and Alterations to Approved Planned Unit Development Permits

13.1 INTENT AND PURPOSE

A. The purpose of the regulations, standards, and criteria contained in this chapter is to provide a zoning procedure under which land can be developed or redeveloped with innovation, imagination, and creative architectural design when sufficiently justified under the provisions of this chapter. The objective of the Planned Unit Development is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable zoning regulations. The end result can be a product which fulfills the objectives of the Village of Richton Park Comprehensive Plan and planning policies of the Village while departing from the strict application of the use and bulk regulations of the zoning title. The Planned Unit Development is intended to permit and encourage such flexibility and to accomplish the following purposes:

1. To stimulate creative approaches to the commercial, residential and commercial/mixed-use development of land.

2. To provide more efficient use of land.

3. To preserve natural features and provide open space areas and recreation areas in excess of that required under existing zoning regulations.

4. To develop new approaches to the living environment through variety in type, design and layout of buildings, transportation systems, and public facilities.

5. To unify buildings and structures through design.

6. To promote long term planning pursuant to the Comprehensive Plan, which will allow harmonious and compatible land uses or combination of uses with surrounding areas.

13.2 GENERAL PROVISIONS

A. Applicability

1. No commercial, industrial, multiple-family residential, or mixed-use development that is proposed within the Village on a lot with an area of 5 (five) acres or greater, contains multiple principal structures on a single zoning lot, or is within a TC district, shall be permitted unless approved as a Planned Unit Development in accordance with the Zoning Ordinance.

2. The applicant for any proposed development may elect to apply as a Planned Unit Development in accordance within the Zoning Ordinance.

B. Initiation

An application for a Planned Unit Development may only be filed by an applicant who has an ownership interest, or the agents thereof; or any contract purchaser or anyone holding an option to purchase the parcel of land on which the use or combination of uses is to be located.

C. Authorization

1. **Approval by Ordinance**
   Buildings and uses or combinations of uses within a Planned Unit Development shall be limited solely to those approved as part of the ordinance granting a Planned Unit Development permit by the Village Board. Unless specifically approved by the ordinance granting or amending the Planned Unit Development as a special use, the requirements of the underlying district shall apply. The ordinance granting or amending the Planned Unit Development as a special use may depart from the normal procedures, standards and other requirements of this Ordinance.

2. **Special Use Permit**
   A Planned Unit Development shall be granted as a special use in accordance with the procedures and standards of this Section and may depart from the normal procedures, standards, and other requirements of the other sections of this Ordinance, to the extent provided in this Section 15.10 (Special Use Permit.

D. Justification for Approval

1. Each Planned Unit Development should be presented and judged on its own merits. It shall not be sufficient to base justification for approval of a Planned Unit Development upon an already existing Planned Unit Development except to the extent such Planned Unit Development has been approved as part of a development master plan.

2. The burden of providing evidence and persuasion that any Planned Unit Development is necessary and desirable shall in every case rest with the applicant.

13.3 EXCEPTIONS FROM DISTRICT REGULATIONS

A. Underlying District Regulations

1. A planned unit development is subject to the underlying district use regulations unless the Planning and Zoning Commission recommends and Village Board approves uses other than those allowed within the underlying district.

2. The Planning and Zoning Commission may also recommend and the Village Board may grant exceptions from the bulk regulations of the underlying district of a planned unit development. Examples of district regulations from which exceptions may be granted for planned unit developments include height, density, bulk regulations and setbacks, off street parking and loading, landscaping, and signs.

B. Standards for Review

Modifications in conventional zoning and subdivision regulations are privileges and will be considered by the Village only in direct response to the accrual of tangible benefits from the Planned Unit Development to the Village or the neighborhood/area in which it would be located. These benefits shall be in the form of exceptional amenities, landscape, architectural or site design, or the conservation of the natural features of the site. In reviewing an application for a Planned Unit Development, the Planning and Zoning Commission and/or the Village Board shall be required to make certain findings based on the following standards. An application for a Planned Unit Development shall be approved based on a proposed project's ability to meet the majority of the following standards:

1. Comprehensive Plan. The Planned Unit Development shall conform with the general planning policies of the Village as set forth in the Comprehensive Plan.

2. Public Welfare. The Planned Unit Development shall be so designed, located and proposed to be operated and maintained that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety and welfare.

3. Impact on Other Property. The Planned Unit Development shall not be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the district, shall not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district, shall not be inconsistent with the community character of the neighborhood, shall not alter the essential character of the neighborhood and will be consistent with the goals, objectives, and policies set forth in the Comprehensive Plan, and shall not substantially diminish or impair property values within the neighborhood, or be incompatible with other property in the immediate vicinity.

4. Impact on Public Facilities and Resources. The Planned Unit Development shall be so designed that adequate utilities, road access, drainage, and other necessary facilities will be provided to serve it. The Planned Unit Development shall include such impact donations as may be reasonably determined by the Village Board. These required impact donations shall be calculated in reasonable proportion to the impact of the Planned Unit Development on public facilities and infrastructure. Infrastructure.

5. Parking and Traffic. The Planned Unit Development shall have or make adequate provision to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets, provides appropriate cross access to adjacent properties and parking areas, and provide adequate access for emergency vehicles.

6. Adequate Buffering. The Planned Unit Development shall have adequate landscaping, public open space, and other buffering features to protect uses within the development and surrounding properties.

7. Signage. Any signage on the site of the Planned Unit Development shall be in conformity with Section 12 (Signs), or shall be permitted to vary from such regulations if it can be demonstrated that it is appropriate for the character of the proposed development.

8. Archaeological, Historical or Cultural Impact. The Planned Unit Development shall not substantially adversely affect a known archaeological, historical, or cultural resource located on or off of the parcel proposed for development.

C. Provision of Community Amenities

In addition to the findings required above, the following standards shall be utilized in considering applications for modifications of the conventional zoning and subdivision regulations for a Planned Unit Development. These standards shall not be regarded as inflexible, but shall be used as a framework by the Village to test the quality of the amenities, benefits to the community, and design and desirability of the proposal.

1. Integrated Design. A Planned Unit Development shall be laid out and developed as a unit in accordance with an integrated overall design. This design shall provide for safe, efficient, convenient and harmonious grouping of structures, uses and facilities, and for appropriate relation of space inside and outside buildings to intended uses and structural features.

2. Beneficial Common Open Space. Any common open space in the Planned Unit Development shall be integrated into the overall design. Such spaces shall have a direct functional or visual relationship to the main building(s) and not be of isolated or leftover character. Desirable open space amenities include, but are not limited to plazas, gardens, playgrounds, and playing fields. The following would not be considered usable common open space:

a. Areas reserved for the exclusive use or benefit of an individual tenant or owner.

b. Dedicated streets, alleys and other public rights-of-way.

c. Vehicular drives, parking, loading and storage area.

d. Irregular or unusable narrow strips of land less than fifteen feet (15') wide.

3. Functional and Mechanical Features. Exposed storage areas, trash and garbage retainers, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be accounted for in the design of the Planned Unit Development and made as unobtrusive as possible. They shall be subject to such setbacks, special planting or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

4. Visual and Acoustical Privacy. The Planned Unit Development shall provide reasonable visual, and acoustical privacy for each dwelling unit. Fences, insulations, walks, barriers and landscaping shall be used as appropriate for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable view or uses, and reduction of noises.

5. Energy Efficient Design. A Planned Unit Development shall be designed with consideration given to various methods of site design and building location, architectural design of individual structures, and landscaping design capable of reducing energy consumption within the Planned Unit Development and to the extent feasible, the applicant will be encouraged to obtain Leadership in Energy and Environmental Design (LEED) certification level standards for the project.

6. Drives, Parking and Circulation. Principal vehicular access shall be from dedicated public streets, and access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, adequate provision for service by emergency vehicles, and arrangement of parking areas that are safe and convenient, and insofar as feasible, do not detract from the design of proposed buildings and structures and the neighboring properties.

7. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic.

13.4 APPLICATION PROCEDURES

The following steps are provided to assure the orderly review of every Planned Unit Development application in a timely and equitable manner: Pre-filing Conference; Optional Concept Review; Preliminary Plan Review; and Final Plan Review.

A. Pre-filing Conference

A prospective applicant, prior to submitting a formal application for a planned development, shall meet for a pre-filing conference(s) with the Zoning Administrator and any other Village official or employee designated by the Director of Community Development. The purpose of the conference(s) is to help the applicant understand the Comprehensive Plan, the Zoning Title, the site development allowances, the standards by which the application will be evaluated, and the application requirements.

B. Optional Preliminary Concept Review

1. At their discretion, a prospective applicant may elect to appear before a joint meeting of the Village Board and the Planning Zoning Commission for a Preliminary Concept Review.

2. The prospective applicant shall coordinate with the Director of Community Development to be placed on a Village Board agenda and scheduled for the earliest appropriate Village Board meeting to which members of the Planning and Zoning Commission will be invited to attend. At a minimum, the prospective applicant shall provide the following materials for the Preliminary Concept Review: 1) A preliminary concept plan of the development, and 2) A brief narrative describing the overall character, intensity, uses, and nature of the proposed Planned Unit Development.

3. The purpose of such review shall be to broadly acquaint the Village Board and Planning and Zoning Commission with the prospective applicant's proposal and to provide the prospective applicant with any preliminary views or concerns that members of the Board or Commission may have at a time in the process when positions are still flexible and adjustment is still possible and prior to the time when the applicant is required t o expend the funds necessary to prepare the complete documentation required for a formal application.

4. At the meeting at which the Preliminary Concept Review is conducted, any member of the Village Board or Planning and Zoning Commission may make any comments, suggestions or recommendations regarding the preliminary development concept deemed necessary or appropriate by that, member; provided, however, that no final or binding action shall be taken with respect to any preliminary application. Any views expressed in the course of the review of any preliminary development concept shall be deemed to be only preliminary and advisory and only the individual views of the member expressing them. Nothing said or done in the course of such review shall be deemed to create, or to prejudice, any rights of the applicant or to obligate the Village Board or Planning and Zoning Commission, or any member therein, to approve or deny any formal application following full consideration thereof as required by this Code.

C. Submittal of Application

1. Request for Waiver of Application Requirements

a. After reviewing the Planned Unit Development process, the applicant may request a waiver of any application requirement which in the applicant's judgment should not apply to the proposed Planned Unit Development. Such request shall be made in writing prior to the submission of the formal application documents.

b. All requests for waiver shall be reviewed within fifteen (15) working days by the Village Board. A final determination regarding the waiver shall be given to the prospective applicant following the decision.

2. Public Meeting

If deemed appropriate by the Director of Community Development, the applicant, prior to submitting a formal application for a Planned Unit Development, will be required to schedule a meeting to discuss the proposed Planned Unit Development and its impact on area residents. If such a meeting is required, the applicant shall send a written notice of the meeting via certified mail to all taxpayers of record and residents for all property within five hundred (500) feet of the proposed Planned Unit Development. Such notice shall be mailed not less than fifteen (15) days prior to the date of the meeting. A copy of the notice and mailing list shall be provided to the Director of Community Development. A written summary of comments made at the meeting shall be maintained and submitted by the applicant with the application.

3. **Filing of Application**
   Following the completion of the pre-filing conference(s), the applicant shall file an application for a Planned Unit Development in accordance with this Section. The Director of Community Development shall deliver copies of the application to other appropriate Village departments for review and comment.

4. **Deficiencies**
   The Director of Community Development shall determine whether the application is complete. If the Director of Community Development determines that the application is not complete, he/she shall notify the applicant in writing of any deficiencies and shall take no further steps to process the application until the deficiencies are remedied.

5. **Report on Compliance**
   A copy of the complete application and a written report incorporating the comments of Village staff and other agencies regarding the compliance of the proposed Planned Unit Development with the requirements and standards of this Section shall be delivered to the Planning and Zoning Commission prior to the public hearing.

6. **Determination Not Binding**
   Neither the Director of Community Development's determination that an application is complete nor any comment made by the Director of Community Development or Village staff at a prefiling conference or as part of the review process shall be intended or construed as a formal or informal recommendation for the approval of a Planned Unit Development permit for the proposed Planned Unit Development, or component part thereof, nor shall be intended or construed as a binding decision of the Village, the Planning and Zoning Commission or any staff member

D. Preliminary Plan Review & Approval

The procedure for approval of the Preliminary Plan shall be:

1. **Required Public Hearing**

   a. Upon receiving the complete application and report from the Director of Community Development, the Planning and Zoning Commission shall hold at least one (1) public hearing on the proposed Planned Unit Development within sixty (60) days.

   b. If, in the Planning and Zoning Commission's judgment, the application does not contain sufficient information to enable the Commission to properly discharge its responsibilities, the Commission may request additional information from the applicant. In that event, the sixty (60) day period shall be suspended pending receipt of all requested information.

c. Public Notice

i. The Zoning Administrator or designee shall publish notice of the request for hearing in a newspaper of general circulation in the Village of Richton Park.

ii. Notice shall also be sent by mail or personal delivery to the owners of property for which approval is being considered. Notice shall also be sent to all persons to whom real property is assessed within 300 feet of the property and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction.

iii. The notice shall be given at least fifteen (15) days, but not more than thirty (30) days before the date the application will be considered for approval.

iv. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.

v. The notice shall do all of the following:

(a) Describe the nature of the request.

(b) Indicate the property that is the subject of the request. The notice shall include a list of all existing street addresses within the property. Street addresses need not be created and listed. If no such addresses exist within the property, other means of identification may be used.

(c) State when and where the request will be considered.

(d) Indicate when and where written comments will be received concerning the request.

d. At the hearing any party may appear in person, by agent, or by attorney.

2. **Action by Planning and Zoning Commission**
The Planning and Zoning Commission shall review the application, the standards and requirements established by this Section, the report of the Director of Community Development, and any oral and written comments received by the Planning and Zoning Commission before or at the public hearing. Within forty five (45) days following the close of the public hearing and at a regular meeting, the Planning and Zoning Commission shall make specific written findings addressing each of the standards set forth in Paragraph 4 below and shall either:

a. Recommend approval of the Preliminary Plan and special use and submit its written recommendation to the Village Board.

b. Advise the applicant in writing of any recommended changes, additions or corrections to the Preliminary Plan. The applicant may, within thirty (30) days, submit the revised Preliminary Plan for Planning and Zoning Commission consideration at a continuation of, or at a new, public hearing. The applicant may do so without paying an additional filing fee. The Planning and Zoning Commission shall then recommend approval or denial of the Preliminary Plan and special use and submit its written recommendation to the Village Board.

c. If the Planning and Zoning Commission shall vote to deny the special use application for the planned development, such action shall constitute a final administrative decision.

3. **Action by Village Board**
Within sixty (60) days of receipt of the report and recommendation of the Planning and Zoning Commission, and without further public hearing, the Village Board shall either approve, approve with conditions, or deny the Preliminary Plan and special use. The Village Board may, by motion, extend the thirty (30) day period.

a. If the Preliminary Plan is denied, the Village Board shall state in writing the reasons for the denial, and such writing shall be filed with the Zoning Administrator and a copy shall be sent to the applicant.

b. If the Preliminary Plan and special use is approved, the applicant shall submit a Final Plan for the Planned Unit Development.

4. **Approval Criteria**
No Preliminary Plan for Planned Unit Development shall be recommended by the Planning and Zoning Commission or approved by the Village Board unless it is found:

a. That the establishment, maintenance or operation of the Planned Unit Development will not endanger the public health, safety, comfort or general welfare.

b. That the Planned Unit Development will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

c. That the establishment of the Planned Unit Development will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

d. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.

e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

f. That the proposed Planned Unit Development shall be consistent with the intent of the elements of the Comprehensive Plan, this Ordinance, and the other land use policies of the Village.

g. That the Planned Unit Development shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendations of the Planning and Zoning Commission.

E. Final Plan Review & Approval

Within one (1) year following the approval of the Preliminary Plan by the Village Board, the applicant shall file a Final Plan for Planned Unit development with the Zoning Administrator. The procedure for approval of the Final Plan shall be:

1. **Action by Planning and Zoning Commission**

   Within thirty (30) days of receiving the complete Final Plan application and report from the Director of Community Development, the Planning and Zoning Commission shall make one of the following types of recommendations to the Village Board in regard to the Final Plan:

   a. **Recommendation of Approval with Substantial Conformity.**

      Recommendation of approval based on substantial conformity, if the the Planning and Zoning Commission finds:

      i. Substantial conformity between the Final Plan and the approved Preliminary Plan.

      ii. That the Final Plan is in all other respects complete and in compliance with any and all conditions imposed by approval of the Preliminary Plan.

      iii. That the Final Plan complies with the provisions of this Zoning Ordinance and all other applicable federal, state, and Village codes, ordinances, regulations, and other laws.

      The Planning and Zoning Commission shall transmit the Final Plan to the Village Board with its recommendation 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. However, in no event shall such conditions of approval impair the rights granted by the Preliminary Plan approval.

b. **Recommendation of Approval without Substantial Conformity.**
Recommendation of approval without substantial conformity, if the Planning and Zoning Commission finds that the Final Plan lacks substantial conformity to the Preliminary Plan but merits approval notwithstanding such lack of conformity and otherwise conforms to the requirements of this Zoning Ordinance, it shall transmit the Final Plan to the Village Board with its recommendation that the Final Plan be approved, with or without modifications and conditions to be accepted by the applicant as a condition of approval.

c. **Recommendation of Denial.**
Recommendation of denial, if the Planning and Zoning Commission finds that the Final Plan is not in substantial conformity with the approved Preliminary Plan and does not merit approval, or does not comply with the other conditions, laws, or criteria. The Planning and Zoning Commission shall transmit the Final Plan to the Village Board together with its recommendation that the Final Plan not be approved.

2. **Action by Village Board**

a. Within thirty (30) days of receipt of the Planning and Zoning Commission's recommendation, the Village Board shall:

i. Approve the Final Plan by a duly adopted ordinance.

ii. Reject the Final Plan by a duly adopted ordinance or resolution.

iii. Refer the Final Plan back to the Planning and Zoning Commission for further consideration of specified matters, with or without a new hearing, as may be required.

b. In the case of approval, or approval with modifications, the Board of Trustees shall pass an ordinance granting the special use and indicate in the ordinance any and all conditions of approval.

F. Conditions of Approval

In approving a Preliminary Plan or Final Plan for Planned Unit Development and special use, the Village Board may attach such conditions to the approval as it deems necessary to have the proposed use or combination of uses meet the standards set forth in this Section and to prevent or minimize adverse effects on other property in the immediate vicinity.

1. Such conditions may include, but are not limited to: limitations on size, bulk and location; requirements for landscaping, signage, outdoor lighting, provisions for adequate ingress and egress; hours of operation; and such other conditions as the Village Board may deem to be in furtherance of the objectives of this Section.

2. In no event shall such conditions of approval impair the rights granted by the Preliminary Plan approval.

3. In the case of approval, or approval with modifications, the Board of Trustees shall pass an ordinance granting the special use and indicate in the ordinance any and all conditions of approval.

G. Effect of Approval

1. After the approval of the Final Plan, the use of the land and the construction, modification or alteration of any buildings or structures within the Planned Unit Development will be governed by the approved Final Plan rather than by any other provisions of this Ordinance.

2. Approval of a Final Plan for Planned Unit Development shall not constitute approval of the final plat. The final plat shall be approved if it conforms with the preliminary plat. No building permit shall be issued for any structure until the final plat has been filed, approved, and recorded.

13.5 APPLICATION REQUIREMENTS

A. Preliminary Plan Submission

An application for Planned Unit Developments shall contain a Preliminary Plan, which shall be filed with the Zoning Administrator in such form and accompanied by such information, with sufficient copies, as shall be established from time to time by the Village.

1. **Minimum Requirements**

   Every Preliminary Plan application shall contain, at a minimum, the following information and related data:

   a. The names and addresses of the owner of the subject property.

   b. A statement from the owner of the subject property, if not the applicant, approving of the filing of the application by the particular applicant.

   c. A plat of survey of, and legal description and street address for the subject property.

   d. A statement indicating compliance of the proposed Planned Unit Development with the Comprehensive Plan; and evidence of the proposed project's compliance in specific detail with each of the “Approval Criteria” for Planned Unit Development identified in Section 13.4(D).

   e. A site location map drawn to an appropriate scale showing the proposed planned development in relation to surrounding streets and property located within six hundred (600) feet in all directions of the development site. The map shall indicate the location, height and land use of all existing buildings and structures immediately adjacent to the development site.

f. A scaled site plan of the proposed Planned Unit Development showing lot area, required yards and setbacks, contour lines, common space, and the location, floor area ratio, lot area coverage and heights of buildings and structures, number of parking spaces and loading areas.

g. Typical building elevations and schematic design presentations indicating the general architectural character of all proposed buildings and structures. The drawings need not be the result of final architectural decisions and need not be in detail.

h. A preliminary landscaping plan prepared by a qualified professional showing the general location, size, character and composition of proposed landscaping, screening and fencing, vegetation and other material. Said landscape plan need not be the result of final architectural decisions and need not be in detail.

i. A professional traffic study prepared by a qualified professional acceptable to the Village showing the proposed traffic circulation pattern within and in the vicinity of the area of the Planned Unit Development, including the location and description of public improvements to be installed, and any streets and access easements.

j. A drainage plan indicating the manner in which surface drainage will be controlled and managed, consistent with all Village and other governmental jurisdictions, regulations, and requirements.

k. A utilities study prepared by a qualified professional indicating the adequacy of the utility systems serving the proposed planned development, including water distribution lines, sanitary sewers and storm water drainage facilities.

l. Copies of all environmental impact studies as required by law.

m. A separate schedule setting forth any proposed exceptions to any Village regulations. This schedule shall cite by Zoning Ordinance section number each and every regulation from which an exception is sought.

n. A written summary of residents' comments, pertaining to the proposed application, from any meeting held pursuant to Section 13.4 above.

2. **Subdivision of Land – Preliminary Plat Approval**
When a subdivision of land subject to the Village Development Code is proposed in connection with a Planned Unit Development, the applicant shall file an application for approval of a preliminary plat of the proposed subdivision simultaneously with the application for Preliminary Plan approval.

B. Final Plan Submission

Once a Preliminary Plan has been approved by the Village Board, an applicant for Planned Unit Development shall be required to submit a Final Plan, which shall be filed with the Zoning Administrator in such form and accompanied by such information, with sufficient copies, as shall be established from time to time by the Village.

1. **Minimum Requirements**

   Every Final Plan application shall contain, at a minimum, the following information and related documentation:

   a. A final site plan drawn to an appropriate scale on mylar or other material suitable for recording with the Cook County Recorder of Deeds. The final site plan shall include the following information:

      i. Final designation of the location, ground area, height, bulk and exact dimensions of all existing and proposed buildings and structures within the planned development.

      ii. A detailed tabulation of each separate land use area, including land and building areas, and where applicable, the total number of residential dwelling units, the number of bedrooms in each unit, and the residential density.

      iii. The use or uses to be made of such existing and proposed buildings or structures.

      iv. The dimensions of all perimeter setbacks and the distances between all buildings and structures.

      v. The final location and dimensions of all pedestrian walkways, driveways, streets, parking and loading facilities, including the number of parking spaces serving each building or land use type and all parking related screening and landscaping.

      vi. The exact location and dimensions of any areas to be conveyed, dedicated or reserved for parks, parkways, playgrounds, places of worship, school sites, public buildings, or for any other public or quasi-public use.

   b. An accurate legal description of the entire zoning lot upon which the planned development is to be located, and a legal description of each separate subdivided parcel, including any areas to be conveyed, dedicated or reserved for public or quasi-public uses.

c. All covenants, easements, agreements and other provisions required to govern the use, maintenance and continued protection of the planned development, along with an agreement assuring that the applicant, any subsequent owner or, where applicable, a homeowners' association shall be responsible for all street, utility and common open space maintenance within said development and for snow plowing and refuse disposal.

d. Schematic drawings illustrating the design and character of the building elevations, types of construction, and floor plans of all proposed buildings and structures. The drawings shall also include a schedule showing the number, type, and floor area of all uses or combinations of uses, and the floor area of the entire development.

e. All plats, certificates, seals and signatures required for the dedication or vacation of land and/or the recording of the final site plan.

f. A detailed landscape plan based on final architectural decisions indicating the specific location and character of all landscaping, including the size and species of all trees, shrubs, hedges and other groundcover, the location, size and type of all screening and fencing and the location, height, design and illumination characteristics of all external lighting fixtures within the development.

g. A detailed utilities and drainage plan based on final architectural decisions indicating the size and location of all water distribution lines, sanitary sewers and storm drainage facilities required to serve the planned development and the manner in which surface drainage will be controlled and managed consistent with all applicable Village regulations.

h. A development and construction schedule indicating the following:

   i. The date when construction of the planned development will begin or, if developed in phases, the date when construction of the initial phase will begin.

   ii. If the planned development is to be developed in phases, a map indicating the phases in which the planned development will be built, the dates when the Stage 2 Development Plans for all but the initial phase will be filed, and the approximate dates when construction of each subsequent phase will begin.

   iii. The date when construction of the planned development will be completed, and the date when a specific use or uses will be established, or if developed in phases, the date when construction of each phase will be completed, and the date when a specific use or uses will be established for each phase.

i. Typical building elevations and schematic design presentations indicating the architectural character of all proposed buildings and structures based on final architectural decisions and prepared in detail.

j. Detailed drawings and design presentations of all signs to be erected within the planned development in accordance with the applicable regulations contained in this Ordinance.

k. A professional economic analysis acceptable to the Village, including the following:

   i. The financial capability of the applicant to complete the proposed Planned Unit Development;

   ii. Evidence of the project's economic viability; and

   iii. An analysis summarizing the economic impact the proposed Planned Unit Development will have upon the Village.

l. The substance of covenants, easements, and other restrictions existing and any to be imposed on the use of land, including common open space, and buildings or structures.

m. A photometric/lighting plan for the Planned Unit Development.

2. **Phased Development**
If the Planned Unit Development is to be developed in phases, the applicant need only file a Final Plan application for the first phase of development, as indicated in the development and construction schedule provided per Paragraph 1h above. The Final Plan for the remaining phases shall be filed in accordance with the development and construction schedule.

3. **Subdivision of Land – Final Plat Approval**
When a subdivision of land subject to the Village Development Code is proposed in connection with a Planned Unit Development, the applicant shall file an application for final plat approval of the proposed subdivision simultaneously with the application for Final Plan approval.

   a. A plat of subdivision shall be prepared suitable for recording with the Cook County Recorder of Deeds. Such plat of subdivision shall be prepared in the same form and meet the same specifications required for a normal subdivision as prescribed in the Village Development Code.

   b. In like manner, if a vacation or dedication of a public street or alley is included, a plat of vacation or dedication shall be prepared.

C. Fees

Every application must be accompanied by a fee in such amount as established from time to time by the Village Board to defray the costs of providing notice and contracting with independent professionals to review applications as required. Such professional costs may include but are not limited to engineering, legal fees, traffic analyses, environmental impact studies, land use design or other similarly related professional studies. Additional materials may be required during the review of a proposed Planned Unit Development if determined necessary by the Planning and Zoning Commission or the Village Board.

13.6 EFFECT OF APPROVAL OR DENIAL

A. Approval of the Planned Unit Development permit by the Village Board authorizes the applicant to proceed with any necessary applications for building permits, certificates of occupancy, and other permits which the Village may require for the proposed Planned Unit Development. The Village's Director of Community Development shall review applications for these permits for compliance with the terms of the Planned Unit Development permit granted by the Village Board. No permit shall be issued for development which does not comply with the terms of the Planned Unit Development permit.

B. The Village Board shall direct the Director of Community Development to revise the Official Zoning Map to reflect the existence and boundaries of each Planned Unit Development.

C. Time limitation

1. Subject to paragraph 4 below, an approval of a Planned Unit Development permit by the Village Board shall be null and void if work on the proposed development has not begun within twenty-four (24) months from the date of the approval.

2. Subject to paragraph 4 below, an approval of a Planned Unit Development permit with a phasing plan shall be null and void if work on the proposed development has not begun or is not completed in accordance with the terms of that phasing plan.

3. Subject to paragraph 4 below, an approval of a Planned Unit Development permit with a master development plan shall be null and void if work on the proposed development has not begun or is not completed in accordance with the terms and conditions contained in the development master plan.

4. Upon written application, filed at least four (4) weeks prior to the termination of the of the time requirements stated in paragraphs 1, 2, and 3 of this subsection, the Village Board may authorize a single extension of the time limit for a further period of not more than one (1) year.

5. A Planned Unit Development permit shall be null and void if the use or combination of uses for which the approval was granted ceases for a consecutive period of twenty-four (24) months.

D. Successive Applications

A successive application for a Planned Unit Development application that has been denied shall not be reviewed or heard within one (1) year after the date of denial, except if substantial new information has become known since the denial. A successive application filed within one year of the date of denial shall include detailed information that justifies its consideration. The Zoning Administrator shall determine whether a successive application is appropriate for submittal. In this regard:

1. The Director of Community Development shall review the application for a Planned Unit Development and determine if the application is or is not substantially the same. An applicant has the right to request a hearing before the Village Board to appeal the determination of the Director of Community Development that the application is substantially the same, provided a petition for appeal is filed in writing with the Director of Community Development within ten (10) days of the Director of Community Development's determination.

2. The Village Board shall affirm or reverse the determination of the Director of Community Development, regarding whether the new application is in substantially the same form, within thirty (30) days of receipt of a petition for appeal.

3. If it is determined that the new application is not substantially in the same form, then the applicant shall be entitled to continue with the application process and have it reviewed in accordance with the provisions of this Ordinance.

13.7 AMENDMENTS AND ALTERATIONS TO APPROVED PLANNED UNIT DEVELOPMENT PERMITS

Except as provided below, no modifications may be made to an approved Planned Unit Development permit and no existing Planned Unit Development permit may be added or expanded to.

A. Minor Change

A minor change is any change in the site plan or design details of an approved Planned Unit Development permit which is consistent with the standards and conditions applying to the Planned Unit Development permit and which does not alter the concept or intent of the Planned Unit Development. Said minor change may be approved by the Zoning Administrator without obtaining separate approval by the Village Board.

A. Major Change

A major change is any change that increases density, increases height of buildings, reduces open space, modifies the proportion of housing types, changes or adds new parking areas, alters alignment of roads, utilities or drainage, amends final development agreements, provisions or covenants, or provides any other change inconsistent with any standard or condition imposed by the Village Board in approving the Planned Unit Development permit. All major changes shall require separate review and approval by the Village Board.

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14.28 "Z" Definitions

14.1 RULES AND DEFINITIONS

In the construction of this ordinance, the rules and definitions contained in this section shall be observed and applied, except when the context herein clearly indicates otherwise:

14.2 RULES

A. In case of any difference of meaning or implication between the text of this Chapter and any caption or illustration, the text shall control.

B. A building or structure includes any part thereof.

C. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunctions "and," "or" or "either . . . or," the conjunction shall be interpreted as follows:

1. "And" indicates that the connected items, conditions, provisions or events apply.

2. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.

3. “Either . . . or" indicates that the connected items, conditions, provisions or events apply singly but not in combination.

D. Terms not defined in this Article shall have the meaning given in general dictionary usage.

E. The words used in the present tense shall include the future.

F. The singular number includes the plural and the plural the singular.

G. The word building indicates the word structure, and

H. The word shall is mandatory, and the word may is permissive. “Shall not” and “may not” are both prohibitive.

14.3 “A” DEFINITIONS

A. Abutting
To have a common property line or zoning district line.

B. Accessory
A use, building, structure, or part of a building or structure which:

- Is subordinate to and serves the principal building or structure or principal use.

- Is subordinate in area, extent, or purpose to the principal building or structure or principal use served.

- Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use, and

- Is located on the same lot as the principal building or structure or principal use served, with the exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same lot as the building or use served.

C. Airport
Any area of land which is used, or intended for the landing and take-off of aircraft, and any appurtenant areas which are used or intended for use as airport buildings or other airport structures or rights-of-way, together with all airport buildings and structures thereon.

D. Alley
Any right-of-way which affords secondary means of vehicular access to abutting properties. A street shall not be considered an alley.

E. Alteration
Any change in size, shape, occupancy, or use of a building or structure.

F. American National Standards Institute, Inc.
A national organization dedicated to the promulgation of authoritative standards in many technical fields.

G. Animal Daycare
A facility used for the daytime care of animals, though no overnight boarding of animals is permitted.

H. Animal Hospital
A building or portion thereof designed or used for the care, observation, or treatment of domestic animals.

I. Antenna Or Tower
Any structure erected for the purpose of transmitting or receiving radio and television signals or to support equipment designed for each purposes.

J. Assisted Living Facility
A facility which provides sleeping accommodations, meals, and intermittent personal care and support services to persons 55 years of age and older who need some help with activities of daily living but do not require the 24-hour care of a nursing home. Full-time on-site staff shall provide personal care and support services. An Assisted Living Facility is subject to licensure by the State of Illinois.

K. Automobile Service Station
A place where gasoline, stored only in underground tanks, kerosene, lubricating oil or grease, for operation of automobiles, are offered for sale directly to the public, on the premises, and including minor accessories and the servicing of automobiles, but not including major automobile repairs, and including the washing of automobiles where no chain conveyor, blower or steam cleaning device is employed. When the dispensing, sale or offering for sale of motor fuels or oil is incidental to the conduct of a public garage, the premises shall be classified as a public garage. Automobile service stations shall not include sale, rental or storage of automobiles, equipment, or trailers (new or used).

L. Awning
A roof-like mechanism, retractable in operation, which projects from the wall of a building.

14.4 "B" DEFINITIONS

A. Basement
A portion of a building having not less than one-half of its floor to clear ceiling height below grade. When a basement is used for storage or garages for use of occupants of the building, it shall not be counted as a story.

B. Block
A tract of land bounded by streets, or by a combination of streets and public parks, other permanent open areas, or other lines of demarcation. A block may be located in part beyond the boundary lines of the corporate limits of the Village of Richton Park.

C. Building
Any structure or built to enclose, shelter, or protect, persons, animals, chattels, or property of any kind which is permanently affixed to the ground.

D. Building, Accessory
See Accessory.

E. Building, Principal
A non-accessory building in which is conducted the principal use of the lot.

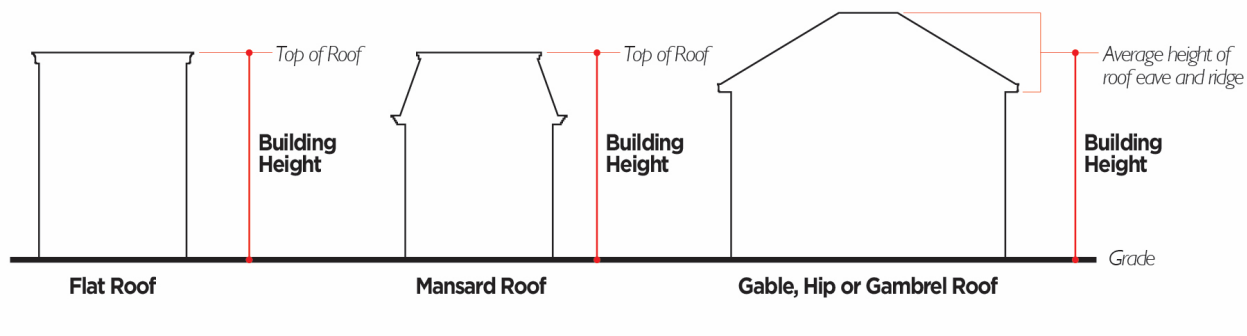
F. Building, Completely Enclosed
A building separated on all sides from the adjoining open spaces by a permanent roof and by exterior walls, pierced only be windows and normal entrance and exit doors, or when adjoining another building or buildings on one or two sides, a roof and such exterior wall adjoining open space and party wall adjoining the other building.

G. Building, Temporary
Any building not designed to be permanently located at the place where it is, or where it is intended to be, temporarily placed or affixed.

H. Building, Detached
A building surrounded by open space.

I. Building Height
The vertical distance from curb level to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip or gambrel roofs. Chimneys, towers, spires, elevator penthouses, cooling towers, and similar projections, other than signs, shall not be included in calculating building height.

Figure 14.4.I. Building Height



J. Building Inspector
The official of the Village of Richton Park, Illinois, duly appointed and designated as the Building Inspector.

K. Bulk
The term used to indicate the size and setback of buildings or structures, and the location of same with respect to one another, and includes the following:

- a) size and height of buildings; b) location of exterior walls at all levels in relation to lot lines, streets, or to other buildings; c) all open space allocated to buildings; and d) amount of lot area and lot width provided per dwelling unit.

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

14.5 "C" DEFINITIONS

A. Cellar
A story having more than one half of its floor to clear ceiling height below grade. A cellar is not included in computing the number of stories for the purpose of height measurement.

B. Clinic, Medical Or Dental
An establishment where two or more licensed physicians, surgeons, dentists, or other medical practitioners engaged in the practice of medicine or dentistry, operating on a group or individual basis with pooled facilities, such coordinated laboratory, X-ray and allied departments, and the diagnosis and treatment of humans, which need not, but may, include a drug prescription counter (not a drug store) for the dispensing of drugs and pharmaceutical products to the patients or said physicians, surgeons and dentists.

C. Closed Cup Flash Point
The lowest temperature at which a combustible liquid under the most favorable condition will give off a flammable vapor which will burn momentarily.

D. Club Or Lodge
A non-profit association of persons who are members and where facilities are restricted to members and their guests. Food and alcoholic beverages may be served on its premises provided they are secondary and incidental to the principal use.

E. Commercial Vehicle
For the purposes of these regulations, commercial vehicles are defined as vehicles associated with the specialized commercial use and this category includes but is not limited to loaders, fork lifts, tow trucks, wreckers, back hoes, dump trucks, flat bed trucks, stake trucks, any construction equipment and the trailers that haul these vehicles.

F. Compost Bin.
An outdoor container in which garden refuse and other organic waste is deposited in order to produce compost.

G. Conforming Building Or Structure
Any building or structure which a) complies with all the regulations of this ordinance or of any amendment thereto governing bulk of the district in which said building or structure is located, or b) is designed or intended for a permitted use of conditional permitted use, as herein allowed in the district in which it is located.

H. Corner Lot
For the purpose of this ordinance; corner lots located in the Village of Richton Park shall be constructed to have one (1) front yard, one (1) corner lot side yard, one (1) side yard, and one (1) rear yard.

I. Corner Lot Side Yard
The portion of a property bounded by the side lot line adjoining a street, front yard line, side yard line adjoining a street, and rear lot line

J. Curb Level
The established level of the curb pavement edging, along the front lot line, at a point directly in front of the center line of the buildings wall facing the front lot line, or if a curb pavement edging does not exist, the established level, at such point, along the center line of the roadway pavement, except in case of exceptional differences in grade elevations between lot corners or within the area of a lot, as determined by the Zoning Administrator, the established curb level may be the average elevation of the finished ground grades at the building foundation walls even though such average elevation is higher than such established level of the curb pavement edging, or center line or roadway pavement.

14.6 "D" DEFINITIONS

K. Dish Antenna
Dish antenna shall mean a combination of:

1. Antenna or dish antenna whose purpose is to receive communications or signals from orbiting satellites and other extraterrestrial sources.

2. A low-noise amplifier (LNA) which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals; and

3. A coaxial cable whose purpose is to carry the signals away from the dish antenna.

L. Drive-In Establishment
An establishment or part thereof in which are provided facilities where serving or consuming commodities or both are intended to occur in patron's automobiles parked on the premises, or where commodities are purchased by customers waiting in automobiles for consumption off the premises.

M. Dwelling
A building or portion thereof designed or used exclusively for residential purposes, including single family, two family and multiple family dwellings, but not including mobile homes or other trailers and lodging rooms in hotels, motels, or lodging houses.

N. Dwelling, Attached
A dwelling joined to one or more other dwellings by party walls, or vertical cavity walls, and above ground physically unifying horizontal structural elements.

O. Dwelling, Detached
A dwelling which is surrounded on all sides by open spaces on the same lot.

P. Dwelling, Multiple Family
A dwelling containing three or more dwelling units.

Q. Dwelling, Single Family
A dwelling containing one dwelling unit only.

R. Dwelling, Two Family
A dwelling containing two dwelling units.

S. Dwelling Unit
One or more rooms which are arranged, designed, or used as living quarters for one family only. Individual bathrooms and complete single kitchen facilities, permanently installed to serve the entire family, shall always be included within each dwelling unit.

14.7 "E" DEFINITIONS

T. Engineer, Village
The person or firm duly appointed and designated as the Village Engineer.

14.8 "F" DEFINITIONS

A. Family
One or more individuals related by blood, marriage, legal guardianship, or legal adoption, or a group of not more than five persons not all so related, including domestic servants.

B. Fence
Any structure, composed of wood, stone, or metal that is erected to separate, screen, or enclose an area.

C. Fence, Open
A fence including gates which has, for each one foot wide segment extending over the entire length and height of the fence, 50 percent or more of the surface area in open spaces which afford direct views through the fence.

D. Fence, Solid
A fence, including gates, which conceals from view adjoining properties, streets, or alleys activities conducted behind it.

E. Flash Point
The lowest temperature at which a flammable liquid will momentarily turn under prescribed conditions. The closed cup flash point shall be authoritative and the test shall be run in accordance with the appropriate ASTM procedure.

F. Flood Plain Area
That continuous area adjacent to a stream or stream bed, or any storm water retention area and its tributaries, whose elevation is equal to or lower than the flood crest elevation of a 100-year flood, including also land less than 10 acres in area having an elevation higher than flood crest elevation and which is surrounded by land in a flood plain area, or land, less than five acres in area, having an elevation equal to or higher than floor crest elevation and bordered on three sides by land in a flood plain area.

G. Floor Area, For Determining Off-Street Parking And Off-Street Loading Requirements. The sum of the gross horizontal area of the several floors of the building, excluding the horizontal areas of basement and cellar floors that are devoted exclusively to uses accessory to the operation of the entire building. All horizontal dimensions shall be taken from the exterior of the walls.

H. Foot Candle.
The level of illumination at all points one foot distance from a uniform point source of one candle power.

I. Free Burning.
The rate of combustion described by a material which burns actively, and easily supports combustion.

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

14.9 "G" DEFINITIONS

A. Garage, Private.
An accessory building designed and used for the storage of motor vehicles, trailers or boats owned and used by the occupants of the principal building to which it is accessory and in which no occupation or business for profit is carried on.

B. Garage, Public.
A building or portion thereof other than a private, or storage garage, designed or used for equipping, servicing, or repairing motor vehicles. Hiring, selling, or storing of motor vehicles may be included.

C. Garage, Storage.
A building or portion thereof designed or used exclusively for storage of motor vehicles, and in which motor fuels and oils are not sold, except as herein regulated, and motor vehicles are not equipped, repaired, hired or sold.

D. Gross Density.
Ratio between total number of dwelling units on a lot and total lot are in acres.

E. Guest, Permanent.
A person who occupies or has the right to occupy a lodging house, hotel, apartment hotel, or motel accommodation as his domicile and place of permanent residence.

14.10 "H" DEFINITIONS

A. Home Occupation.
The use of a portion of a residential lot for the operation of a business that is secondary to the principal residence, typically occurring in a residential zoning district.

B. Hotel Or Motel
A building in which lodging rooms are provided and offered to the public for compensation and which is open to transient guests, in contradistinction to a lodging house, or a rooming house, and where customary hotel services such as maid, telephone, and secretarial, bellboy, and desk services and the use and upkeep of furniture, and furnishings and laundry of lines are provided.

C. Hotel, Apartment
A hotel in which more than 50 percent but not more than 80 percent of the accommodations are in dwelling units occupied or intended for occupancy by permanent guests.

14.11 "I" DEFINITIONS

A. Impact Noise
A short duration sound such as those from a forging hammer or punch press.

B. Independent Living Facility
A facility which provides an apartment lifestyle for persons 55 years of age and older who are generally autonomous in their daily living and seek a residential environment in a community of their peers. An independent living facility shall contain common areas and amenities to promote social and recreational opportunities for the residents. An Independent Living Facility shall not have on- site staff to provide personal care services for residents.

C. Intense Burning
The rate of combustion described by a material that burns with a high degree of activity and is consumed rapidly.

D. Institution
A building occupied by a non-profit corporation wholly for public or semi-pubic use.

14.12 "J" DEFINITIONS

A. Junk Yard
An open area of land and any accessory buildings or structures thereon which are used primarily for buying, selling, exchanging, storing, baling, packing, disassembling, or handling waste or scrap materials, including vehicles, machinery, and equipment not in operation condition or parts thereof, and other metals, papers, rugs, rubber tires and bottles.

14.13 "K" DEFINITIONS

A. Kennel
Any premises or portion thereof on which more than three dogs, cats or other household domestic animals over one year of age are kept, or on which more than two such animals are maintained, boarded, bred, or cared for, in return for remunerations, or are kept for the purpose and sale, except any premise five acres or more in area used for a single family detached dwelling, agricultural, institutional, or recreational use where more than three such domestic animals owned by the occupant of the principal use are kept, bred, and offered for sale not be considered a kennel.

14.14 "L" DEFINITIONS

B. Launderette
A business that provides coin operated self-service type washing, drying, dry-cleaning, and ironing facilities, provided that: a) not more than four persons, including owners, are employed on the premises and b) no pick-up or delivery service is maintained.

C. Live-Work Unit
A single unit (e.g., studio, loft, or one bedroom) consisting of both a commercial/office and a residential component that is occupied by the same resident as a primary residence, typically located in commercial districts.

D. Loading Space
A space within the principal building or on the same lot as the principal building providing for the standing, or unloading of trucks and with access to a street or alley.

E. Lot
A parcel of land legally described as a distinct portion or piece of lot of record.

F. Lot Area
The surface area within the lot lines of the lot, not to include public or private rights-of-way.

G. Lot, Corner
A lot of which at least two adjacent sides abut for their full lengths upon streets, provided that the interior angle at the intersection of such two sides is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered or corner lot if the tangents to the curve at its points of beginning within the lot or at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than 135 degrees. The point of intersection of the street lot lines is the corner. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents above described.

H. Lot Coverage
The total area of a zoning lot occupied by a building, parking area, sidewalks, patio, or other generally impervious surfaces.

I. Lot, Interior
A lot that is not a corner lot.

J. Lot Lines
The property lines bounding the lot.

K. Lot Line, Front
The boundary of a lot which abuts a street. On a corner lot, the lot line having the shortest length abutting a street shall be the front lot line.

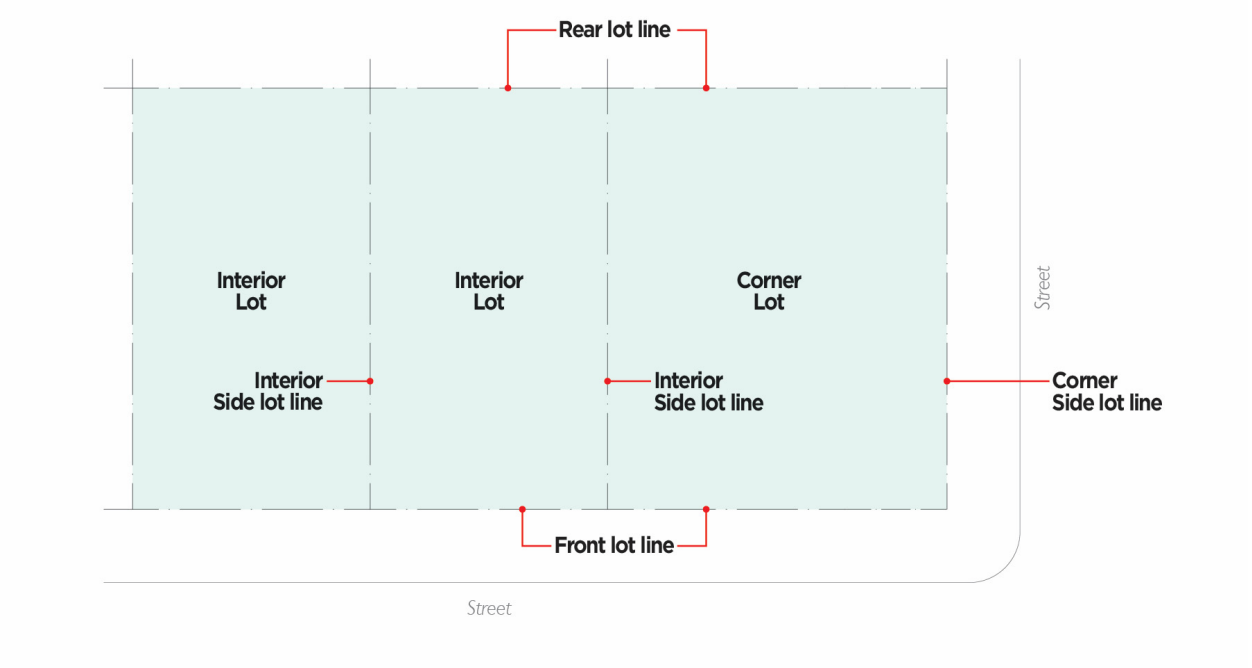
L. Lot Line, Interior
A lot line which does not abut a street right-of-way line.

M. Lot Line, Rear
That boundary of a lot which is most distant from and is, or is most nearly, parallel to the front lot line and in the case of an irregular or triangular shaped lot, a line 10 feet in length, within the lot, which is parallel to and at the maximum distance from the front lot line.

N. Lot Line, Side
The boundary of a lot that is approximately perpendicular to the front and rear lot lines and is not adjacent to the street right-of-way.

O. Lot Line Adjoining A Street
A side lot line of a corner lot which abuts a street, a rear lot line of through lot, or a front lot line of any lot.

Figure 14.14.G-O. Lots and Lot Lines

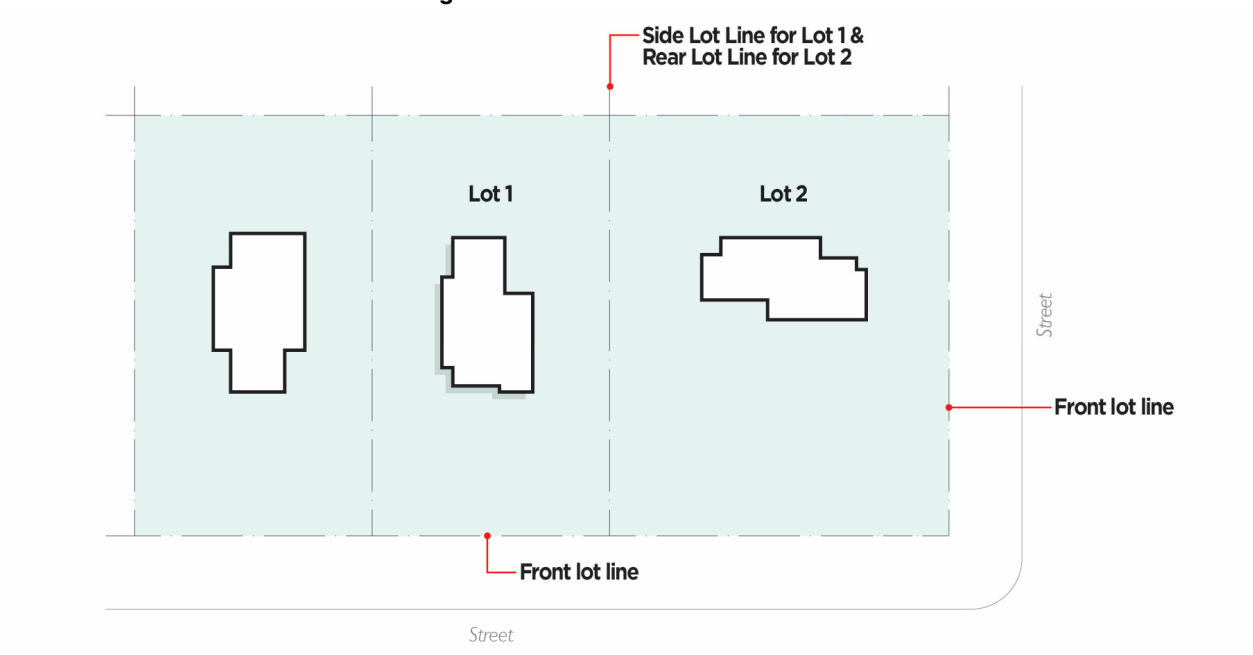


P. Lot Of Record
A single lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of Cook County, Illinois; or a single parcel of land, the deed of which has been recorded in the office of the Recorder of Deeds of Cook County, Illinois.

Q. Lot, Reversed Corner

Any two corner lots who abut the same street, lot (1) as a front lot line, and lot (2) as a side lot line. Subsequently, these results in making the rear lot line of (2) the side lot (1).

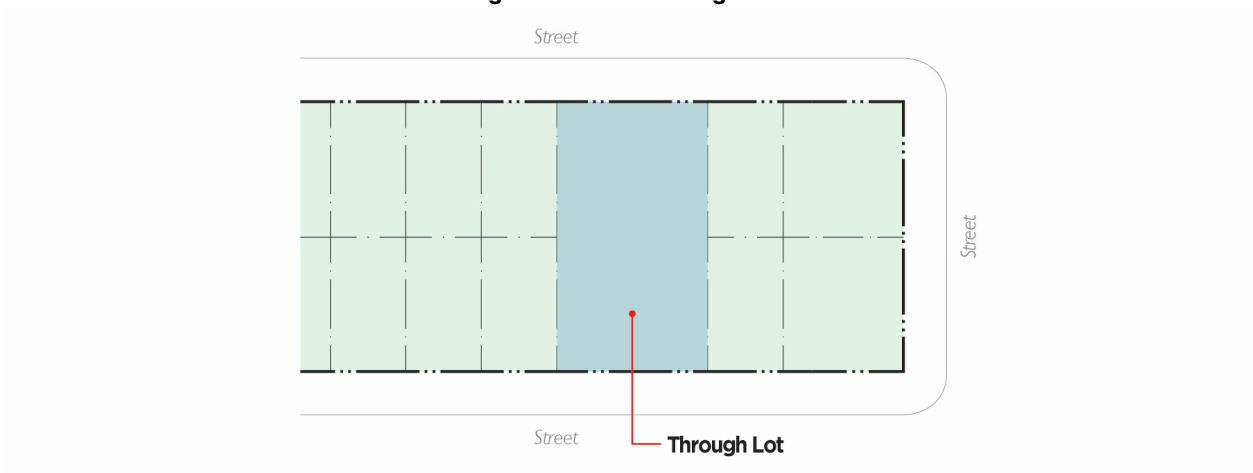
Figure 14.14.Q. Reversed Corner Lot



R. Lot, Through

A lot having a pair of opposite lot lines along two more or less parallel streets, and which is not a corner lot. Both street lines shall be deemed front lot lines for the purpose of conforming with yard, other open area, and accessory building, structure, and use regulations of this ordinance.

Figure 14.14.R. Through Lot



S. Lot Width
The maximum horizontal distance between the side lot line of a lot measured at the narrowest width within the buildable area.

14.15 "M" DEFINITIONS

A. Marquee or Canopy
A roof-like structure of a permanent nature which projects from the wall of a building.

B. Mobile Home
A trailer designed and constructed for dwelling purposes.

C. Moderate Burning
Implies a rate of combustion described by material which supports combustion and is consumed slowly as it burns.

D. Motor Freight Terminal
A building or area in which freight brought by motor truck or railroad is assembled or stored for routing in intra-state or inter- state shipment by motor truck.

14.16 "N" DEFINITIONS

A. No-Access Strip
A strip of land along the rear lot line, adjoining a thoroughfare right-of-way, of a through lot, and which is designated on a recorded subdivision plat or a property deed as land over which motor vehicular travel shall not be permitted.

B. Non-Conforming Building Or Structure
Any building or structure lawfully established which: a) does not comply with all the regulations of this ordinance or of any amendment hereto governing bulk of the district in which such building or structure is located; or b) is designed or intended for a non- conforming use.

C. Non-Conforming Use
Any building or structure and the use thereof or the use of land that does not conform with the regulations of this ordinance or any amendment hereto governing use in the district in which it is located, but conforms with all the codes, ordinances, and other legal requirements applicable at the time such building, or structure was erected, enlarged, or altered, and the use thereof or the use of land was established.

D. Noxious Matter Or Material
A material which is capable of causing injury to living organisms by chemical reaction, or is capable of causing detrimental effect on the physical or economic well-being of individuals.

E. Nursery, Child-Care Or Nursery School
A building containing facilities for the part time care of five or more children of pre-elementary school age and may include in addition the dwelling unit of the family residing therein.

F. Nursing Home
A building containing facilities for the care and home of the aged, chronically ill, infirm, or incurable persons, or a place of rest for those persons suffering bodily disorders in which three or more persons not members of the family residing on the premises are received, and provided with food, shelter, and care, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases, or mental illness.

14.17 "O" DEFINITIONS

A. Octave Band
A method of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.

B. Odor
The minimum concentration of odorous matter in the air that can be detected as an odor.

14.18 "P" DEFINITIONS

A. Particulate Matter
Finely divided soil or liquid matter, other than water, which is released into the atmosphere.

B. Patio
A construction of concrete, wood, asphalt, brick, paving block, or combination thereof, either attached or detached from a principal building or structure utilized primarily for the outdoor comfort and recreation of those residing in the dwelling. Off-street parking facilities shall not be considered patios under this definition.

C. Party Wall
An interior wall of adjoining buildings, extending from its footing below grade to the underside of the roof, which divides and is in common use by such adjoining buildings.

D. Performance Standard
A criterion established to control smoke and particulate matter, noise, odor, toxic or noxious matter, vibration, fire and explosion hazards, glare or heat, or radiation hazards generated by or inherent in uses of land or buildings.

E. Plan Commission
The Plan Commission of the Village of Richton Park.

F. Planned Unit Development
A parcel or tract of land having an area as herein required in district regulations, initially under unified ownership or control, and which is or is intended to be the site for two or more principal buildings or one or more principal uses, or one principal building for two or more principal uses and within which allowable exceptions in the district regulations are specified.

G. Planned Unit Development Plat
A drawing or map made to a measurable scale upon which is presented a description and definition of the way in which the design requirements of the Planned Unit Development are to be met and intended for recording with the Cook County Recorder of Deeds.

H. Preferred Frequency Octave Bands
A standardized series of octave bands prescribed by the American National Standards Institute in S1.6 – 1960, Preferred Frequencies for Acoustical measurements.

I. Pyfophoric Dust
A dust in a finely divided state that is spontaneously combustible in air.

14.19 "Q" DEFINITIONS

A. Reserved.

14.20 "R" DEFINITIONS

A. Radiation Hazards
The deleterious and harmful effects of all ionizing radiation, which shall include all radiation capable of producing ions in their passage through matter. Such radiations shall include but are not limited to, electromagnetic radiations such as X-rays and gamma rays, and particulate radiations such as electrons or beta particles, protons, neutrons, and alpha particles.

B. Rain Garden
A shallow depression that is planted with deep-rooted native plants and grasses for the purposes of capturing and filtering rainwater.

C. Research Laboratory
A building or group of buildings, in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

D. Reservoir Parking Spaces
Those off-street parking spaces allocated for temporary standing of automobiles awaiting entrances to a particular establishment.

E. Ringlemann Chart: The chart described in the U.S. Bureau of Mines Information Circular 6888, on which are illustrated graduated shades of gray for use in estimating the light-obscuring capacity of smoke – smoke density.

F. Ringelmann Number
The number of the area on the Ringelmann Chart that coincides most nearly with the visual density of emission or the light-obscuring capacity of smoke.

G. Roadway
That portion of a street which is used or intended to be used for the travel of motor vehicles.

14.21 "S" DEFINITIONS

A. Setback
The minimum horizontal distances required from the front, side or rear lot lines and structures, or principal use where no structure exists, as specified in this ordinance.

B. Sign
For all definitions related to signs, see Section 12.17.

C. Single Ownership
A lot in single ownership is one where the owner does not own adjoining vacant property.

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

E. Smoke Unit
The number obtained when the smoke density in the Ringelmann Number is multiplied by the time of emission in minutes. For the purpose of this calculation: a) a Ringelmann density reading shall be made at least once a minute during the period of observation; b) each reading is then multiplied by the time in minutes during which it is observed; and (c) the various products are then added together to give the total number of smoke units observed during the entire observation period.

F. Sound Level
The intensity of sound of an operation or use as measured in decibels.

G. Sound Level Meter
An instrument standardized by the American Standards Association for measurement of the intensity of sound.

H. Sound Pressure Level
The intensity of a sound measured in decibels mathematically described as 20 times the logarithm to the base 10 of the ratio of the pressure of the sound to a reference pressure of 0.0002 microbar.

I. Standard Cubic Feet
The measure of the volume of a gas reduced to 14.73 pounds per square inch pressure absolute and 60 degrees F.

J. Story
That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. The floor of a story may have split levels provided that there are not more than four feet differences in elevation between the different levels of the floor. A basement shall be counted as a story and a mezzanine floor shall be counted as a story when it covers over one-third the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is 24 feet or more.

K. Street
A public or private right-of-way or easement which is designated as a permanent right-of-way or easement for common use as the primary means of vehicular access to properties abutting on it.

L. Street, Frontage
All of the property fronting on one side of a street between two intersecting streets, or in the case of a dead-end street, all of the property along one side of the street between an intersecting street and the end of such dead-end street.

M. Street Line
The street right-of-way abutting a property line of a lot.

N. Structure
Anything constructed or erected, the use of which required either permanent or temporary location on the ground, or is attached to an existing structure have a permanent location on the ground. Fences, patios, and off street parking, as defined in this ordinance shall not be considered structures under this definition and shall be regulated under their respective sections of the Zoning Ordinance.

O. Structure, Accessory
See Accessory.

P. Structural Alteration
Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial change in the roof or in the exterior walls, excepting such repair or replacement as may be required for the safety of the building.

14.22 “T” DEFINITIONS

A. Three Component Recording System
A complement of instruments or seismograph which can record simultaneously vibration vectors in three (3) mutually perpendicular directions.

B. Threshold Limit Value
The maximum allowable airborne concentration of a toxic material, as established by the American Conference of Governmental Industrial Hygienists.

C. Toxic Matter Or Material
Those materials which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

D. Trailer
Any vehicle or portable structure constructed so as to permit occupancy thereof for lodging or dwelling purposes or for use as an accessory building or structure in the conduct of business, trade, or occupation, and which may be used as a conveyance on streets and highways, by its own or other motive power.

E. True Corner Lots
Two corner lots whose side lot lines are abutting the same street, and share a common rear lot line.

14.23 “U” DEFINITIONS

A. Use
The purpose or activity for which the land, and buildings and structures thereon, is designed, arranged, or intended, or for which it is occupied or maintained, and shall include any manner or performance of such activity with respect to the performance standards of this ordinance.

B. Use, Accessory
See Accessory.

C. Use, Special
A use that has operational, physical, and other characteristics that may be different from those of the predominant permitted uses in a district, but which is a use that complements or is otherwise compatible with the intended over all development within a district.

D. Use, Lawful
The use of any building, structure, or land that conforms with all of the regulations of this ordinance or any amendment hereto and which conforms with all of the codes, ordinances, and other legal requirements, as existing at the time of the enactment of this ordinance or any amendment thereto, for the structure or land that is being examined.

E. Use, Permitted Any use which is or may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and when applicable, performance standards of this ordinance for the district in which such use is located.

F. Use, Principal
The dominant use of land or buildings as distinguished from a subordinate or accessory use.

14.24 "V" DEFINITIONS

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

B. Vending Machine
A machine for dispensing merchandise or services designed to be operated by the customer.

C. Vibration
The periodic displacement, measured in inches, or earth at designated frequency – cycles per second.

14.25 "W" DEFINITIONS

A. Reserved.

14.26 "X" DEFINITIONS

A. Reserved.

14.27 "Y" DEFINITIONS

A. Yard
An open area on a lot which is obstructed from its lowest level to the sky, except as otherwise provided in this ordinance.

B. Yard, Front
A yard which is bounded by the side lot lines, front lot lines, and the front yard line or the established setback line.

C. Yard, Rear
A yard which is bounded by side lot lines, rear lot lines, and the rear yard line.

D. Yard, Side
A yard which is bounded by the rear yard line, front yard line, side yard line, and side lot line.

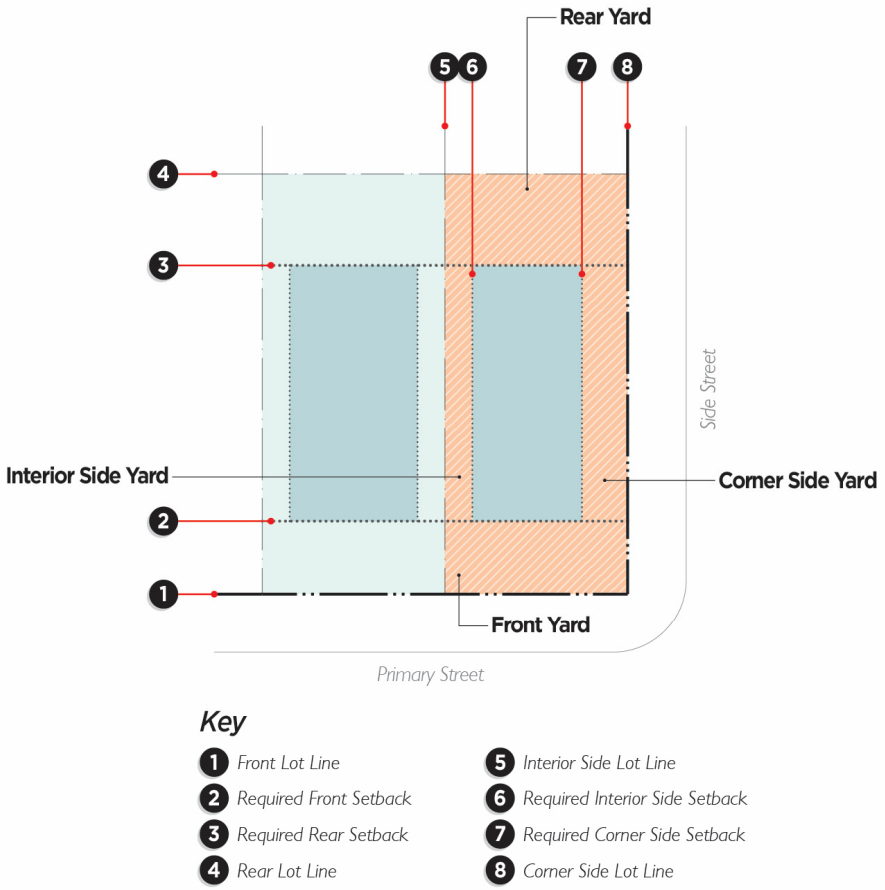
E. Yard Adjoining A Street, Side

A yard which is bounded by the front yard line, side yard adjoining a street line, rear yard line and side lot line adjoining a street.

F. Yard, Interior Side

A side yard which adjoins another lot or an alley separating such side yard from another lot.

Figure 14.27.B-G. Yards and Yard Lines



14.28 “Z” DEFINITIONS

A. Zoning Board Of Appeals
The Zoning Board of Appeals of the Village of Richton Park, as created under this ordinance.

B. Zoning Districts
The districts which the Village of Richton Park, Illinois, has been divided as set forth on the Zoning district Map, for the purposes of zoning regulations and requirements.

C. Zoning Lot
One or more lots located within a single block which is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control. Therefore, a “zoning lot” may or may not coincide with a lot of record.

D. Zoning Administrator
The person dully appointed by the President and confirmed by the Village Board of Trustees, to enforce this ordinance.

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SECTION 15 – ADMINISTRATIVE PROCEDURES AND ENFORCEMENT

15.1 Purpose and Intent
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15.1 PURPOSE AND INTENT

The purpose and intent of this Section is described below.

A. Projects Subject to Review
Provide a clear and comprehensible development review process that is fair and equitable to applicants, effected neighbors, and the Village;

B. Review Process
Establish an orderly review process for all proposed projects involving construction of a building or other structure, any site improvements or alterations or a modification in the use of land within the Village that is consistent with this ordinance;

C. Compliance with Ordinance
Ensure that land, parcels, and lots are appropriately developed so that their use and operation complies with all applicable requirements of this ordinance;

D. Compliance with Comprehensive Plan
Ensure that development is in compliance with the Village of Richton Park Comprehensive Plan, and allow for processes and procedures that support creative and innovative proposals to enhancing the benefits of development to the Richton Park community.

15.2 ZONING PERMIT

No building or structure shall be erected, reconstructed, enlarged, or moved until a zoning permit shall have been applied for in writing and issued by the Zoning Administrator using the procedures outlined in this Section. Said permit shall be posted in a prominent place on the premises prior to and during the period of erection, reconstruction, enlargement or moving.

15.3 POWERS AND DUTIES

The following table summarizes the review procedures and responsibilities of the various decision-making bodies responsible for the administration of this Zoning Ordinance. In addition to the Village Board, Planning and Zoning Commission, Board of Appeals, and Zoning Administrator, there may be other board, commissions, government and non-government agencies asked by the Community Development Department to contribute input to the development review process.

TABLE 15.2(A): SUMMARY OF REVIEW PROCEDURE & DECISION MAKING BODIES

	Dept. of Community Development	Planning & Zoning Commission	Board of Appeals	Village Board
Site Plan Review	R	D		A
Zoning Text Amendment	R	H & R		M & D
Zoning Map Amendment	R	H & R		M & D
Planned Unit Development (PUD)	R	H & R		M & D
Special Use	R	H & R		M & D
Variation	R		H & D	A
Zoning Permit	D		A	
Certificate of Occupancy	D		A	
Residential Appearance Standards	D	A		
Sign Permit	D*	H & D		A
Administrative Departure	D		A	
Administrative Appeal		H & D		A

R = Review & Recommend; D = Decision; H = Public Hearing; M = Public Meeting; A = Authority for Appeal
D* = Decisions by Zoning Administrator as permitted in Section 15.14.

A. **Planning and Zoning Commission**

1. **Establishment and Composition**
   The Planning and Zoning Commission is established and composed as specified in the Code of Ordinances (Chapter 260).

2. **Powers and Duties**

   a. General
      The Planning and Zoning Commission shall:

      i. Exercise powers and duties as may be described elsewhere in this ordinance, the plan commission's bylaws and as permitted by state law;

      ii. Establish or amend bylaws as necessary to facilitate the performance of its duties as outlined in the Illinois Municipal Code (65 ILCS 5/11-12-4 et. seq.); and,

      iii. Perform related duties as directed by the Village Board.

   b. **Recommendations**
      The Planning and Zoning Commission shall make recommendations regarding the following:

      i. Map amendments (rezonings) and text amendments (Section 15.8);

      ii. Planned Unit Development review (Section 13); and

      iii. Special use permit reviews (Section 15.10).

   c. **Final Decisions**
      The Planning and Zoning Commission shall have the powers and duty to make final decisions regarding the following:

      i. Site Plan Review (Section 15.7);

      ii. Sign permit review, freestanding and ground signs (Section 15.15); and,

      iii. Administrative Appeals (Section 15.13).

B. Zoning Board of Appeals

1. **Establishment and Composition**
   The Planning and Zoning Commission shall be deemed to be the "Board of Appeals," as described in 65 ILCS 5/11-13-1 et. seq., and the "Plan Commission," as described in 65 ILCS 5/11-2-1 et. seq.

2. **Powers and Duties**

   a. **General**
      The Board of Appeals shall:

      i. Exercise powers and duties as may be described elsewhere in this ordinance, the Board of Appeal's bylaws and as permitted by state law; and

      ii. Establish or amend bylaws as necessary to facilitate the performance of its duties as outlined in the Illinois Municipal Code (65 ILCS 5/11-12-4 et. seq.).

   b. **Final Decisions**
      The Board of Appeals shall have the powers and duty to make final decisions regarding the following:

      i. Variations (Section 15.11).

C. Zoning Administrator

1. **Designation**
   The Zoning Administrator shall be the Community Development Director or a designee thereof.

2. **Powers and Duties**

   a. Recommendations
      The Zoning Administrator shall make recommendations regarding the following:

      i. Site Plan Review (Section 15.7);

      ii. Map amendments (rezonings) and text amendments (Section 15.8);

      iii. Planned Unit Development review (unless otherwise noted in Section 13);

      iv. Special use permit reviews (15.10); and,

      v. Variations (Section 15.11).

3. **Final Decisions**
   The Zoning Administrator shall make final decisions regarding the following:

   a. Administrative departure as provided by the regulations and standards of this chapter (Section 15.11);

   b. Sign permit review, excluding freestanding and ground signs (Section 15.14); and,

   c. Certificate of Occupancy (Section 15.15).

15.4 APPLICATION REQUIREMENTS

A. **Forms**
Applications required under this article shall be submitted on application forms and in such numbers as required by the applicable review official or review body. The application form for each development review procedure shall establish the minimum information required for that procedure.

B. **Proof of ownership**
All applications required under this article shall include proof of ownership satisfactory to the applicable review official or decision-making body. Such proof may include a preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property.

C. **Property owner endorsement**

1. All applications shall include the name and signature of the current property owner(s) of all property within the boundaries; or

2. Where the owner is not the applicant, the applicable review official shall require an applicant to present evidence that the applicant is a duly authorized agent of the owner.

D. **Content**

1. An application shall be sufficient for processing when it contains all of the information (statements, plans, evidence, material, and documentation) necessary to demonstrate that the development as proposed will comply with the applicable requirements of this ordinance.

2. The burden of demonstrating that an application complies with applicable requirements is on the applicant. The burden is not on the Village or other parties to show that the applicable requirements have not been met.

3. Each application is unique and, therefore, more or less information may be required according to the needs of the particular case. The applicant shall rely on the review official as to whether more or less information should be submitted.

E. **Filing fees**

1. **Applicability**
The purpose of filing fees are to offset the expenses incurred by the Village Planning Department, Planning and Zoning Commission, and staff; through the implementation of its required duties as such. These fees shall be in addition to any other established permit, review, consultation, or administration fee required by either Village Code and/or Ordinance.

2. **Purpose**
   The Village of Richton Park requires that with any application for development, redevelopment, variation, alteration, modification, subdivision, rezoning, planned unit development, site plan review, and/or any other development review upon any parcel or tract of land, that the applicable fees be submitted to the Village at the time of application submittal.

3. **Fee Schedule**
   Filing fee amounts shall be established from time to time by resolution of the Village Board, kept on file by the Village Clerk, and contained in an appendix to the Code of Ordinances.

F. **Pre-filing Conference**
A prospective applicant, prior to submitting a formal application for any of the procedures identified in this section, may meet for a pre-filing conference(s) with the Zoning Administrator and any other Village official or employee designated by the Zoning Administrator. The purpose of the conference(s) is to help the applicant understand the Comprehensive Plan, Zoning Ordinance, site development allowances, standards by which the application will be evaluated, and the application requirements. At the conference, the applicant is expected to outline the project in terms of land uses, anticipated building arrangements and site design, and proposed construction timetable. A pre-filing conference may also be required for a given application type as identified in this Section.

G. **Plan Modifications**

1. If for any reason prior to, or following the approval of plan submitted to the Department Development Department for any development, redevelopment, alteration, modification, or application requiring plan review, plans are changed without the approval of the Zoning Administrator and/or Planning and Zoning Commission; all agreements made and fees paid to that date shall be nullified and forfeited. At which time plans are resubmitted, all fees shall be reassessed and paid in full prior to plan review.

2. Prior to review of any modified plans, all outstanding balance to the Village shall be paid in full.

H. **Enforcement and Penalties**
The Village shall reserve the right to refuse to accept, review, approve, or release any plans and/or applications until all outstanding balances to the Village are paid in full. This provision shall in no way restrict the Village from pursuing any and all legal means necessary in the recovery of delinquent balances.

I. **Review of completeness**

1. An application shall be considered submitted only after the applicable review official certifies that it is complete, provided in the required form, includes all mandatory information as may be required by the review official, and is accompanied by the applicable fee.

2. A determination of application completeness shall be made by the review official within five working days of application filing.

3. If an application is determined to be incomplete, the review official shall contact the applicant to explain the application's deficiencies. No further processing of the application shall occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 15 working days, the application shall be considered withdrawn and returned to the applicant.

4. All applications must be certified complete at least 30 days prior to a meeting or public hearing, unless otherwise allowed by the review official.

15.5 APPLICATION PROCESSING

A. Referrals

The Zoning Administrator may forward complete applications submitted under this Section to such other public officials and agencies as required by law or as deemed appropriate for further review.

B. Staff reports

The Zoning Administrator shall submit a written report containing recommendations on each land use application to the applicable review- and/or decision-making body, prior to the meeting or hearing of the review- and/or decision-making body before which the application is to be heard.

C. Concurrent applications

a. If approved by the applicable review officials, applications for development approvals may be filed and reviewed concurrently; provided, however,

   i. Any application that also requires a legislative decision, including map amendments, text amendments, or a special use permit, shall not be eligible for final approval until the legislative decision has been approved; and

   ii. No site plan shall be approved before any necessary rezoning is approved.

b. Applications submitted concurrently are subject to approval of all other related applications; denial or disapproval of any concurrently submitted application shall stop consideration of any related applications until the denied or disapproved application is resolved.

D. Successive Applications

A successive application for an application that has been denied shall not be reviewed or heard within one year after the date of denial, except if substantial new information has become known since the denial. A successive application filed within one year of the date of denial shall include detailed information that justifies its consideration. The Zoning Administrator shall determine whether a successive application is appropriate for submittal.

E. Failure to Act

Failure by the Zoning Administrator or Planning and Zoning Commission to make a decision on any application shall be deemed approval of, or a recommendation for, approval of such application. Failure of the Village Board to make a decision on any application shall be deemed denial of such application.

15.6 NOTICE AND PUBLIC HEARINGS

After an application has been certified complete as required by Section 15.3, the applicable review or decision-making body shall fix a reasonable time for the hearing of the application or appeal. Notice of the time and place of such hearing shall be given in accordance with the laws of the State of Illinois.

A. The Zoning Administrator or designee shall publish notice of the request for hearing in a newspaper of general circulation in the Village of Richton Park.

B. Notice shall also be sent by mail or personal delivery to the owners of property for which approval is being considered. Notice shall also be sent to all persons to whom real property is assessed within 300 feet of the property and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction.

C. The notice shall be given at least fifteen (15) days, but not more than thirty (30) days before the date the application will be considered for approval.

D. If the name of the occupant is not known, the term “occupant” may be used in making notification under this subsection.

E. The notice shall do all of the following:

   a. Describe the nature of the request.

   b. Indicate the property that is the subject of the request. The notice shall include a list of all existing street addresses within the property. Street addresses need not be created and listed. If no such addresses exist within the property, other means of identification may be used.

   c. State when and where the request will be considered.

d. Indicate when and where written comments will be received concerning the request.

F. At the hearing any party may appear in person, by agent, or by attorney.

15.7 SITE PLAN REVIEW

A. **Applicability**
A Site Plan submittal shall be required for all developments except the following:

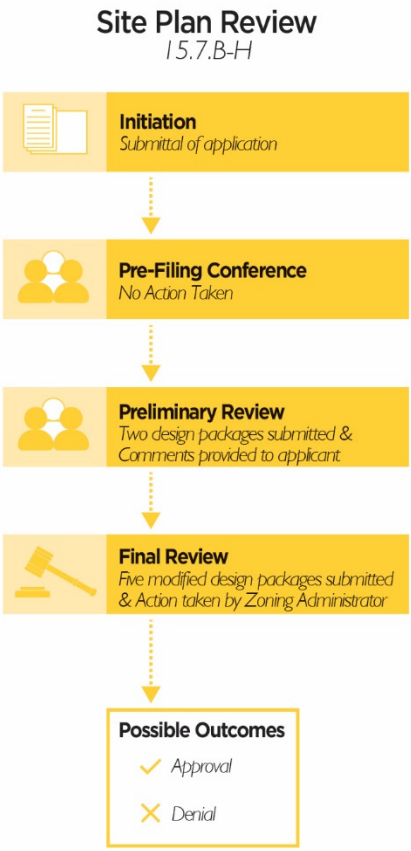
1. Detached single-family dwellings; and

2. Projects where interior construction does not increase Gross Floor Area, increase the intensity of use, or effect parking requirements on a site that meets all development and site design standards of this Chapter.

B. Initiation
An owner of land within the Village of Richton Park, or such owner's duly authorized agent or representative, may submit an application to the Zoning Administrator for site plan review.

C. Pre-filing Conference
As defined in Section 15.4, a prospective applicant, prior to submitting a formal application for a site plan review, shall be required to meet for a pre-filing conference(s) with the Zoning Administrator and any other Village official or employee designated by the Zoning Administrator.

D. Site Plan Requirements
All applications for site plan review shall submit a site plan drawn to an appropriate scale and shall clearly show the arrangement of the proposed development on the site, and the relationship of the proposed development to surrounding streets, properties and land uses. A site plan shall be submitted in accordance with the following requirements.



1. A scaled site plan showing the existing contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation and utilities.

2. A scaled site plan of the proposed development showing lot area, the required yards and setbacks, contour lines, common space, and the location, lot area coverage and heights of buildings and structures, number of parking spaces and loading areas.

3. Schematic drawings illustrating the design and character of the building, elevations and types of construction of all proposed buildings and structures. The drawings shall also include a schedule showing the number, type, and building area of all uses or combinations of uses, and the building area of the entire development, as well as any proposed signs (attached to the structure or detached) proposed for the site. The Planning and Zoning Commission may require architectural review of the project.

4. The location of entrances and exits and the direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and each loading berth and areas of turning and maneuvering vehicles.

5. A site drainage plan for the proposed project including provisions for utility and drainage systems.

6. A landscaping plan showing the location, size, character and composition of vegetation and other material. Continued landscaped maintenance is a condition of approval. No business license shall be issued to a business that does not maintain landscaping.

7. The substance of easements, and other restrictions existing and any to be imposed on the use of land, including common open space, and buildings or structures.

8. A schedule of development showing the approximate date for beginning and completion of each stage of construction of the project.

9. Copies of all environmental impact studies as required by law.

10. A photometric/lighting plan for the proposed project.

E. Preliminary review

Two copies of the site plan along with a site plan application and required fee shall be submitted to the Zoning Administrator for preliminary review to ensure compliance with all Village ordinances. In addition, the preliminary review shall ensure that a complete site plan has been submitted to the Planning and Zoning Commission for its consideration. The Zoning Administrator shall have a minimum of 15 business days and a maximum of 45 days to review the site plan and provide feedback to the applicant.

F. Final review

After receiving feedback on the preliminary review, the applicant shall supply the Village with 5 copies of the revised site plan, three of which shall be signed and sealed by a registered engineer architect or surveyor.

G. Action by Zoning Administrator

Upon submission of a complete application, the Zoning Administrator shall review the revised site plan for consistency with the requirements of this Ordinance and other applicable Village requirements, and make a recommendation. The Zoning Administrator shall have authority to approve site plans.

H. Approval criteria

In approving a site plan, the zoning administrator or Zoning Administrator shall consider the following:

1. Compliance with all applicable requirements of this Zoning Ordinance;
2. Compliance with the Comprehensive Plan;
3. Consistency with the existing character and development intensity of properties within the immediate vicinity of the proposed development;
4. Site design and development intensity;
5. Location of trash handling, recycling, grease bins, and other waste-related facilities employed in the normal operation of the use;
6. Adequacy and location of parking areas and pedestrian and vehicular access points;
7. Compliance with site construction specifications;
8. Adequacy of stormwater facilities, water supply, sanitary sewer service, fire protection, street signs, and street lighting as evidenced by conformance with applicable standards, specifications and guidelines;
9. Compliance with requirements for easements or dedications;
10. Compliance with any applicable subdivision improvements; and
11. If applicable, compliance with any development conditions.

I. Dedication and improvements

The applicant shall bear the costs of the installation of all on-site improvements as required by this ordinance and other applicable Village regulations. The Village may require appropriate financial guarantees of required improvements.

J. Notice of decision

Official notice of the Zoning Administrator's decision shall be transmitted to the applicant and to the Planning and Zoning Commission.

15.8 MAPS AMENDMENTS (REZONINGS) AND TEXT AMENDMENTS

A. **Applicability**
Amendments may be proposed by and official representative of the Village, or any property owner in the Village.

B. **Initiation**
When an amendment, supplement or change is sought by application, the applicant shall file in writing with the Zoning Administrator.

1. An application shall be signed by either the freeholder, a contract purchaser, an option to purchase holder, or by their authorized agent. Agent authorization shall be in writing and filed with the application.

2. Copies of such application shall be forwarded by the Zoning Administrator to the Planning and Zoning Commission with the request to hold a public hearing.

C. **Application Requirements**
All applications for map (rezoning) or text amendment shall be submitted in accordance with the minimum submission requirements of Section 15.4.

D. **Notice and Hearing**
Upon receipt in proper form of the application and statement referred to above, the Planning and Zoning Commission shall hold at least one (1) public hearing on the proposed amendment. However, the Planning and Zoning Commission may continue from time to time the hearing without further notice being published. All required hearings and notice shall be in accordance with the requirements of Section 15.5.

E. **Action by Zoning Administrator**
The Zoning Administrator shall draft the appropriate amendment and/or prepare a report that reviews the proposed zoning map amendments (rezonings) or text amendment and makes a recommendation.

F. **Action by Planning and Zoning Commission**

1. Recommendation
Within forty-five (45) days after the close of the hearing on a proposed amendment, the Planning and Zoning Commission shall submit written findings of fact and recommendations to the Village Board.

   a. The Planning and Zoning Commission may hear a request for any change in zoning and may recommend a zoning classification more restrictive than that requested.

   b. A concurring vote of a majority of those members present at the meeting with a minimum of three (3) concurring votes shall be required to recommend granting or denying an application for an amendment.

   c. Report to the Village Board shall contain number present and number of votes for or against the motion.

G. **Action by Village Board**
The Village Board, upon receiving the recommendations of the Planning and Zoning Commission, may grant or deny any proposed amendment in accordance with the Illinois Municipal Code (65 ILCS 5/11-12-4 et. seq.); or may refer it back to the Planning and Zoning Commission for further consideration.

H. **Approval Criteria**
When the purpose of effect of the proposed amendment is to change the zoning classification of particular property, the Planning and Zoning Commission and Village Board shall make recommendations and decisions based upon the evidence presented to it in each specific case with respect to the following matters:

1. Existing uses of property within the general area of the property in question.

2. The zoning classification of property within the general area of the property in question.

3. Compliance of requested amendment with the intent of the Comprehensive Plan, this Ordinance, and the other land use policies of the Village.

4. The suitability of the property in question to the uses permitted under the existing zoning classification.

5. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the date the property in question was placed in its present zoning classification.

6. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it and the extent to which any such diminution in value is offset by an increase in the public health, safety and welfare.

7. The community need for the proposed amendment and for the uses and development it would allow.

8. The extent, if any, to which the value, use and enjoyment, or future orderly development of adjacent properties would be affected by the proposed amendment.

I. **Time limitation**
If an application for a proposed amendment is not acted upon finally by the Village Board within six (6) months of the date upon which a recommendation for such application is received by the Village Board from the Planning and Zoning Commission, it shall be deemed to have been denied.

J. **Notice of decision**
A certified copy of the Village Board's decision shall be transmitted to the applicant and to the Zoning Administrator.

15.9 PLANNED UNIT DEVELOPMENT

The procedures for Planned Unit Development review are provided in Section 13 of this ordinance.

15.10 SPECIAL USE PERMIT

A. **Applicability**
The development and execution of a zoning ordinance is based upon the division of the Village into districts, within which districts the use of land and buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. Such special uses fall into two categories:

1. Uses publicly operated or traditionally affected with a public interest.

2. Uses entirely private in character but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

B. **Initiation**
Any person owning or having an interest in the subject property may file an application to use such land for one (1) or more of the special uses provided for in this ordinance in the zoning district in which the land is situated.

C. **Application Requirements**
All applications for a special use or expansion of a special use shall be filed with the Zoning Administrator in accordance with the minimum submission requirements of Section 15.3. Concurrent with a request for a special use permit, the applicant shall also submit:

1. A statement indicating compliance of the proposed special use with the Comprehensive Plan.

2. A scaled site plan in accordance with the requirements of Section 15.7.

D. **Pre-filing Conference**
As defined in Section 15.4, a prospective applicant, prior to submitting a formal application for a special use permit, shall be required to meet for a pre-filing conference(s) with the Zoning Administrator and any other Village official or employee designated by the Zoning Administrator.

E. **Notice and Hearing**
Upon receipt of the application referred to above, the Planning Commission shall hold at least one (1) public hearing. All required hearings and notice shall be in accordance with the requirements of Section 15.5.

F. **Action by Zoning Administrator**
Upon submission of a complete application, the Zoning Administrator shall review the application for compliance with Paragraph I of this section and other applicable requirements, and prepare a written report.

G. **Action by Planning and Zoning Commission**
For each application for a special use, the Planning and Zoning Commission shall submit written findings of fact and recommendations to the Village Board , including recommending either denying the application for a special use permit, granting the application, or granting the application subject to conditions additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest.

H. **Action by Village Board**
The Village Board shall either deny the application or shall grant the special use permit, with or without modifications or conditions. The Village Board shall base its decision on the approval criteria contained in Paragraph I below.

I. **Approval Criteria**
No special use shall be recommended by the Planning and Zoning Commission or approved by the Village Board unless it is found:

1. That the establishment, maintenance or operation of the special use will not endanger the public health, safety, comfort or general welfare.

2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

3. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

4. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

6. That the proposed special use shall be consistent with the intent of the elements of the Comprehensive Plan, this Ordinance, and the other land use policies of the Village.

7. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendations of the Planning and Zoning Commission.

J. **Conditions and Guarantees**
Prior to granting any special use, the Planning and Zoning Commission may recommend, and the Village Board shall stipulate such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special use as deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified herein, or as may be from time to time required. In all cases in which special uses are granted, the President and Village Board shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being, and will be, complied with.

K. **Time limitation**
If work on the proposed development has not begun within one (1) years from the date of the authorization order of the President and Village Board, the authorization shall become null and void and all rights thereunder shall lapse. Upon written application, filed prior to the termination of the one (1) year time limit, the President and Village Board may authorize a single extension of the time limit for a further period of not more than one (1) year.

L. **Notice of decision**
A certified copy of the Village Board's decision shall be transmitted to the applicant and to the Zoning Administrator.

15.11 VARIATIONS

A. **Applicability**
The Board of Appeals, after a public hearing, may determine and also vary the regulations of this ordinance in harmony with their general purpose and intent, only in the specific instances hereinafter set forth, where the Board of Appeals makes findings of fact in accordance with the standards hereinafter prescribed, and further finds that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this ordinance. Variations may be granted only in the following instances and in no others.

a. **Nonuse Variation**
A nonuse variation is a variation relating to the construction, structural changes, or alterations of buildings or structures related to dimensional requirements of the Ordinance or to any other nonuse-related standard in the Ordinance.

B. **Initiation**
An application may be taken by any property owner, or option holder, or by a tenant, with the consent of the property owner, or by a governmental officer, department, board or bureau.

C. **Application Requirements**
All applications for variation shall be submitted to the Zoning Administrator in accordance with the minimum submission requirements of Section 15.3. At a minimum, such application shall specify the grounds for the variation.

D. **Notice and hearing**
Upon receipt of the application referred to above, the Board of Appeals shall hold at least one (1) public hearing. All required hearings and notice shall be in accordance with the requirements of Section 15.5.

E. **Action by Zoning Administrator**
Upon submission of a complete application, the Zoning Administrator shall review the application for compliance with Paragraph G of this section and other applicable requirements, and prepare a written report.

F. **Action by Board of Appeals**

1. Variations from the regulations of this ordinance shall be granted by the Board of Appeals only in accordance with the standards established in Paragraph G. The concurring vote of the majority of the Zoning Board of Appeals shall be necessary to grant a variation.

2. The Board of Appeals shall decide all applications and appeals within 30 days after the final hearing thereon. The decision shall be binding upon the Building Commissioner and observed by that individual, and the Building Commissioner shall incorporate the terms and conditions of the same in the permit to the applicant or appellant, whenever a permit is authorized by the Board of Appeals.

3. The decision of the Board of Appeals shall not become final until the expiration of five days from the date of entry thereof, unless the Board of Appeals shall find the immediate taking effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the record.

G. **Findings of Fact**

The Zoning Board of Appeals shall not vary the regulations of this ordinance, unless it shall make findings based upon the evidence presented to it in each specific case that each and all the standards for hardships set forth in the Illinois Municipal Code are complied with and the following:

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if a strict letter of regulations were not carried out.

2. The conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classification.

3. The alleged difficulty or hardship is caused by the ordinance and has not been created by any person presently having an interest in the property.

4. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

5. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

6. The proposed variation shall be consistent with the intent of the elements of the Comprehensive Plan, this Ordinance, and the other land use policies of the Village.

H. **Conditions of Approval**

The Zoning Board of Appeals may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this subsection, to reduce or minimize the effect of such variation upon other property in the neighborhood and to better carry out the general intent of this ordinance.

I. **Notice of decision**

A certified copy of the Board of Appeals' decision shall be transmitted to the applicant and to the Village Board and Zoning Administrator.

J. **Expiration of Variation**

1. Variation approval is valid for one (1) year from the date of approval. If the applicant has not pulled a building permit to construct the structure authorized by a variation, variation approval shall expire. If a building permit is issued within a year of the variation approval, but the building is not completed before expiration of the building permit and the permit is not extended, the variation approval shall expire.

15.12 ADMINISTRATIVE DEPARTURE

A. Purpose

The intent of an Administrative Departure is to provide an administrative process that allows minor deviations from the strict application of zoning district requirements caused by unusual site or development conditions or conditions unique to a particular use or other similar conditions that require reasonable adjustments, but remain consistent with the intent of this Zoning Ordinance. Examples include, but are not limited to, minor adjustments to building setbacks, parking requirements, landscaping, building materials, or other similar features or elements.

B. Applicability

Any Site Plan Review applicant may submit a request for Administrative Departure for standards where a departure is permitted for consideration as identified in Sections 3 through 12.

C. Initiation

A request for an Administrative Departure may be submitted with an application for a Site Plan Review, or at any time after the application has been submitted and before a decision or recommendation by the Zoning Administrator has been made.

1. If a request for Administrative Departure is made after an application for which a time limit is provided the Zoning Administrator may require that the time period for the review start over on the day the request for an Administrative Departure is received.

2. A request for an Administrative Departure may be processed simultaneously with the Site Plan Review to which it relates.

D. Decision of Zoning Administrator

The Zoning Administrator shall determine whether each requested Administrative Departure is approved, approved with conditions, or denied. Decisions on Administrative Departures shall be based on the criteria set forth in Paragraph F and shall be reported to the required reviewing body that approved the Site Plan Review.

E. Effect of Decision

Should the Zoning Administrator find that the request does not meet the criteria for an Administrative Departure, the applicant may:

1. Appeal to Planning and Zoning Commission;

2. Submit a new application for Site Plan Review that eliminates the request for Administrative Departure, or

3. Apply for a variation to achieve the desired deviation from the underlying zoning district standards.

F. Approval Criteria

The Zoning Administrator shall make its decision on the requested Administrative Departure based on the following criteria:

1. The need for the Administrative Departure is caused by unique site conditions, conditions on surrounding properties, and/or otherwise complies with the spirit and intent of the Zoning Ordinance, and is not being requested simply to reduce cost or as a matter of general convenience;

2. The Administrative Departure does not have the effect of authorizing any use, sign, building type, or open space type that is not otherwise permitted in the applicable zoning district;

3. The Administrative Departure does not modify any numerical zoning standard related to building dimensions, lot dimensions or coverage, open space, landscaping, parking, fencing, walls, screening, or exterior lighting by more than 10% of the requirement; and,

4. The Administrative Departure, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other development features than without the Administrative Departure.

15.13 ADMINISTRATIVE APPEALS

A. **Applicability**
An appeal to the Board of Appeals to review any decision made or action taken by the Zoning Administrator.

B. **Initiation**
An owner of land within the Village of Richton Park, or such owner's duly authorized agent or representative, may submit an administrative appeal to the Zoning Administrator. An appeal shall be taken within 20 days after the decision by filing a notice of appeal, specifying the grounds thereof, with the Zoning Administrator.

C. **Application requirements**
An administrative appeal shall be made by filing a written notice of appeal specifying the grounds for the appeal. Such notice of appeal shall be considered filed when a complete notice is delivered to the Zoning Administrator, who shall enter the date and time of filing on the notice. Such appeal shall be taken within 20 days after the decision by filing.

D. **Notice and hearing**
All required hearings and notice shall be in accordance with the requirements of Section 15.3.

E. **Action by Zoning Administrator**
Upon receipt of an administrative appeal, the Zoning Administrator shall forthwith transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from is taken. The Zoning Administrator shall also investigate the appeal and submit a report to the Board of Appeals.

F. **Action by Board of Appeals**
The Board of Appeals shall have the power to hear and decide appeals filed as provided in this article, where it is alleged by the appellant that there is error in any order, requirements, decision, determination, grant or refusal made by the Zoning Administrator or other administrative official in the enforcement and interpretation of the provisions of this chapter.

G. **Findings of Fact**
The Board of Appeals shall, within its prescribed authority, have the power to make its own, or reverse, affirm, or modify, either in whole or in part, any order, requirement, decision or determination made by the Zoning Administrator or other administrative official that is before it.

H. **Stay or Proceedings**
An appeal shall stay all proceedings regarding the action on appeal, unless the entity or officer from which the appeal is taken certifies to the Board of Appeals that a stay would cause imminent peril to life or property. The entity or officer described above shall state the factual basis for the opinion provided in a certificate provided to the Board of Appeals. Otherwise, proceedings shall only be stayed by a restraining order granted by the Board of Appeals or Circuit Court.

I. **Notice of decision**
A certified copy of the Board of Appeals decision shall be transmitted to the applicant and to the Zoning Administrator.

J. **Extended Appeal of an Administrative Decision**

1. An appeal of an administrative decision may be filed after 20 calendar days if the party filing the appeal did not receive actual notice of the administrative decision.

2. The decision to hear an appeal described in 1, above, must be approved by not less than six members of the Board of Appeals.

3. The Board of Appeals does not have the authority to hear an appeal of an administrative decision filed more than 30 calendar days after the appealing party has received actual or constructive notice.

4. An appeal taken to the Board of Appeals under this section shall be consistent with the procedures established in this section.

15.14 RESIDENTIAL APPEARANCE STANDARDS ADMINISTRATION

A. **Applicability**

1. In accordance with Section 3.5 (Development Standards Applicable to the Residential Districts), no building permit shall be issued for any new single family detached dwelling unit which is similar in appearance to any single family detached dwelling on the same street which is within two lots distance of it.

2. These regulations shall not apply to existing subdivisions, dwellings for which building permits, or agreements have been approved before the effective date of this ordinance, including remodeling, reconstruction, replaced after a catastrophe, or addition to a dwelling.

3. The similarity standards in Section 3.5 may be waived for residential planned unit developments in which similarity of architectural form and style among dwellings is integral to the success of a unified plan, in which the high quality of building materials, building plans, and site plan details overcome the presumed deficiencies of similarity. In such cases, the developer shall request, and the Planning and Zoning Commission may grant, and exception from the ordinance as a condition of a planned unit development.

B. **Initiation**

Elevation plans shall be submitted to the Zoning Administrator for approval and filed with the Village as record of construction.

C. Decision of Zoning Administrator

If the Zoning Administrator, or person acting in that capacity, finds that the dwelling for which a permit is requested is similar in appearance to a dwelling within two lots distance of that property for which a permit has been issued, the Director of Community Development shall deny the permit request for non-compliance with this ordinance.

D. Resubmittal or Appeal

An applicant for a building permit that has been denied based on the provisions of this ordinance may:

1. Alter the dwelling plans so that the proposed dwelling is no longer similar to another dwelling within two lots distance, according to the criteria specified herein and resubmit for approval;

2. Appeal the decision of the Director of Community Development to the Planning and Zoning Commission.

E. Demonstrate Compliance

In appealing the interpretation of this code to the Planning and Zoning Commission, and applicant for a building permit shall present evidence sufficient to demonstrate compliance with this ordinance.

15.15 SIGN PERMIT APPLICATION

A. **Applicability**
Except as expressly provided in Section 12.6 (Signs Permitted in Any District without a Permit), no sign shall be erected, enlarged, expanded, altered, relocated or maintained unless a Sign Permit evidencing the compliance of such work with the provisions of Section 12 and other applicable provisions of this Ordinance shall have first been issued, excepting:

1. Routine sign maintenance, changing of parts designed to be changed or changing the content of a sign in any manner does not change the functional classification of the sign and shall not, standing alone, be considered an alteration of the sign requiring the issuance of a Sign Permit hereunder.

B. **Initiation**

1. Permit applications for the construction and/or relocations of a sign shall be made to the Zoning Administrator provided form(s) and shall include all data, plans, supporting documentation, and fees required by such to effectively evaluate the application.

2. Sign permit application materials shall be forwarded to the appropriate review body.

   a. The Zoning Administrator shall review and approve all signs, excluding freestanding and ground signs.

   b. Planning and Zoning Commission shall review and approve all freestanding and ground signs and may require independent architectural review.

C. **Decision of Review Body**
The appropriate Review Body shall authorize or deny the sign permit application using the standards of Section 12 (Signs). If the Review Body finds that the sign for which a permit is requested does not adhere to the standards of Section 12 (Signs), the Review Body shall deny the permit request for non-compliance with this ordinance.

D. **Timing of Decision**

1. Sign permits for the construction, alteration, or relocation of any sign shall be processed within ten (10) working days of receipt of a valid application complying with all applicable laws and regulations of the Village.

2. Any sign permit applications requiring a variation, special use, Planning and Zoning Commission, or Board of Trustees review shall be subject to the applicable procedures and processes and shall be processed as quickly as possible.

E. **Effect of Decision**

1. Adverse decisions rendered by the Zoning Administrator may be appealed by the applicant to the Planning and Zoning Commission within ten (10) days.

2. Decisions requiring Planning and Zoning Commission approval (e.g. variations) may be appealed by the applicant to the Village President and Board of Trustees within ten (10) days.

3. The Planning and Zoning Commission or Board of Trustees shall review the facts pertinent to the applicant's appeal and render a final decision.

F. Notice of Decision

In the event of sign permit denial, the applicant shall be notified in writing within fifteen (15) days as to the reason for denial. The Zoning Administrator may suspend or revoke any issued permit for any false statement or misrepresentation of fact or information within the application.

15.16 CERTIFICATE OF OCCUPANCY

A. **Applicability**

A certificate of occupancy to be issued by the Zoning Administrator shall be required for any of the following:

1. Occupancy and use of a building thereafter erected or enlarged.

2. Change in use of an existing building.

3. Occupancy and use of vacant land.

4. Change in the use of land to a use of a different classification.

5. Any change in the use of a non-conforming use.

B. Required for Occupancy

No such occupancy, use or change of use, shall take place until a certificate of occupancy therefore shall be issued.

C. Initiation

Written application for a certificate of occupancy for a new building or for an existing building which has been enlarged shall be made at the same time as the application for the zoning permit for such building. Said certificate shall be acted upon within three (3) days after a written request for the same has been made to the Zoning Administrator after the erection of enlargement of such building or part thereof has been completed in conformance with the provisions of this ordinance.

D. Temporary Certificate

Pending the issuance of such a certificate, a temporary certificate may be issued by the Zoning Administrator for a period of not more than six (6) months during the completion of the construction of the building or of alterations which are required under the terms of any law or ordinance. Such temporary certificate may be renewed, but it shall not be constructed in any way to alter the respective rights, duties or obligations of the owner or of the Village relating to the use or occupancy of the land or building, or any other matter covered by this ordinance, and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants.

E. Change in Use

1. Written application for a certificate of occupancy for the use of vacant land, or for a change in the use of land or of a building, or for a change in a non-conforming use, as herein provided shall be made to the Zoning Administrator.

2. If the proposed use is in conformity with the provisions of this ordinance, the certificate of occupancy therefore shall be issued within three (3) days after the application for the same has been made.

F. Certificate Requirements

Each certificate of occupancy shall state that the building or proposed use of the building or land complies with all provisions of this ordinance.

G. Record of Certificates of Occupancy

A record of all certificates of occupancy shall be kept on file in the office of the Zoning Administrator and a copy shall be forwarded, on request, to any person having proprietary or tenancy interest in the building or land affected.

15.17 TOWN CENTER SITE PLAN AND DESIGN REVIEW PROCESS

A. Intent

The intent of the Town Center Site Plan/Design Review Process (Design Review Process) is to conduct a technically skilled review of PUD applications for development within the Town Center area in order to ensure sound guidance is provided to applicants and to enhance the approval process.

B. Design Review Committee Membership

The Village Manager, or designee, shall appoint the three members of the Design Review Committee. The members of the committee shall be development professionals qualified to review design proposals and offer recommendations related to such proposals.

C. Powers and Duties

The Design Review Committee shall be an advisory body. The Design Review Committee shall prepare memoranda containing review comments and recommendations of all petitions for Town Center Planned Development approval at each stage of the PUD process per Section 13. Furthermore, the Design Review Committee and its members may provide consultation to the Planning and Zoning Commission, Village Board, and Village staff upon request.

D. Procedures

Each application for a Preliminary Plan or Final Plan shall first be reviewed by the Design Review Committee. Full and complete submissions shall be submitted to the Village Clerk. The Design Review Committee shall convene and issue a memorandum of review and recommendation within 30 days of the date of submission.

15.18 ENFORCEMENT AND VIOLATIONS

A. **Enforcing Officer**

The Zoning Administrator of the Village of Richton Park shall be responsible for enforcing this zoning ordinance.

B. Restrictions on Employees

No official or employee responsible for the enforcing of this ordinance shall engage directly or indirectly in the construction industry or the building professions, or in any type of gainful employment or business that conflicts with official duties or the interests of the business incorporated in this ordinance.

C. Violations

1. **Penalty**

Any person who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be fined in accordance with the schedule of payments established in the Code of Ordinances (Chapter 214). Each day that a violation is permitted to exist shall constitute a separate offense.

2. **Validity**

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, whether in conflict or not, other than the part so declared to be invalid.

D. Repeal of Conflicting Ordinances

All other ordinances, or parts of ordinances, in conflict herewith are repealed.