

Title 10  
ZONING

Chapter 1  
ZONING ORDINANCE

10-1-1: TITLE:

This document shall be known, referred to, and recited as *THE RIVER FOREST ZONING ORDINANCE*. (Ord. 2640, 5-23-95)

Chapter 2  
PURPOSE

10-2-1: PURPOSE OF TITLE:

This Zoning Title is adopted to promote the public safety, health, convenience, comfort, preservation of property values, and general welfare of the Village. More specifically, the Zoning Code is intended to:

- A. Implement, to the extent possible, the goals and objectives of the current River Forest Comprehensive Plan as amended from time to time;
- B. Act as an effective regulatory guide to land use decisions by Village officials and staff;
- C. Establish clear procedures for review of development proposals, at a level which reflects the probable impact of the development on the Village;
- D. Support development and redevelopment of land uses that are appropriate for individual parcels within the context of long-term community goals;
- E. Regulate the location of land uses to ensure convenient access to complimentary public and private facilities, amenities, and resources;
- F. Facilitate the long-term development of functionally distinct, focused commercial areas to meet the varying retail, service, and institutional needs of Village residents, while conserving land in other areas of the Village for other uses;
- G. Allow land uses which will support the Village's primary role as an exceptional residential community;
- H. Establish the basis for development and preservation of an attractive physical environment which enhances the image of the community;
- I. Control the impact a development will have on the surrounding area by regulating the bulk and height of buildings;

J. Control the use of exterior lighting and landscaping;

K. Support a variety of recreational and leisure opportunities for residents and open spaces throughout the Village;

L. Promote traffic safety and efficiency through the regulation of site design and land use intensity;

M. Ensure adequate natural light, clean air, privacy, and convenience of access to property through a combination of regulatory controls and incentives;

N. Control the accumulation or runoff of storm or flood waters through the use of site development standards to protect persons and property;

O. Provide for land uses which will contribute to a diverse yet appropriate and sound economic base, thereby enabling the continuation of a high standard of educational and municipal services without imposing undue tax burdens;

P. Protect and enhance the property value of land and buildings by encouraging a compatible mix of land uses;

Q. Provide for adequate off-street parking and loading provisions. (Ord. 2640, 5-23-95)

10-2-2: R1 DISTRICT, PURPOSE:

The R1 Wide Lot Single-family Residential District is intended to provide for single-family detached housing on large lots within the Village and to preserve the existing physical character of that area. (Ord. 2640, 5-23-95)

10-2-3: R2 DISTRICT, PURPOSE:

The R2 Single-family Residential District is intended to provide for single-family detached housing within the Village, and to preserve the existing physical character of that area. (Ord. 2640, 5-23-95)

10-2-4: R3 DISTRICT, PURPOSE:

The R3 Residential District is intended to provide for a mixture of attached single-family residences (townhomes). (Ord. 2640, 5-23-95)

10-2-5: R4 DISTRICT, PURPOSE:

The R4 Multi-family Residential District is intended to provide for low density multiple-family development. (Ord. 2640, 5-23-95)

10-2-6: C1 DISTRICT, PURPOSE:

The C1 District is intended to provide for a combination of specialty retail stores, office and service uses. (Ord. 2640, 5-23-95)

#### 10-2-7: C2 DISTRICT, PURPOSE:

The C2 District is intended to provide for a combination of retail, office, service uses and multiple-family housing. (Ord. 2640, 5-23-95)

#### 10-2-8: C3 DISTRICT, PURPOSE:

The C3 District is intended to provide for a combination of specialty retail stores, office, service uses and multi-family housing. This District creates a central retail focus for the Village as a traditional community downtown. (Ord. 2640, 5-23-95)

#### 10-2-9: ORIC DISTRICT, PURPOSE:

The ORIC Office/Research/Industrial/Commercial District is intended to provide for a combination of light industry, research, commercial and office uses, in an attractive environment which is consistent with River Forest's image and character. (Ord. 2640, 5-23-95)

#### 10-2-10: PRI DISTRICT, PURPOSE:

The PRI Public Recreational and Institutional District is established to accommodate public, semi-public, and private land uses and buildings of a recreational, education, or institutional nature. (Ord. 2640, 5-23-95)

### Chapter 3

#### DEFINITIONS

##### 10-3-1: DEFINITIONS OF WORDS AND TERMS:

**ACCESSORY BUILDING:** A subordinate building the use of which is incidental to the primary use of the main building.

**ACCESSORY USE:** A subordinate or secondary use which is incidental to the primary use conducted on a parcel of land or portion thereof.

**ALLEY:** A public thoroughfare, not over twenty feet wide, which affords only a secondary means of access to abutting property.

**APARTMENT:** A room or suite of rooms used as a single-family dwelling, including bath and culinary accommodations located in a building in which there are two or more such rooms or suites.

**APARTMENT HOUSE:** See definition of Dwelling, Multiple-Family.

**BASEMENT:** That portion of a building or structure having more than one-half of its height below lot grade.

**BUILDING:** Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals or other property, which is permanently affixed to the ground.

**CELLULAR TELEPHONE ANTENNA:** A single antenna or an array of antennas that is principally used for transmission and reception of cellular telephone communications and that is mounted on: a) a building or other structure, or b) a freestanding pole, mast or other structure that is attached to the ground or mounted on the roof of a building.

**CELLULAR TELEPHONE ANTENNA EQUIPMENT:** Radio and computer reception and distribution apparatus that is accessory to the operation of a cellular telephone antenna and that is installed inside an accessory or principal building.

**CHANGE IN USE:** To alter the use of a building or parcel or tract of land, or portion thereof, to a different use, whether or not such a change conforms with the use regulations of the district in which it is situated.

**CHILD DAYCARE CENTER:** A childcare facility which regularly provides daycare for less than fourteen hours per day in a facility other than a dwelling.

**CHILD DAYCARE HOME:** A dwelling operated by the property owner to provide child daycare services between the hours of five o'clock A.M. and nine o'clock P.M. for no more than eight children provided that: a) any children of the owner, either natural, foster or adopted, under the age of twelve shall be included in determining the maximum number of children allowed in a child daycare home; b) the facility is licensed by the village and the state of Illinois.

**COFFEE SHOP:** A retail establishment whose principal business is the service and sale of coffees, teas and a limited selection of food items incidental thereto.

**COLLEGE OR UNIVERSITY:** An institution of higher education accredited by a regional organization or authorized by the state to issue baccalaureate, graduate or professional degrees.

**COMMENCEMENT OF CONSTRUCTION:** The start of any construction activity, including demolition or excavation, in accordance with the approved plans.

**DEVELOPMENT:** The construction or installation of new, or alteration of existing, structures, streets, or utilities. Development shall also include changes of use which involve an increase in the occupancy, off street parking requirements, or demand on village services or utilities. Development shall not include the maintenance of existing structures, paved areas, or utilities, or improvements to building mechanical systems.

**DISTRICT:** A section or sections of the village designated by boundaries shown on the zoning map for which the regulations governing the use, height and area of buildings and premises are uniform.

**DORMITORY:** A building or portion thereof that contains living quarters for students, staff, or members of an accredited college, university, boarding school, theological school, hospital, religious order, or comparable organization; provided that said building is owned or managed by said organization (or agent of said organization) and which typically contains not more than one cooking and common eating area.

**DWELLING:** Any building or portion thereof which is designed or used exclusively for residential purposes.

**DWELLING, MULTIPLE-FAMILY:** Any building or group of affiliated buildings containing two or more residential condominium units, apartments and/or single-family attached dwelling units.

**DWELLING, SINGLE-FAMILY ATTACHED:** A dwelling joined to one or two other dwellings by vertical party wall(s) and having physically unifying horizontal architectural and structural elements aboveground with each dwelling having its own independent entrance and exit(s) at grade level.

**DWELLING, SINGLE-FAMILY DETACHED:** A detached building designed for or occupied by not more than one family.

**FAMILY:** One or more persons occupying a dwelling and living as a single housekeeping unit, and related to each other by birth, marriage, adoption or a foster care arrangement licensed by the state of Illinois, and including domestic servants; with the following exceptions which shall also be deemed to constitute a family: Two persons who are not related by birth, marriage, adoption, or foster care arrangement living in a dwelling. This definition shall not apply to those persons living in a "group home" as defined in this chapter.

**FAST FOOD ESTABLISHMENT:** Eating establishments whose principal business is the preparation of food for immediate sale and consumption, generally served in disposable

containers and wrappers, where orders are placed and picked up by patrons at the sales window(s), counter(s) or service area(s) for consumption on or off the premises, and where seating is normally without full time waiter service.

**FLOOR AREA, GROSS (For Determining Floor Area Ratio):** The sum of the gross horizontal area of the several floors of a structure, measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. The gross floor area of a building shall include:

A. Elevator and mechanical shafts and stairwells;

B. Mechanical equipment spaces unless located on the roof, either open or enclosed;

C. Attic space having average headroom of seven feet or more;

D. For structures that qualify as "new construction" under this section permitted on or after April 28, 2008, one hundred percent of the floor area of a basement, if four feet nine inches or more of the height of the basement projects above grade as measured from grade to the top of the first finished floor; for structures that do not qualify as "new construction" under this section, permitted on or after April 28, 2008, including additions that do not extend above the existing basement height above grade, the floor area of the basement shall not be included in the gross floor area;

E. Interior balconies and mezzanines;

F. Enclosed porches;

G. For nonsingle-family detached residential districts, interior off street parking and loading areas not required to satisfy this title; for single-family detached residential districts, the gross floor area in excess of five hundred square feet of a rear detached garage, the gross floor area in excess of three hundred square feet of a rear attached garage, and the gross floor area in excess of one hundred fifty square feet of any attached front or side garage;

H. Permanent outdoor display areas;

I. Any residential, business, manufacturing, recreational, educational or other uses available to the public that are permitted below grade.

**FLOOR AREA, NET (For Determining Off Street Parking And Loading Requirements):** The sum of the net horizontal floor area of the several floors of a building measured from the interior faces of the exterior wall or from the interior faces of walls separating two buildings.

A. The net floor area of a building shall include:

1. Basement area, when used for other than storage, service facilities or mechanical equipment;

2. Penthouse area, excluding mechanical spaces;

3. Attic space having headroom of seven feet or more;

4. Interior balconies and mezzanines;
5. Enclosed porches;
6. Floor area devoted to building storage areas;
7. For retail or commercial uses the net floor area of a building shall only include the sales or public floor area.

B. The net floor area of a building shall not include:

1. Floor space occupied by mechanical, telephone and electrical equipment, including mechanical spaces;
2. Stairwells, escalators and elevator shafts;
3. Public restrooms;
4. Interior off street parking and loading.

**FLOOR AREA RATIO (FAR):** The numerical value obtained by dividing the gross floor area of a building or buildings on a single lot by the area of the lot.

**FRONTAGE:** All the property abutting one side of a street, between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

**GARAGE, PRIVATE:** An accessory building primarily for the use of the occupants of the lot on which such building is located.

**GARAGE, PUBLIC:** A building or structure for the storage or parking of more than four passenger motor vehicles or powered boats, or more than one commercial motor vehicle. Public garages shall be classified according to their specific use in one of the following groups:

A. Group 1: A public garage in which provision is made for the care or storage of motor vehicles including the dispensing of gasoline, oil or similar products.

B. Group 2: A public garage used exclusively for storage or parking of passenger vehicles that will accommodate not more than nine passengers.

**GRADE:** A datum or reference level determined as follows:

A. For buildings adjoining one street only, by the elevation of the sidewalk at the center of that wall adjoining the street.

B. For buildings adjoining more than one street, by the average of the elevations of the sidewalk at centers of all walls adjoining streets.

C. For buildings having no wall adjoining the street, by the average level of the finished surface of the ground adjacent to the exterior walls of the building.

1. Any wall approximately parallel to and not more than five feet from a street line shall be considered as adjoining the street.

2. Where no sidewalk exists, the grade shall be established by the village engineer.

**GROUP HOME:** A specialized residential care home serving no more than six unrelated persons with disabilities, including resident support staff, which is licensed, certified or accredited by appropriate local, state or national bodies. Group homes do not include a residence which serves persons as an alternative to incarceration for a criminal offense, or persons whose primary reason for placement is substance or alcohol abuse, or persons whose primary reason for placement is the treatment of a communicable disease.

**HALF STORY:** A story under a gable, hip, or gambrel roof where no more than twenty five percent of the floor area of that floor is located under dormers or other outward projections from the basic planes of the roof and has an exterior perimeter knee wall not exceeding two feet in height to the bottom of the roof rafter. Any level which exceeds these limits shall be considered a full story.

**HEIGHT OF BUILDING:** The vertical distance measured from the nearest public sidewalk to the highest point of the building or structure or to the highest point of any object attached to the building or structure, whichever is higher. Attached objects include, but are not limited to, antennas of any kind.

**HOME OCCUPATIONS:** An occupation carried on, in or from a dwelling unit (but not an accessory building) by a member of the family residing therein, which is clearly incidental and secondary to the use of the dwelling for residential occupancy and does not change the character thereof; provided the following requirements are met by such home occupation:

A. Except where a special use permit has been obtained, every home occupation shall be conducted wholly within a dwelling unit;

B. Home occupations involving any outdoor activity shall require additional review in the form of a special use permit and shall be subject to all the standards and provisions provided in [chapter 18](#) of this title;

C. No more than one person shall be employed other than a member of the family residing in the dwelling unit;

D. No more than two clients or customers shall visit the premises at the same time. In no case shall any client or customer visit the premises between the hours of nine o'clock P.M. and seven o'clock A.M.;

E. There shall be no signs, activities, lighting or display that will indicate from the exterior that the building is being used, in part, for any purpose other than that of a residential dwelling;

F. No stock-in-trade or other commodity shall be kept, displayed, sold or offered for sale upon the premises, except that sales by electronic means, which otherwise comply with this definition, are permitted;

G. There shall be no commodities sold or services rendered that require receipt or delivery of merchandise, goods or equipment by other than a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries. No deliveries by semi-tractor/trailer-trucks and related to the home occupation are permitted;

H. There shall be no noise, odor, dust, vibration, smoke, glare, television or radio interference, fire hazard or any other hazard emanating from the dwelling so as to create a nuisance;

I. No home occupation shall involve the use of noxious, toxic or harmful materials, or on-site staging, displaying or assembling of any commercial vehicles;

J. All home occupations shall require a business license which shall be subject to annual renewal;

K. The use of any equipment or process which adversely effects the fire rating of the dwelling or fire district is prohibited;

L. There shall be no separate entrance or any structural alteration that specifically accommodates the occupation or changes the residential character of the dwelling, provided, however, that reasonable means to accommodate physically disabled clients or customers may be employed;

M. Any type of manufacturing process that is allowed in a commercial district is prohibited;

N. Only one home occupation shall be conducted in any dwelling unit;

O. A special use permit shall be required for any home occupation involving the handling or preparation of food;

P. The care or treatment of animals, other than those owned by the occupant, is prohibited;

Q. The home occupation shall be subject to unannounced inspections by Village personnel provided, however, that probable cause exists to believe that a violation of law has occurred;

R. The home occupation must be for the gain or support of a full-time occupant of the dwelling unit;

S. The generation of refuse in excess of limits currently established for residential dwellings is prohibited; and

T. Outdoor storage of any materials is prohibited.

HOTEL: Every building in which two or more sleeping rooms are used or maintained for the accommodation of guests for compensation.

INHABITABLE:



A. A space designed for human occupancy having amenities or improvements normally associated with human habitation. Examples of such amenities or improvements shall include, but shall not be limited to: plumbing, running water, bedroom or living room space or furniture, toilet(s), a kitchen area or associated appliances.

B. Any space which is occupied by any person or persons continuously shall be deemed "inhabitable" notwithstanding the lack of any amenities or improvements normally associated with human habitation.

LOT: Land occupied or to be occupied by a building and its accessory buildings, together with such open spaces as are required under this zoning title, and having its principal frontage upon a public street which has been approved by the Village Board.

Lot, Corner: A lot abutting upon two or more streets at their intersection or junction.

Lot, Depth Of: The mean horizontal distance between the front and the rear lot lines.

Lot, Interior: A lot having frontage on one street.

Lot Lines: The lines which determine the boundaries of a "lot" as defined herein.

Lot Of Record: A parcel of land recorded as a lot in a subdivision, which subdivision has been recorded in the office of the Recorder of Deeds of Cook County, Illinois, prior to the effective date of this zoning title.

Lot, Through: A lot having frontage on two nonintersecting streets.

MASTER PLAN: A plan providing overall guidance for the implementation and operation of a development over an extended period of time but in no event to exceed ten years.

MOTOR FUEL SERVICE STATION: A structure, or building on any lot or any portion thereof, where a flammable liquid in excess of twenty gallons is stored, dispensed or sold for supply to motor vehicles.

MOTOR VEHICLE REPAIR SHOP: A wholly enclosed building or structure where the business of repairing, maintaining, painting or refinishing of motor vehicles, is carried on.

NEW CONSTRUCTION: The erection of any building or structure or any portion thereof.

NONCONFORMING USE: The use of a building or lot, or any portion thereof, which does not conform with the use regulations of the district in which it is situated.

PARKING LOT: Any premises or other place, other than a public garage or a required parking lot, where two or more automobiles may be stored or parked and where compensation is paid to the owner, manager or lessees of such premises for the storing or parking of such vehicles.

PARKING LOT (Required): Any land area, other than in an R1, R2 or R3 District, located on or adjacent to any lot or lots improved with multiple-family dwellings, houses of worship, schools, libraries, public buildings, business or industrial establishments or other buildings, used for the storage of private passenger automobiles of the occupants of such dwellings or of the persons participating in the activities of such houses of worship, schools, libraries, public buildings, business or industrial establishments or other buildings and where no separate charge is made to the persons so parking their automobiles.

PARKING SPACE: An open or enclosed paved, hard surfaced, area which meets the dimensional standards shown in Section [10-7-4](#) of this zoning title, located upon private property behind the established building line, accessible at all times by means of a driveway to a public thoroughfare other than a public alley, except where such parking space in conjunction with a

single-family residence, in which case the alley may be considered a public thoroughfare. A garage shall also be considered a parking space provided it meets the minimum dimension requirements in Section [10-7-4](#) of this zoning title. Each required parking space shall be kept available at all times for parking of one automobile. No required parking space shall be rented, leased or used for any purpose other than that for which said space is required.

**PLANNED DEVELOPMENT:** A use or combination of uses which because of their scope, location, or specific characteristics give rise to a need for a comprehensive consideration of their impact and requires special approval by the Village Board in accordance with the provisions of [Chapter 18](#) of this Title and which may be implemented pursuant to a master plan.

**RECREATIONAL VEHICLE:** A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motor power or is mounted on or drawn by another vehicle as defined herein:

**Camping Trailer:** A nonmotorized portable unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle designed to provide temporary living quarters for recreational, camping or travel use.

**Motor Home:** A motorized vehicular unit primarily designed to provide temporary living quarters for recreational, camping or travel use.

**Travel Trailer:** A nonmotorized portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle; primarily designed and constructed to provide temporary living quarters for recreational, camping or travel use; and of a body width of no more than eight feet and a body length of no more than thirty two feet when factory equipped for the road.

**Truck Camper:** A portable unit, designed to be loaded and unloaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreational, camping or travel use.

**SIGN:** A name, identification, description, display or illustration which is affixed to, or painted, or represented directly or indirectly in, upon or about a building, structure or piece of land and which directs attention to an object, product, place, activity, person, institution, organization or business. However a sign shall not include any temporary display of official court or public office notices, nor shall it include the national, State or Municipal flags, emblem or insignia of a nation, political unit, school or religious group. Each display surface of a sign shall be considered to be a separate sign.

**SITE PLAN:** A required drawing, prepared and approved in accordance with the provisions of Chapters 17, 18 and 19 of this zoning title.

**SITE PLAN REVIEW:** A process for the assessment of land development or redevelopment proposals to ensure that they are considerate of and compatible with the surrounding area and fulfill, both within and around the site, the planning principles of safety, convenience, efficient use of land and design consistent with the character of the Village in accordance with the provisions of [Chapter 17](#) of this zoning title. Site plan review is in addition to zoning review and compliance.

**SPECIAL USE:** A use which may have a unique, special or unusual impact upon the use or enjoyment of neighboring property which requires special approval by the Village Board in accordance with the provisions of [Chapter 18](#) of this zoning title.

**STORY:** That portion of a building included between the surface of any floor and the surface of the ceiling or the floor next above it.

**STREET:** A public thoroughfare over twenty feet wide which affords the principal means of access to abutting property.

**STREET LINE:** A dividing line between a lot, tract or parcel of land and a contiguous street.

**STRUCTURAL ALTERATION:** Any change in the supporting members of a building, such as bearing walls or partitions, 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.

**STRUCTURE:** A combination of materials joined together to form a construction that is safe and stable including, among others, buildings, stadiums, tents, reviewing stands, platforms, stagings, water tanks and towers, trestles, sheds, shelters, fences, display signs and satellite dish antennas. The term structure shall be construed as if followed by the words, "or part thereof". The term structure shall not include flagpoles, basketball standards or ornamental pillars.

**USE:** The primary function, or primary activity conducted on, a parcel or tract of land, or portion thereof.

**YARD:** An open space between a building and any lot line which is open to the sky and unobstructed by any temporary uses or structures or by any permanent structures except as permitted by subsection [10-20-2A](#) of this zoning title.

**Yard, Front:** A yard extending across the front of the lot between the required side yard lines and measured between the front line of the lot and the front line of the building as determined by the fascia board of said building or any projection thereof other than uncovered steps, uncovered terraces or uncovered open porches.

**Yard, Rear:** A yard extending across the rear of a lot measured between the side lot lines and between the rear lot line and the rear of the building or any projection other than uncovered steps, uncovered terraces or uncovered open porches. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimensions. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

**Yard, Side:** A yard between the building and the sideline of the lot and extending from the front lot line to the rear yard.

**ZONING ADMINISTRATOR:** This position shall be the responsibility of the village administrator or his/her designee. (Ord. 2640, 5-23-1995; amd. Ord. 2657, 11-13-1995; Ord. 2712, 1-27-1997; Ord. 2716, 2-24-1997; Ord. 2846, 9-27-1999; Ord. 2941, 10-22-2001; Ord. 3122, 8-8-2005; Ord. 3235, 4-28-2008; Ord. 3270, 3-23-2009)

## Chapter 4

### INTERPRETATION AND SEPARABILITY

#### 10-4-1: INTERPRETATION:

In their interpretation and application, the provisions of this Zoning Title shall be held to be the minimum requirements for the promotion and protection of the public health, safety, morals, and general welfare.

A. Where the conditions imposed by any provision of this Zoning Title upon the: 1) use of land, buildings, or structures; 2) height of buildings or structures; 3) floor area requirements; 4) lot area and width requirements; 5) yard and other open space requirements; and 6) other provisions of this Zoning Title are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this Zoning Title or of any other law, Zoning Title, resolution, rule or regulation of any kind, the regulations which are most restrictive or which impose higher standards or requirements shall govern.

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

agreements, the requirements of this Zoning Title shall govern.

C. No building, structure, or use not lawfully existing at the time of the adoption of this Zoning Title, shall become or be made lawful solely by reason of the adoption of this Zoning Title, and to the extent that, and in any manner that said unlawful building, structure, or use is in conflict with the requirements of this Zoning Title, said building, structure, or use remains unlawful hereunder. (Ord. 2640, 5-23-95)

#### 10-4-2: SEPARABILITY:

It is hereby declared to be the intention of the Board of Trustees of the Village of River Forest that the several provisions of this Zoning Title are separable, in accordance with the following:

A. If any court of competent jurisdiction shall adjudge any provisions of this Zoning Title to be invalid, such judgement shall not effect any other provision of this Zoning Title not specifically included in said judgment; and

B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Zoning Title to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment. (Ord. 2640, 5-23-95)

## Chapter 5 ADMINISTRATION

#### 10-5-1: AUTHORITY:

The following village offices and bodies have responsibility for implementing and administering this zoning title:

A. Zoning Administrator: The responsibilities of the zoning administrator are to:

1. Perform the daily administration of this zoning title, which includes the maintenance of all records;
2. Interpret the meaning and applicability of specific provisions of this zoning title, in written form;
3. Forward applications for appeals of any final administrative decisions or interpretations of this zoning title to the appropriate body named in this zoning title;
4. Review and to grant or deny minor variations administratively, as set forth in section [10-5-5](#) of this chapter, and to forward any appeals from those decisions to the appropriate body named in this zoning title;
5. Forward applications for major variations, as set forth in section [10-5-2](#) of this chapter, to the zoning board of appeals;
6. Receive and process applications for special uses and planned unit developments; amendments to the comprehensive plan; amendments to this zoning title; and applications which require site plan review as set forth in this zoning title;
7. Keep, as public record, documentation of any interpretation of this zoning title that may be rendered by the zoning board of appeals.

B. Zoning Board Of Appeals: The responsibilities of the zoning board of appeals with regards to this zoning title are to:

1. Hear and make recommendations to the board of trustees regarding variations from this zoning title, as set forth in section [10-5-4](#) of this chapter;
2. Review, hold hearings, make findings of fact and offer its recommendations to the board of trustees on applications for special use permits as set forth in section [10-18-4](#) of this zoning title;
3. Hear, make findings of fact and decide appeals from decisions of the zoning administrator regarding minor variations, as set forth in section [10-5-6](#) of this chapter;
4. Hear, make findings of fact and decide appeals from any interpretation or administrative decision made by the zoning administrator in the administration or enforcement of this zoning title as set forth in section [10-5-6](#) of this chapter;
5. Initiate, review, hold hearings, and recommend to the board of trustees amendments to this zoning title and zoning map as set forth in section [10-5-5](#) of this chapter;
6. Interpretation of district boundaries.

C. Development Review Board: The responsibilities of the development review board with regards to this zoning title are to:

1. Review, hold hearings, make findings of fact and offer its recommendations to the board of trustees on applications for planned developments and amendments to approved planned developments as set forth in subsection [10-19-5B](#) of this zoning title;
2. Conduct preliminary and final site plan review of all land development applications subject to such review, for those cases specified in [chapter 17](#) of this zoning title.

D. Board Of Trustees: The board of trustees shall have the jurisdiction and authority under this zoning title to approve, approve with modifications or conditions, or deny applications for special uses, planned developments, major variations, amendments to zoning classifications of properties and amendments to this zoning title. The board of trustees shall have the authority to refer applications back to the initial reviewing body for additional review and to hear appeals to site plan reviews. (Ord. 2640, 5-23-1995)

E. Limited Moratorium: Through and including May 10, 2005, or until such time as the village board completes action on proposed amendments to the residential housing regulations in the zoning code, whichever comes first, no single-family home shall be demolished nor shall construction of any such home be commenced. This moratorium shall not affect any project whose completed demolition or building permit application was submitted prior to January 24, 2005. (Ord. 3101, 3-14-2005)

#### 10-5-2: APPLICATION PROCEDURES:

A. Initiation Of Application: All applications for minor and major variations, and appeals shall be filed with the zoning administrator.

B. Determination Of Completeness: Within ten working days after receipt of an application, the zoning administrator shall determine whether the application is complete for purposes of initiating review.

1. If the zoning administrator determines that the application is complete for the review process to continue he or she shall notify the applicant in writing that the application has been accepted for filing.
2. If the zoning administrator determines that the application is not complete, he or she shall send to the applicant a notice specifying the deficiencies of the application, including any additional

information which must be supplied, and that no further action need be taken by the village on the application until the deficiencies are corrected.

C. Time Limits On Processing: Applications requiring public hearing will be processed within ten working days after the zoning administrator receives and verifies that the application is complete and a public hearing will be scheduled to occur within forty days after verification.

D. Concurrent Applications: Where a proposed use or development requires more than one approval pursuant to this Zoning Title, approval of permitted and special uses shall be a precondition to approval of variations and site plan review. Applications for all such approvals may be filed at the same time and processed together; however, no application shall be approved unless all applications that are a precondition to its approval have first been approved.

E. Withdrawal and Refiling of Applications: An applicant may withdraw an application at any time prior to the first public hearing before the Zoning Board of Appeals without prejudicing the applicant's right to refile at a later date.

F. Fees: Each application shall be accompanied by payment of the applicable non-refundable fee, as established by the Board of Trustees from time to time. (Ord. 2640, 5-23-95)

#### 10-5-3: APPLICATION REQUIREMENTS FOR MINOR AND MAJOR VARIATIONS:

##### A. General Requirements:

1. A complete copy of the application shall be submitted to the Zoning Administrator for processing. The written application form, bound together with supplementary exhibits shall contain at least the following information:

- a. The name, address, and phone number of the applicant.
- b. If the applicant is not the owner of the property in question: 1) the name, address, and phone number of the owner, 2) the interest of the applicant in the subject property, 3) proof of consent by the owner to the filing of the application, and 4) any beneficiaries of the owner or developer.
- c. The date of the application.
- d. Identification of the property in question by street address. If there is no street address, the applicant must provide a description of the location of the property in relation to surrounding streets and properties.
- e. A short, written description of the nature of the proposed variation, development or redevelopment, and the proposed use(s).
- f. A plat of survey of the property which includes the location and dimensions of all existing or planned easements, land subject to covenant, rights of way, scale and north arrow.

2. In addition, the applicant shall submit drawings which graphically explain the site's present conditions and how they would be affected if the proposed variance were granted. Information should include, but not be limited to, the proposed structure's relation to the property line, nearby trees, and other existing structures on both the applicant's and the neighbor's properties. Information on the proposed structure's height, type of construction and depth of eaves should be provided. All drawings should be dimensioned and roughly to scale. A copy of the plat of survey with this information noted on it would be sufficient.

B. Application Requirements for Major Variations: In addition to the requirements identified in subsection A, the following additional information shall also be provided on the drawings

accompanying an application for a major variation (ten copies of any and all material are required):

1. The height in stories and feet, gross floor area, lot coverage (footprint area of the proposed structures in relation to the area of the site, expressed as a percentage), and floor area ratio of all existing or proposed buildings located on the lot where the development is to take place.
2. If the development is a multiple-family residential development, the number of one-, two-, three-, or four-bedroom dwelling units proposed for construction.
3. Dimensions of the development site, indicated along the property line. Distances to all buildings, structures, and freestanding signs, on adjoining properties.
4. The location, of freestanding signs on the site.
5. Identification of vehicular areas including parking areas, loading areas, and circulation areas, and showing the layout and size of parking spaces, aisles and direction of travel on or in lanes, aisles, or driveways.
6. Legal documentation establishing homeowners associations or other legal entities responsible for control over required common areas and facilities.
7. A list of the names and addresses of all those to whom notice of a public hearing must be sent.

C. Application Requirements for Site Plan Review, Special Use Permits and Planned Developments: Are set forth in Chapters 17, 18 and 19 of this Title. (Ord. 2640, 5-23-95)

#### 10-5-4: VARIATIONS:

A. Minor and Major Variations: Two forms of variations to the requirements of the Zoning Title may be considered:

1. Minor Variations: May be granted for insignificant departures from the regulations of the Zoning Title, which would result in no discernible affects on other properties and improvements in the vicinity of the subject property.
2. Major Variations: May be granted for a departure from the regulations of the Zoning Title that merit review in hearing and require approval as stated in subsection E. A major variation may be granted only when it is shown by the applicant that a minor variation or lesser form of relief would not alleviate the alleged hardship.

B. Minor Variations Provisions:

1. Up to a five percent reduction in the front or rear yard required by this Zoning Title, where the variation is the only variation required for the structure or use.
2. The use of a lot or lots for a use otherwise prohibited solely because of insufficient area or width of the lot or lots, if the respective area or width of the lot or lots is not less than ninety five percent of the required area and width. The percentage set forth in this subsection is not to be reduced by any other percentage for minimum lot width, depth or area set forth in this Zoning Title.
3. A reduction of the applicable off-street parking or loading facilities required by not more than one parking space or loading space.
4. An increase of the maximum floor area of any use by not more than two percent beyond the limitations of the applicable regulations.
5. An increase of the maximum building height by not more than five percent beyond the limitations of the applicable regulations.

C. Major Variation Provisions:

1. Any reduction in the front, side or rear yard required by this Zoning Title which is not dealt with in subsection B above.
2. A reduction of the applicable off-street parking or loading facilities, where proposed use and other practical uses have been shown not to necessitate the number of parking spaces required by this Zoning Title.
3. An increase in the maximum distance that required parking spaces are permitted to be located from the use served.
4. The use of the same off-street parking facility to qualify as required facilities for two or more uses, provided the substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week.
5. An extension in the period of time that a nonconforming use may continue or remain.
6. Any zoning requirements which are not covered under minor variations in this Section.

D. Procedures for Minor Variations:

1. Upon acceptance of a completed application for a minor variation, the Zoning Administrator shall cause a notice of the requested variance to be sent to all owners of property within two hundred fifty feet of the subject property. Such notice shall indicate the nature and location of the requested minor variation and shall invite written comment regarding the merits or potential impact of the variation to be given to the Zoning Administrator within fifteen days of the date of the notice.
2. If, after fifteen days, the Zoning Administrator, after considering the application and the written comments, if any, shall:
  - a. Make a finding that the requested minor variation does not pose a threat to health, safety, welfare or enjoyment on the subject site or on other property within the Village, and is appropriate to the reasonable use of the property and surrounding properties; and shall issue the minor variation as requested.
  - b. Make a finding that the requested minor variation poses a threat to health, safety, welfare or reasonable enjoyment on the subject site or on the property within the Village, or is not appropriate to the reasonable use of the property or surrounding properties; and shall deny the minor variation as requested.
3. If the Zoning Administrator denies a minor variation, the applicant may appeal such decision as set forth in Section [10-5-6](#) of this Chapter.

E. Procedures for Major Variations:

1. Upon acceptance of a completed application for a major variation, the Zoning Board of Appeals shall hold a public hearing thereon at such time and place in the Village as it shall determine. Notice of such public hearing, indicating the requested variance, shall be published at least fifteen days and not more than thirty days in advance of such hearing in a newspaper of general circulation in the Village. Said notice shall be sent to all owners of property within two hundred fifty feet of the subject property.
2. No major variation shall be made by the Board of Trustees without a hearing by the Zoning Board of Appeals, nor without a written report or recommendation thereof having been made by the Zoning Board of Appeals to the Board of Trustees, and every such report shall be accompanied by findings of facts specifying the reasons for the recommendation.
3. Upon the recommendation of the Zoning Board of Appeals, the Board of Trustees, without further public hearing, may adopt or deny any major variation or may refer the report back to the Zoning Board of Appeals for further consideration. Any such variation which fails to receive the approval of four members of the Zoning Board of Appeals shall not be passed except by the



favorable vote of two-thirds of the Board of Trustees. In making any such variation, the Board of Trustees shall be governed by the same considerations, restrictions and standards as apply to the Zoning Board of Appeals.

4. Advance written notice of the first meeting of the Village Board where a major variation application will be considered shall be provided by regular mail to the owners of record of the property which is the subject of the application (if different from the applicant), and the owners of all property within two hundred fifty feet of the subject property, not less than seven days prior to the date of the first Village Board meeting. This requirement is enacted to assure the most complete public notice possible for the proposed major variation, it is not required by State law. Accordingly, any failure to comply with this subsection shall not invalidate, impair or otherwise affect any major variation subsequently granted following such meeting.

F. Standards for Major Variations: A major variation shall be recommended by the Zoning Board of Appeals only if it makes findings, based upon the evidence presented to it, that each of the following standards has been met:

1. The physical surroundings, shape, or topographical conditions of the specific property involved will bring a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out;
2. The aforesaid unique physical condition did not result from any action of any person having an interest in the property, but was created by natural forces or was the result of governmental action, other than the adoption of this Zoning Title, for which no compensation was paid;
3. The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification;
4. The purpose of the variation is not based predominantly upon a desire for economic gain;
5. The granting of the variation shall not be detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the property is located; or,
6. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood;
7. That the granting of the variation would not unduly tax public utilities and facilities in the area;
8. That there is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

G. Conditions on Variations: The Zoning Board of Appeals may impose specific conditions, which relate to the purposes and objectives of this Zoning Title, upon the premises benefitted by a variation. Such conditions shall be expressly set forth in the ordinance granting the variation. Violation of any such condition or limitation shall be a violation of this Zoning Title and shall constitute grounds for revocation of the variation.

H. A Variation is Not a Zoning Amendment: Nothing herein contained shall be construed to give or grant to the Zoning Board of Appeals the power or authority to alter or change the Zoning Title, such power and authority being reserved to the Board of Trustees; however, the Zoning Board of Appeals may make recommendations to the Board of Trustees with respect to any alteration or change of this Zoning Title in such specific cases as may properly come before the Zoning Board of Appeals.

I. Status of Variation Granted: Subject to an extension of time not to exceed sixty days granted by the Village Administrator, no order of the Board of Trustees permitting a variation from the

provisions of this Zoning Title shall be valid for a period longer than nine months, unless such use or structure is initiated within such period; provided, however, that where such use permitted is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a building permit for erection or alteration is obtained within such period of nine months and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

1. A variation shall be deemed to authorize only the particular construction or development which was applied for. A variation shall automatically become null and void if such construction or development is removed and not replaced within nine months following such removal.

J. Filing Fees: There shall be charged a filing fee, as may be adjusted from time to time by the Village Board, for each application for a change of any property from one use district to another use district or for each application for allowance of variation from the provisions of this Zoning Title as applicable to any property. (Ord. 2640, 5-23-95)

#### 10-5-5: AMENDMENTS:

A. Board of Trustees may Amend: This Zoning Title may be amended from time to time by the Board of Trustees, however, no amendment changing the regulations imposed or the districts created or the zoning classifications of properties shall be made without a public hearing.

#### B. Hearing Procedures:

1. The Zoning Board of Appeals is hereby designated to hold and conduct all public hearings on amendments to this Zoning Title changing the regulations it imposes or the districts it creates. Such proposed amendments may be initiated by the Board of Trustees, by the Zoning Board of Appeals or by the Plan Commission. Any one or more owners of real estate in the Village may also initiate an amendment by a written petition which is signed by such owner or owners, and which specifies the amendment so petitioned for.

2. The Zoning Board of Appeals shall, in the case of such proposed amendment, hold a public hearing thereon at such time and place in the Village as it shall determine. Notice of such public hearing, indicating the amendments proposed to be made in regulations or in the district boundary lines and the time and place of such hearings, shall be published at least fifteen days and not more than thirty days in advance of such hearing in a newspaper of general circulation in the Village. All interested persons shall be given an opportunity to present evidence and be heard at such hearing on the subject of the proposed amendment. The hearing may be adjourned from time to time. Within a reasonable time after the final adjournment of such public hearing, the Zoning Board of Appeals shall report thereon in writing to the Board of Trustees, giving its findings of fact and its conclusions and recommendations with respect to the proposed amendment.

C. Two-Thirds Vote Required If Protest Filed: If a written protest against any such proposed amendment, which is signed by the owners of twenty percent of the frontage proposed to be altered, or by the owners of twenty percent of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent of the frontage directly opposite the frontage proposed to be altered, is filed with the zoning administrator before the adoption of such amendment, the proposed amendment shall not be passed except by a favorable vote of two-thirds of trustees then holding office.

D. Amendments To Planned Developments: Any modifications to an approved planned development permit or any addition to or expansion of an existing planned development permit shall require review and approval by the development review board under the provisions of section [10-19-8](#) of this zoning title. (Ord. 2640, 5-23-1995)

#### 10-5-6: APPEALS:

A. Zoning Board Of Appeals, Jurisdiction: The zoning board of appeals shall hear and decide appeals from any order, requirement, decision or determination made by the zoning administrator. The zoning board of appeals may reverse or affirm or may amend the determination made by the zoning administrator which is being appealed, to the extent the zoning board of appeals deems appropriate.

B. Initiation Of Appeal: An appeal may be taken to the zoning board of appeals within forty five days of the action complained of by any person aggrieved or by any officer, department or board of the village affected by a decision of the zoning administrator. Such appeal shall be taken within such time as shall be prescribed by the zoning board of appeals by general rule, by filing with the zoning administrator and with the zoning board of appeals a notice of appeal specifying the grounds for the appeal. Zoning administrator shall transmit to the zoning board of appeals all of the papers constituting the record upon which the action appealed from was taken.

C. Votes Necessary: The concurring vote of four members of the zoning board of appeals shall be necessary to reverse any order, requirement, decision or determination of the zoning administrator or to decide in favor of the applicant any matter upon which it is authorized by this zoning title to render decisions or to recommend any variation to the village board.

D. Stay Of Proceedings: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the zoning administrator certifies to the zoning board of appeals, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In this event, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the zoning board of appeals or by a court of record on application, on notice to the zoning administrator and on due cause shown.

E. Notice And Hearings: The zoning board of appeals shall select a reasonable time and place for the hearing of the appeal, give due notice to the parties and shall decide the appeal without unreasonable delay. Any person may appear and testify at the hearing, either in person or by duly authorized agent or attorney. (Ord. 2640, 5-23-1995)

#### 10-5-7: NONCONFORMITIES:

##### A. Nonconforming Buildings And Structures:

1. Continued Use Of Nonconforming Buildings: The lawful use of a building existing at the time of the effective date hereof may be continued, except as provided in subsection C of this section, although such use does not conform with the provisions hereof. This provision shall also apply to nonconforming uses in districts hereafter changed.

2. Restoration Of Buildings Damaged By Fire, Explosion Or Act Of God: No building which has been damaged by fire, explosion, act of God or the public enemy, to the extent of fifty percent or more of its value at the time of the damage shall be restored except in conformity with the regulations in this zoning title. However, said building may be restored or constructed to its original height prior to said occurrence. The burden of proving what the height of a building was prior to the damage rests solely on the person invoking this provision.

3. Use Of Buildings Or Premises Discontinued Or Suspended: In the event that a nonconforming use of any building or premises is discontinued or suspended for a period of one year or more, the use of the same shall thereafter conform to the regulations of the district in which it is located. (Ord. 3105, 3-28-2005)

B. Enlargements And Alterations To Nonconforming Uses And Buildings: A nonconforming use or building shall not be enlarged or altered; however, in an R1 and R2 district, an enlargement or alteration may be permitted by the zoning administrator, provided the actual extension or enlargement itself conforms to all the provisions of this zoning title (in the event the existing building is nonconforming, the maximum allowable height shall be the existing height of the building or the R1 and R2 district height limitation, whichever is greater). The replacement in kind of a porch, addition, or any other appurtenances to the main building which is nonconforming, shall be permitted provided it does not increase the nonconformance of the building. The replacement of an accessory building shall conform to all the provisions of this zoning title. (Ord. 2733, 8-11-1997)

C. Removal Or Conversion Of Nonconforming Buildings: Except as provided in chapter 20 of this zoning title, all nonconforming commercial or industrial buildings or uses within any district shall be removed or converted, and the building thereafter devoted to a use permitted in the district, on or before May 6, 2002.

D. Validation Of Former Nonconforming Uses: No nonconforming structure that was erected, converted or structurally altered in violation of the provisions of any prior zoning title shall be validated by the adoption of the regulations contained in this zoning title, and such violations or any violation of this zoning title may be ordered removed or corrected by the proper officials at any time. (Ord. 2640, 5-23-1995)

## Chapter 6 ZONING DISTRICTS

### 10-6-1: ESTABLISHMENT OF DISTRICTS:

In order to classify, regulate and restrict the location of businesses and industries, and the location of buildings designed for specified uses; to regulate and limit the height and bulk of buildings hereafter erected or altered; to regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of yards, courts and other open spaces within and surrounding such buildings, the village is hereby divided into nine classes of districts. The use, height and area regulations shall be uniform in each class of districts, and said districts shall be:

C1 Commercial District

C2 Commercial District

C3 Central Commercial District

ORIC Office/Research/Industrial/Commercial District

PRI Public, Recreational and Institutional District

R1 Wide Lot Single-Family Residential District

R2 Single-Family (Detached) Residential District

R3 Single-Family (Attached) Residential District

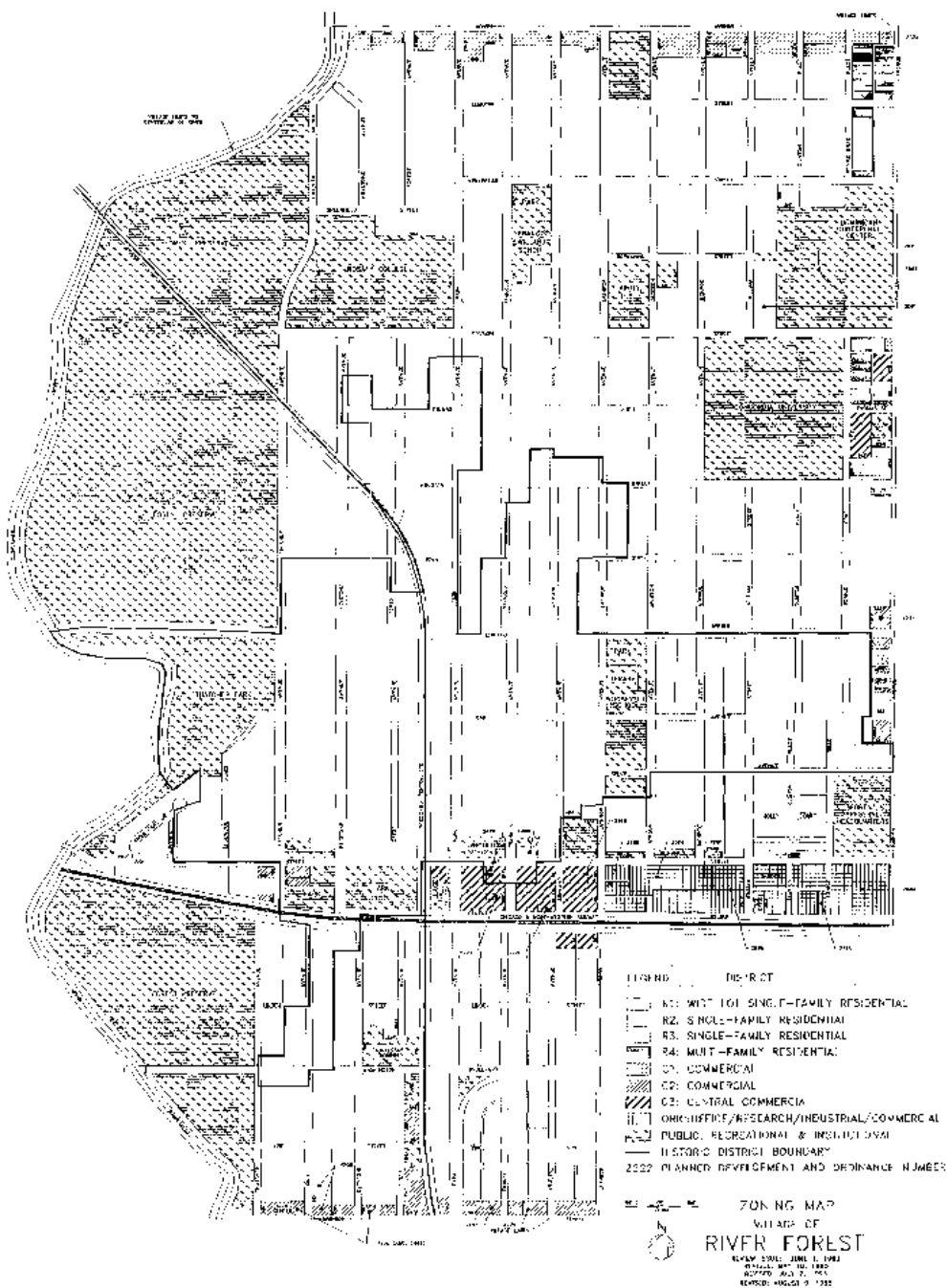
R4 Multi-Family Residential District  
(Ord. 2640, 5-23-95)

### 10-6-2: ZONING DISTRICT BOUNDARIES, MAP:

A. The boundaries of the districts mentioned in Section [10-6-1](#) are shown upon a map hereby

made a part of this Zoning Title, which map is designated as the "Zoning District Map". The Zoning District Map and all the notations, references and other matters shown thereon shall be as much a part of this Zoning Title and have the same force and effect as if the notations, references and other information set forth thereon were all fully set forth or described herein, which Zoning District Map is properly attested, and is on file in the office of the Village Administrator. To the extent that the Zoning District Map conflicts with the text contained in this Zoning Code, however, the text shall prevail.

B. The boundaries of the River Forest Historic District have been overlaid on the Zoning District Map solely to recognize the significance the District holds for the Village and is for informational purposes only. There are no regulations in this Title which exclusively affect those properties located within the Historic District boundaries. The significance of the River Forest Historic District (entered in the National Register of Historic Places on August 26, 1977) lies primarily in the Village's architecture, especially in those buildings embodying the revolutions in design developed in the late Nineteenth and early Twentieth Centuries by Frank Lloyd Wright and his contemporaries.

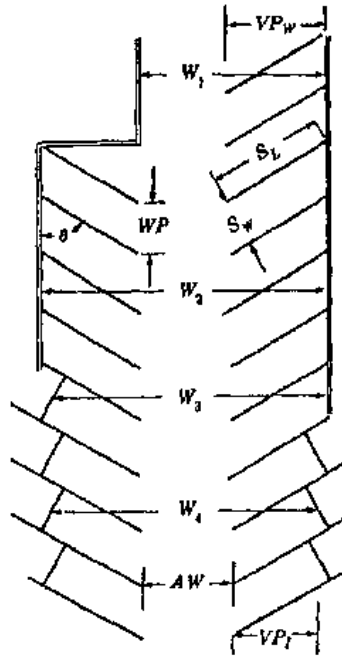




Length										
							(VP <sub>w</sub> +AW)	(AW+2VP <sub>w</sub> )	(VP <sub>w</sub> +VPI+AW)	(AW+2VPI)
<b>Large-Car Design Vehicle (77" by 215")</b>										
90°	VP <sub>w</sub> =	18.42'	8.5'	8.5'	25'		43.42'	61.84'	61.84'	61.84'
	VPI =	18.42'								
75°	VP <sub>w</sub> =	19.45'	8.5'	8.8'	20.25'		39.7'	59.15'	58.32'	57.49'
	VPI =	18.62'								
60°	VP <sub>w</sub> =	19.16'	8.5'	9.82'	16'		35.16'	54.32'	52.71'	51.1'
	VPI =	17.55'								
45°	VP <sub>w</sub> =	17.21'	8.5'	12.02'	13.5'		30.71'	47.92'	45.65'	43.38'
	VPI =	14.94'								
<b>Compact-Car Design Vehicle (66° by 175°)</b>										
90°	VP <sub>w</sub> =	15.08'	7.5'	7.5'	22.27'		37.35'	52.43'	52.43'	52.43'
	VPI =	15.08'								
75°	VP <sub>w</sub> =	15.99'	7.5'	7.76'	20.14'		36.13'	52.12'	51.41'	50.7'
	VPI =	15.28'								
60°	VP <sub>w</sub> =	15.38'	7.5'	8.66'	13.9'		29.28'	44.66'	43.28'	41.9'
	VPI =	14.00'								
45°	VP <sub>w</sub> =	14.20'	7.5'	10.61'	10'		24.2'	38.4'	36.46'	34.52'
	VPI =	12.26'								

Figure 10-7-4.2. Definitions of Terms

$\theta$	Parking angle
$W_1$	Parking module width (wall to wall), single loaded aisle
$W_2$	Parking module width (wall to wall), double loaded aisle
$W_3$	Parking module width (wall to interlock), double loaded
$W_4$	Parking module width (interlock to interlock), double loaded aisle
$AW$	Aisle width
$WP$	Stall width parallel to aisle
$VP_I$	Projected vehicle length from interlock
$VP_W$	Projected vehicle length from wall measured perpendicular to aisle
$S_L$	Stall length
$S_W$	Stall width



(Ord. 2640, 5-23-95)

Chapter 8  
R1 WIDE LOT SINGLE-FAMILY RESIDENTIAL DISTRICT

10-8-1: PERMITTED USES:

In an R1 district, no building or use shall be permitted, except for the following:

Accessory building(s) or structures including one private detached garage.

Child daycare homes.

"Home occupations" as defined in this zoning title.

Planned developments, in accordance with [chapter 19](#) of this title.

Single-family detached dwellings. (Ord. 2640, 5-23-1995)

10-8-2: SPECIAL USES:

In an R1 district, special uses may be allowed by the zoning board of appeals in accordance with [chapter 18](#) of this title, as follows:

Group homes.

Public utility services.

Special uses for this district as indicated on the land use chart in chapter 21 of this title. (Ord. 2640, 5-23-1995)

10-8-3: UNITS PER ACRE:

In an R1 district, no more than two and eight-tenths residential units per acre may be erected. (Ord. 2640, 5-23-1995)



#### 10-8-4: LOT AREA AND SIZE:

In an R1 district, no building may be erected or altered on a lot recorded after the effective date hereof which is less than fifteen thousand five hundred square feet in area and eighty five feet wide throughout its depth; provided, however, that the limitation as to lot area and lot width imposed by this section shall not prohibit the erection of a single-family detached dwelling on a lot shown as such on a recorded plat in the recorder's office of Cook County, Illinois, on November 26, 1967, and containing an area of not less than eight thousand seven hundred twelve square feet, and having a width of not less than fifty feet; and provided further, that the setback regulations herein are complied with. (Ord. 2640, 5-23-1995)

#### 10-8-5: LOT COVERAGE AND FLOOR AREA RATIO:

In the R1 district, no building with its accessory buildings or structures shall occupy (cover) more than thirty percent of a lot and the maximum floor area ratio shall not exceed 0.4 for lots less than twenty thousand square feet in area and 0.35 for lots twenty thousand square feet or greater (the resulting maximum gross floor area for lots twenty thousand square feet or greater shall not be less than eight thousand square feet). An accessory building may occupy not more than thirty percent of a rear yard. (Ord. 3235, 4-28-2008)

#### 10-8-6: HEIGHT REGULATIONS:

In the R1 district, a building erected or structurally altered after the effective date hereof shall not exceed thirty five feet in height and shall not exceed two and one-half stories for a lot with a width less than one hundred feet. A building erected or structurally altered after the effective date hereof shall not exceed forty feet in height and shall not exceed two and one-half stories for a lot with a width of one hundred feet or greater.

A. Accessory Buildings: An accessory building or structure erected or structurally altered shall not exceed eighteen feet in height or one and one-half stories, whichever is less, and an accessory building shall not include an inhabitable second floor.

B. Exceptions: Any building or accessory building erected or structurally altered prior to the effective date hereof which is damaged by fire, explosion or act of God may be restored or reconstructed to its height prior to said occurrence. The burden of proving what the height of a building was prior to the damage rests solely on the person invoking this provision. (Ord. 3105, 3-28-2005)

#### 10-8-7: SETBACK REGULATIONS:

In an R1 district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky except as allowed in subsection [10-20-2A](#) of this title.

A. Front Yard: The required front yard setback shall be calculated as the average of the existing front yard setbacks as measured from the front lot line to the principal structure along the same side of the street and on the same block. The shortest and longest setbacks along the same side of the same block shall be eliminated in the making of the computation.

1. Through Lots: Shall provide the required front yard on both streets.

2. Corner Lots: Shall have its required front yard on the lot's primary street; such street being the street which has the greatest distance between the two cross streets forming the block frontage. On the secondary street the front yard shall be a minimum of thirteen feet for a fifty foot wide lot, however the secondary street's front yard shall be increased by two feet for each five foot increase in lot width (or portion thereof) to a maximum secondary front yard depth of twenty five

feet, and provided further that no accessory building on a corner lot shall project beyond that front yard line established for each street.

3. Front Porches: All front porches built or modified after the effective date of this section shall comply with the following standards:

- a. Maximum Encroachment Into Setbacks: A front porch shall not extend into a front yard more than eleven feet for a building having a front yard deeper than fifty feet. Where the front yard is fifty feet or less in depth, such front porch shall not extend into the front yard more than ten feet or twenty percent of the depth of the front yard, whichever is less.
- b. Size Of Porch: A front porch that encroaches into a front yard shall have a minimum surface deck area of fifty square feet. The total area of any encroachment of the porch into a front yard shall not exceed three hundred square feet. In the case of a porch intended to wrap around to the side of a residence (including a porch that would encroach into the required setback of a secondary front yard), the side portion of the porch shall not exceed one hundred twenty five square feet and shall conform to all other requirements of this section.
- c. Depth Of Porch: The minimum depth of the porch shall not be less than five feet and the maximum depth of the porch shall not exceed twelve and one-half feet.
- d. Enclosure Prohibited: Other than by a roof, the front porch shall be open and shall not be enclosed by any materials, including, without limitation, glass or screens.
- e. Railings: A railing not exceeding forty two inches in height measured from the floor of the porch may be provided on the periphery of the front porch.
- f. Noninhabitable Space: A front porch shall not have any deck, flooring, or inhabitable space above the first floor level.
- g. Modification Of Existing Porches: An existing front porch that encroaches into a front yard or a secondary front yard may be modified in compliance with the standards in this section.
- h. Previously Enclosed Porches: Dwelling units with existing porches that have previously been enclosed and which encroach into a front yard or a secondary front yard shall not be eligible for porches permitted by this subsection.
- i. Front Porch Shall Not Affect The Average Allowable Setback: Front porches shall not be included in calculating the average front yard setback.

B. Rear Yard: A rear yard shall have a depth of not less than fifteen percent of the depth of the lot or twenty six feet two inches, whichever is greater. Provided, however, that accessory buildings may be constructed within the rear yard but no closer than three feet from any lot line. (Ord. 3105, 3-28-2005)

C. Side Yards:

1. Requirements: The required minimum side yard setback shall be ten percent of the lot width or five feet, whichever is greater, and the minimum required combined side yard setback shall be twenty five percent of the lot width, or ten feet, whichever is greater as measured to the exterior wall of the structure.

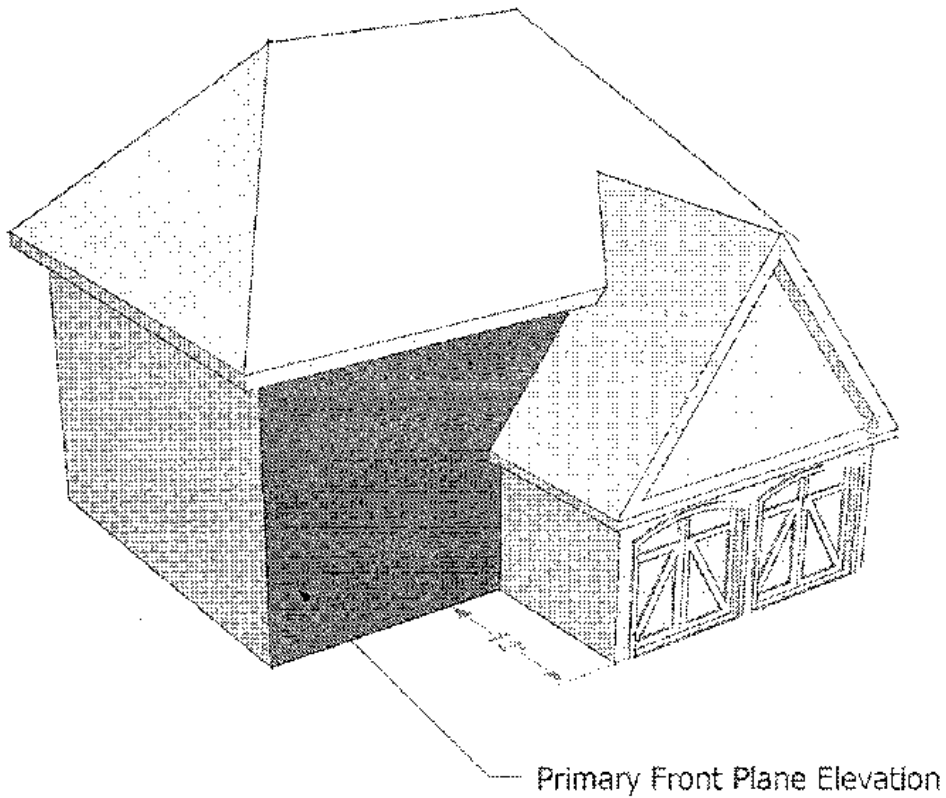
2. Exceptions:

- a. Eaves: The eaves of a structure shall be required to maintain a minimum three foot side yard setback.
- b. Additions: An addition to an existing structure, which existing structure does not meet this standard, may be constructed with a side yard equal to the existing side yard, or three feet, whichever is greater. Such an extension of a nonconforming wall shall be allowed to maintain the nonconforming side yard setback for a total length of up to thirty percent of the lot depth, or be extended an additional twelve feet, whichever is a lesser total distance. The height of a wall that maintains a nonconforming side yard setback shall not be increased.

c. Accessory Structures: An accessory structure may be constructed with a side yard of no less than three feet, provided that the entire accessory structure is within the rear thirty percent of the subject lot (as measured from the front property line to the rear property line). The eaves of a detached accessory structure shall be permitted to encroach a maximum of one foot into a required yard setback.

d. Standards: The standards set forth in this section shall be applied separately to each side yard of an existing or proposed structure or addition.

D. Attached Front Garage Projection: Attached front garages can project a maximum of twelve feet in front of the primary front plane elevation (as illustrated below) on lots with a width of sixty feet or less.



#### 10-8-8: OFF STREET PARKING:

In an R1 district, no building may be erected unless there shall be provided two enclosed parking spaces for passenger automobiles which are not in any of the required open yards unless such enclosure is a detached garage, which may occupy no more than thirty percent of the rear yard.

A. Driveways: All driveways and places where vehicles stand shall be paved with concrete, asphalt or paving bricks.

B. Other Vehicles: No outdoor parking or storage of a recreational vehicle, boat or any trailer is permitted in a front or the side yards, however, a recreational vehicle or boat may be parked in a paved portion of a rear yard provided such area is a minimum of five feet from the rear and side lot lines and twenty feet from the rear of the primary building, provided further, that no such vehicle(s) shall be visible from the street.

1. A recreational vehicle may not be parked on a driveway between the hours of one o'clock A.M. and six o'clock A.M. and then only for the remaining nineteen hours of one day, for the purpose of loading and unloading the vehicle.

2. At no time shall a parked or stored recreational vehicle, boat or trailer be occupied or used for habitation.

3. Any recreational vehicle, boat or any trailer which is parked in the rear yard of a corner lot shall be screened so as not to be visible from the street.

4. No truck or commercial vehicle shall be parked on a lot except in an enclosed garage, unless temporarily parked for the purpose of a delivery or service. (Ord. 2640, 5-23-1995)

#### Chapter 9

#### R2 SINGLE-FAMILY (DETACHED) RESIDENTIAL DISTRICT

#### 10-9-1: PERMITTED USES:

In an R2 district, no building or use shall be permitted, except for the following:

A. Any use permitted in the R1 district.

B. Accessory building(s) or structures permitted in the R1 district. (Ord. 2640, 5-23-1995)

#### 10-9-2: SPECIAL USES:

In an R2 district, special uses may be allowed by the zoning board of appeals in accordance with [chapter 18](#) of this title, as follows:

A. Any special use permitted in the R1 district. (Ord. 2640, 5-23-1995)

#### 10-9-3: UNITS PER ACRE:

In an R2 district, no more than five residential units per acre may be erected. (Ord. 2640, 5-23-1995)

#### 10-9-4: LOT AREA AND SIZE:

In an R2 district, no building may be erected or altered on a lot which does not comply with the

following regulations:

A. Lot Area: Except as provided in subsection C of this section, the minimum lot area shall be eight thousand seven hundred twelve square feet.

B. Lot Width: Except as provided in subsection C of this section, the minimum lot width shall be no less than the average width of all lots of record zoned R2 which are within the same block, consisting of both sides of the street and measured by the closest intersecting street on each side; provided, however, that each said resulting lot shall have a width of not less than fifty feet and no lot shall be required to be greater than seventy feet in width, and that corner houses shall be deemed to front on their respective north/south streets.

C. Exception To Lot Area And Lot Width Requirements: The limitations set forth in subsections A and B of this section shall not apply to or prohibit the restoration, reconstruction, or replacement of an existing single-family detached dwelling or an existing accessory structure on a single lot or lot of record which does not comply with the lot area or lot width requirements in subsections A and B of this section. Where an unimproved lot meets the fifty foot lot width minimum and required lot area, that lot shall be considered buildable, provided recognizing said lot as buildable does not create a nonconforming condition on an adjacent lot. Additionally, there shall be no limit on the length of time a vacant lot or lot of record can remain vacant and still be considered buildable, if the vacant lot is the result of the demolition of an existing dwelling. The burden of proving that a dwelling existed on the nonconforming lot rests solely on the person invoking this provision. The exceptions stated in this subsection shall not be construed so as to apply to any other regulations stated elsewhere in this code. (Ord. 3122, 8-8-2005)

#### 10-9-5: LOT COVERAGE AND FLOOR AREA RATIO:

Lot coverage and floor area ratio regulations of the R1 district contained in section [10-8-5](#) of this title shall apply. (Ord. 2640, 5-23-1995)

#### 10-9-6: HEIGHT REGULATIONS:

The height regulations of the R1 district contained in section [10-8-6](#) of this title shall apply. (Ord. 2640, 5-23-1995)

#### 10-9-7: SETBACK REGULATIONS:

The setback regulations of the R1 district contained in section [10-8-7](#) of this title shall apply. (Ord. 2640, 5-23-1995)

#### 10-9-8: OFF STREET PARKING:

The off street parking regulations of the R1 district contained in section [10-8-8](#) of this title shall apply. (Ord. 2640, 5-23-1995)

### Chapter 10

### R3 SINGLE-FAMILY (ATTACHED) RESIDENTIAL DISTRICT

#### 10-10-1: PERMITTED USES:

In an R3 district, no building or use shall be permitted, except for the following:

A. Single-family attached dwellings.

B. Single-family detached dwellings.

C. Private garage(s) required for the building(s).

D. Accessory structures or buildings to service the primary building(s).

E. "Home occupations" as defined in this zoning title.

F. Planned developments, in accordance with [chapter 19](#) of this zoning title. (Ord. 2640, 5-23-1995)

10-10-2: SPECIAL USES:

In an R3 district, special uses may be allowed by the zoning board of appeals in accordance with [chapter 18](#) of this title, as follows:

A. Special uses for this district as indicated on the land use chart in chapter 21 of this title.

B. Public utility services. (Ord. 2640, 5-23-1995)

10-10-3: MINIMUM LAND AREA:

In an R3 district, no less than two thousand eight hundred square feet of land area shall be provided for every residential unit. (Ord. 2941, 10-22-2001)

10-10-4: LOT AREA AND SIZE:

In an R3 district, no building may be erected or altered to achieve the permitted density of this district on a lot recorded after the effective date hereof which is less than seventeen thousand four hundred twenty four square feet and one hundred feet wide throughout its depth. (Ord. 2640, 5-23-1995)

10-10-5: LOT COVERAGE AND FLOOR AREA RATIO:

In an R3 district, no building with its accessory buildings or structures shall occupy (cover) more than forty percent of an interior lot and fifty percent of a corner lot and the maximum floor area ratio shall not exceed 0.8, provided that:

A. The gross living area for each dwelling is not less than two thousand square feet.

B. Each dwelling shall have at least two bedrooms.

C. An accessory building may occupy not more than thirty percent of a required rear yard. (Ord. 2640, 5-23-1995)

10-10-6: HEIGHT REGULATIONS:

In an R3 district, no building shall be erected or structurally altered to exceed thirty feet or be more than three floors in height. (Ord. 2640, 5-23-1995)

#### 10-10-7: SETBACK REGULATIONS:

In an R3 district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky, except as allowed in subsection [10-20-2A](#) of this zoning title.

A. Front Yard: A front yard shall have a depth of not less than forty feet except where such front yard faces an R1 or R2 district, then the front yard regulations of the R1 district shall apply.

1. Through Lots: Shall provide the required front yard on both streets.
2. Corner Lots: Shall have a minimum front yard depth of twenty five feet on the secondary street.
3. Corner Lot Abutting Rear Lot Line: If the rear lot line of a corner lot abuts a rear lot line in the R1 district, the front yard along the common secondary street shall be at least equal to the depth of the front yard of the adjoining R1 lot's building.

B. Rear Yard: A rear yard shall have a depth of not less than fifteen percent of the depth of the lot or twenty six feet, two inches, whichever is greater. The area of the rear yard, shall not be any less than fifteen percent of the area of the lot.

C. Side Yards: Side yards having a width not less than three feet on each side of all buildings shall be provided. (Ord. 2640, 5-23-1995)

#### 10-10-8: OFF STREET PARKING:

In an R3 district, no building may be erected or structurally altered unless there shall be provided on the same lot, off street parking as follows:

A. Two enclosed parking spaces for passenger automobiles for each dwelling unit which are not in any of the required open yards unless such enclosure is a detached garage, which may occupy no more than forty percent of the rear yard.

B. For each dwelling unit, one guest parking space shall be provided which may be on the dwelling unit's private driveway.

C. All driveways and places where vehicles stand shall be paved with concrete, asphalt or paving bricks.

D. No outdoor parking or storage of recreational vehicles, trucks, boats or trailers is permitted. (Ord. 2640, 5-23-1995)

### Chapter 11

#### R4 MULTI-FAMILY RESIDENTIAL DISTRICT

##### 10-11-1: PERMITTED USES:

In an R4 district, no building or use shall be permitted, except for the following:

A. Multi-family dwellings.

B. Any residential use permitted in the R3 district.

C. Private garages required for the building(s).

D. Accessory structures or buildings to service the primary building(s).

E. Planned developments, in accordance with [chapter 19](#) of this zoning title. (Ord. 2640, 5-23-1995)

10-11-2: SPECIAL USES:

In an R4 district, special uses may be allowed by the zoning board of appeals in accordance with [chapter 18](#) of this zoning title, as follows:

A. Special uses for this district as indicated on the land use chart in chapter 21 of this zoning title.

B. Public utility services. (Ord. 2640, 5-23-1995)

10-11-3: MINIMUM LAND AREA:

In an R4 district, no less than two thousand eight hundred square feet of land area shall be provided for every residential unit. (Ord. 2941, 10-22-2001)

10-11-4: LOT AREA AND SIZE:

In an R4 district, no building may be erected or altered to achieve the permitted density of this district on a lot recorded after the effective date hereof which is less than twenty six thousand one hundred thirty six square feet and one hundred fifty feet wide throughout its depth. (Ord. 2640, 5-23-1995)

10-11-5: LOT COVERAGE AND FLOOR AREA RATIO:

In an R4 district, no building with its accessory buildings or structures shall occupy (cover) more than sixty percent of an interior lot and seventy percent of a corner lot and the maximum floor area ratio shall not exceed 1.5, provided that:

A. The average gross living area for all units constructed is not less than one thousand eight hundred square feet.

B. Every unit shall have at least one bedroom.

C. An accessory building may occupy not more than thirty percent of a required rear yard. (Ord. 2640, 5-23-1995)

10-11-6: HEIGHT REGULATIONS:



In an R4 district, no building shall be erected or structurally altered to exceed forty five feet or be more than five floors in height. (Ord. 2640, 5-23-1995)

10-11-7: SETBACK REGULATIONS:

In an R4 district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky, except as allowed in subsection [10-20-2A](#) of this zoning title.

A. Front Yard: A front yard shall have a depth of not less than twenty feet provided however, that where twenty percent of the buildings on the block are built with an average front yard having a variation of not more than ten feet closer to the lot line, such new building erected or structurally altered may project to the average front yard line so established. Shall provide the required front yard on both streets.

1. Corner Lots: Shall have a minimum front yard depth of twenty five feet on the secondary street.

2. Corner Lot Abutting Rear Lot Line: If the rear lot line of a corner lot abuts a rear lot line in the R1 or R2 district, the front yard along the common secondary street shall be at least equal to the depth of the front yard of the adjoining R1 or R2 lot's building.

B. Rear Yard: A rear yard shall have a depth of not less than fifteen percent of the depth of the lot, but not less than twenty five feet. The area of the rear yard, shall not be any less than fifteen percent of the area of the lot.

C. Side Yards: Side yards having a width not less than three feet on each side of all buildings shall be provided. (Ord. 2640, 5-23-1995)

10-11-8: OFF STREET PARKING:

In an R4 district, no building may be erected or structurally altered unless there shall be provided on the same lot, off street parking as follows:

A. One Bedroom Dwelling Units: Two parking spaces for each unit.

B. Two Bedroom Dwelling Units: Two parking spaces for each unit.

C. Three Or More Bedroom Dwelling Units: Two and one-half parking spaces for each unit.

D. Five Dwelling Units: For each five dwelling units, or fraction thereof, one designated guest parking space shall be provided in addition to the above requirements.

E. Enclosed Spaces: A minimum of seventy five percent of all required parking spaces shall be enclosed.

F. Front Or Side Yards: No parking spaces shall be in the required front or side yards.

G. Paving: All driveways and places where vehicles stand shall be paved with concrete, asphalt or paving bricks.

H. Outdoor Parking: No outdoor parking or storage of recreational vehicles, trucks, boats or trailers is permitted. (Ord. 2640, 5-23-1995)

10-11-9: OFF STREET LOADING:

In an R4 district, there shall be provided loading spaces for trucks or similar vehicles in accordance with the following provisions:

A. One loading space shall be provided for each thirty dwelling units, which shall not be located within the buildings required front or side yards.

B. Each loading space shall be at least ten feet wide by twenty five feet long and shall have a vertical clearance of at least fourteen feet.

C. Each loading space shall be paved with concrete, asphalt or paving bricks and shall not be used for storage or to satisfy the parking requirements of this zoning title. (Ord. 2640, 5-23-1995)

Chapter 12

C1 COMMERCIAL DISTRICT

10-12-1: PERMITTED USES:

In the C1 district, no building, parcel or premises shall be used except for the uses indicated on the land use chart in chapter 21 of this zoning title. (Ord. 2640, 5-23-1995)

10-12-2: SPECIAL USES:

In the C1 district, a special use permit may be granted by the zoning board of appeals in accordance with [chapter 18](#) of this title. Such special uses are limited to those indicated as special uses on the land use chart in chapter 21 of this zoning title. (Ord. 2640, 5-23-1995)

10-12-3: MINIMUM LAND AREA:

In the C1 district, no less than two thousand eight hundred square feet of land area shall be provided for every residential unit. (Ord. 2941, 10-22-2001)

10-12-4: LOT AREA AND SIZE:

In the C1 district, no building shall be erected on any lot and no lot shall be altered to be less than twenty five feet wide (measured parallel to the street on which it fronts) throughout its depth. Further, no lot shall contain less than three thousand two hundred seventy five square feet. (Ord. 2640, 5-23-1995)

10-12-5: LOT COVERAGE AND FLOOR AREA RATIO:

In the C1 district, any building and its accessory building erected or altered after the effective date hereof may occupy one hundred percent of the lot on which it is built. The maximum floor area ratio shall not exceed 2.75. (Ord. 2640, 5-23-1995)

10-12-6: HEIGHT REGULATIONS:

In the C1 district, no building shall be erected or structurally altered to exceed fifty feet. (Ord. 2640, 5-23-1995)

10-12-7: SETBACK REGULATIONS:

In the C1 district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky except as allowed in subsection [10-20-2A](#) of this zoning title.

A. Front Yard: If the rear lot line of a corner lot abuts a rear lot line in the R1 or R2 district, the yard along the common secondary street shall be at least equal to the depth of the yard of the adjoining R1 or R2 lot's building.

B. Rear Yard: Where the rear of a lot in the C1 district abuts a lot or lots in the R1, R2 and R3 district without an alley or other public way intervening, no structure shall be erected on the rear twenty feet of such C1 district lot.

C. Side Yard: Where a lot adjoins the side of a lot in an R1, R2, R3 or R4 district, there shall be a side yard of not less than five feet. In all other cases, a side yard for a business building shall not be required. (Ord. 2640, 5-23-1995)

10-12-8: OFF STREET PARKING:

In the C1 district, no building shall be erected or structurally altered unless the following off street parking is provided:

A. Off street parking regulations of the R1, R2, R3 and R4 districts shall apply to the respective uses in the C1 district.

B. One parking space for each two employees of any business occupying said building in addition to the parking spaces required hereinafter.

C. Restaurant or undertaking establishments, one parking space for each one hundred square feet of public floor area.

D. Food market with floor area of one thousand square feet or more, one parking space for each three hundred square feet of public floor area.

E. Retail store, shop, office or service establishment, other than those herein specified, one parking space for each four hundred square feet of public floor area.

F. Motor fuel service station, two parking spaces for each service bay. No more than eight vehicles per service bay may be stored on the property at any one time.

G. Any business or commercial uses not specified above:

1. Where no vehicles are used in connection with said business, one parking space for each four hundred square feet of floor area.

2. Where vehicles are used in connection with said business, the parking spaces specified in subsection G1 of this section, and in addition, one parking space for each vehicle used by the establishment engaged in said business.

H. Whenever a building is erected for more than one of the uses hereinbefore specified in this section, the parking spaces to be provided shall be the sum of the parking spaces required for each of such uses.

I. All parking spaces required herein shall be provided upon the same lot or parcel of ground as is occupied by a building, or on a lot or parcel contiguous thereto, or within three hundred feet from said building.

J. All driveways and places where vehicles stand shall be paved with concrete, asphalt or paving bricks. (Ord. 2640, 5-23-1995)

#### 10-12-9: OFF STREET LOADING:

In the C1 district, no building shall be erected or structurally altered unless off street loading facilities are provided as follows:

A. For business or commercial uses from ten thousand square feet to one hundred thousand square feet, one loading space shall be provided and one additional loading space for each one hundred thousand square feet exceeding one hundred thousand square feet or portion thereof.

B. For retail uses from five thousand square feet to fifty thousand square feet, one loading space shall be provided and one additional loading space shall be provided for each twenty five thousand square feet or portion thereof.

C. Each loading space shall be at least ten feet wide by twenty five feet long and shall have a vertical clearance of fourteen feet.

D. Each loading space shall be paved with concrete, asphalt or paving bricks and shall not be used for storage or to satisfy the parking requirements of this zoning title. (Ord. 2640, 5-23-1995)

### Chapter 13

#### C2 COMMERCIAL DISTRICT

##### 10-13-1: PERMITTED USES:

In the C2 district, no building, parcel or premises shall be used except for the uses indicated on the land use chart in chapter 21 of this zoning title. (Ord. 2640, 5-23-1995)

##### 10-13-2: SPECIAL USES:

In the C2 district, a special use permit may be granted by the zoning board of appeals in accordance with [chapter 18](#) of this title. Such special uses are limited to those indicated as special uses on the land use chart in chapter 21 of this zoning title. (Ord. 2640, 5-23-1995)

##### 10-13-3: MINIMUM LAND AREA:

In the C2 district, no less than two thousand eight hundred square feet of land area shall be provided for every residential unit. (Ord. 2941, 10-22-2001)

10-13-4: LOT AREA AND SIZE:

In the C2 district, no building shall be erected on any lot and no lot shall be altered to be less than twenty five feet wide (measured parallel to the street on which it fronts) throughout its depth. Further, no lot shall contain less than three thousand two hundred seventy five square feet. (Ord. 2640, 5-23-1995)

10-13-5: LOT COVERAGE AND FLOOR AREA RATIO:

In the C2 district, any building and its accessory building erected or altered after the effective date hereof may occupy one hundred percent of the lot on which it is built. The maximum floor area ratio shall not exceed 2.75. (Ord. 2640, 5-23-1995)

10-13-6: HEIGHT REGULATIONS:

In the C2 district, no building shall be erected or structurally altered to exceed thirty feet. (Ord. 2640, 5-23-1995)

10-13-7: SETBACK REGULATIONS:

In the C2 district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky except as allowed in subsection [10-20-2A](#) of this zoning title.

A. Front Yard: The front yard regulations shall be the same as those of the C1 district.

B. Rear Yard: The rear yard regulations shall be the same as those of the C1 district.

C. Side Yard: The side yard regulations shall be the same as those of the C1 district. (Ord. 2640, 5-23-1995)

10-13-8: OFF STREET PARKING:

The off street parking regulations shall be the same as those of the C1 district. (Ord. 2640, 5-23-1995)

10-13-9: OFF STREET LOADING:

The off street loading regulations shall be the same as those of the C1 district. (Ord. 2640, 5-23-1995)

Chapter 14

C3 CENTRAL COMMERCIAL DISTRICT

10-14-1: PERMITTED USES:

In the C3 district, no building, parcel or premises shall be used except for the uses indicated on the land use chart in chapter 21 of this zoning title. (Ord. 2640, 5-23-1995)

10-14-2: SPECIAL USES:

In the C3 district, a special use permit may be granted by the zoning board of appeals in

accordance with [chapter 18](#) of this title. Such special uses are limited to those indicated on the land use chart in chapter 21 of this zoning title. (Ord. 2640, 5-23-1995)

#### 10-14-3: MINIMUM LAND AREA:

In the C3 district, no less than two thousand eight hundred square feet of land area shall be provided for every residential unit. (Ord. 2941, 10-22-2001)

#### 10-14-4: LOT AREA AND SIZE:

In the C3 district, no building shall be erected on any lot less than twenty five feet wide (measured parallel to the street on which it fronts) throughout its depth. Further, no lot shall contain less than three thousand two hundred seventy five square feet. (Ord. 2640, 5-23-1995)

#### 10-14-5: LOT COVERAGE AND FLOOR AREA RATIO:

In the C3 district, any building and its accessory building erected or altered after the effective date hereof may occupy one hundred percent of the lot on which it is built. The maximum floor area ratio shall not exceed 2.5. (Ord. 2640, 5-23-1995)

#### 10-14-6: HEIGHT REGULATIONS:

In the C3 district, no building shall be erected or structurally altered to exceed fifty feet. (Ord. 2640, 5-23-1995)

#### 10-14-7: SETBACK REGULATIONS:

In the C3 district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky except as allowed in subsection [10-20-2A](#) of this zoning title.

A. Front Yard: The front yard regulations shall be the same as those of the C1 district.

B. Rear Yard: The rear yard regulations shall be the same as those of the C1 district.

C. Side Yard: The side yard regulations shall be the same as those of the C1 district. (Ord. 2640, 5-23-1995)

#### 10-14-8: OFF STREET PARKING:

The off street parking regulations shall be the same as those of the C1 district, except that service retail establishments, located in an area bounded by Lathrop Avenue, Lake Street, Park Avenue and a line one-half block south of and parallel to Lake Street, shall not be required to provide any off street parking. (Ord. 2640, 5-23-1995)

#### 10-14-9: OFF STREET LOADING:

The off street loading regulations shall be the same as those of the C1 district. (Ord. 2640, 5-23-1995)

### Chapter 15

#### ORIC OFFICE/RESEARCH/INDUSTRIAL/COMMERCIAL DISTRICT

#### 10-15-1: PERMITTED USES:

In the ORIC District, no building, parcel or use shall be permitted except for the uses indicated on the land use chart in Chapter 21 of this Zoning Title. (Ord. 2640, 5-23-95)

10-15-2: SPECIAL USES:

In the ORIC District, a special use permit may be granted by the Zoning Board of Appeals in accordance with [Chapter 18](#) of this Zoning Title. Such special uses are limited to those indicated on the land use chart in Chapter 21 of this Zoning Title. (Ord. 2640, 5-23-95)

10-15-3: UNITS PER ACRE:

In an ORIC District, no residential units may be erected unless approved under a planned development permit in accordance with [Chapter 19](#) of this Zoning Title. (Ord. 2640, 5-23-95)

10-15-4: LOT AREA AND SIZE:

In the ORIC District, no building shall be erected on any lot less than fifty feet wide (measured parallel to the street on which it fronts) throughout its depth. Further, no lot shall contain less than ten thousand square feet. (Ord. 2640, 5-23-95)

10-15-5: LOT COVERAGE AND FLOOR AREA RATIO:

In the ORIC District, any building and its accessory building erected or altered after the effective date hereof may occupy one hundred percent of the lot on which it is built. The maximum floor area ratio shall not exceed 2.0. (Ord. 2640, 5-23-95)

10-15-6: HEIGHT REGULATIONS:

In the ORIC District, no building shall be erected or structurally altered to exceed fifty feet. (Ord. 2640, 5-23-95)

10-15-7: SETBACK REGULATIONS:

In the ORIC District, buildings shall be set back from a lot line to provide an open yard only if the property adjoins an R1, R2, R3 or R4 District in the same block, in which case each yard that adjoins a residential district shall conform to the regulations of the respective adjoining residential district. (Ord. 2640, 5-23-95)

10-15-8: OFF-STREET PARKING:

In the ORIC District, no building shall be erected or structurally altered unless the following off-street parking is provided:

A. The off-street parking regulations of the R4 and C1 Districts shall apply to the respective uses in the ORIC District.

B. Warehouse, one parking space for each two thousand square feet of floor area.

C. Assembly/plant operation, one parking space for each one thousand square feet.

D. All driveways and places where vehicles stand shall be paved with concrete, asphalt or paving bricks. (Ord. 2640, 5-23-95)

#### 10-15-9: OFF-STREET LOADING:

In the ORIC District, no building shall be erected or structurally altered unless off-street loading facilities are provided as follows:

A. One loading space shall be provided for each business, retail, commercial, or industrial use regardless of size.

B. For business or commercial uses exceeding one hundred thousand square feet, one additional loading space shall be provided for each one hundred thousand square feet exceeding one hundred thousand square feet.

C. For retail uses exceeding fifty thousand square feet, one additional loading space shall be provided for each twenty five thousand square feet.

D. For warehouse uses one loading space shall be provided for each twenty five thousand square feet, in addition, one loading space shall be provided for each fifteen thousand square feet exceeding twenty five thousand square feet.

E. Each loading space shall be at least ten feet wide by twenty five feet long and shall have a vertical clearance of fourteen feet.

F. Each loading space shall be paved with concrete, asphalt or paving bricks and shall not be used for storage or to satisfy the parking requirements of this Zoning Title. (Ord. 2640, 5-23-95)

#### Chapter 16

#### PRI PUBLIC, RECREATIONAL AND INSTITUTIONAL DISTRICT

#### 10-16-1: PERMITTED USES:

In a PRI district, no building, parcel or use shall be permitted, except for the following:

Accessory uses.

Commissaries for dispensing incidental merchandise, for students and faculty.

Dwelling units and lodging rooms, owned and operated by the institution, for housing students and faculty.

Rectories, parsonages and parish houses.

Other accessory structures, customarily incidental to the principal use, for mechanical equipment, storage of equipment and vehicles, and athletic fields and stands.

Civic or community centers.

Colleges or universities.

Convents, monasteries and seminaries.

Electrical distribution centers and substations.



Fire station(s).

Houses of worship.

Library.

Membership organizations, related to recreational facilities and accessory buildings.

Municipal offices and buildings including water filtration plants, pumping stations and reservoirs.

Parks, forest preserves, related recreational facilities, administrative offices and storage buildings.

Police station(s).

Schools, public and private, elementary, junior high and high schools.

Village owned buildings or property.

Prior to the construction of any new building or addition to an existing building on village owned property, the zoning administrator shall provide advanced written notice of the village board meeting where such new construction will be considered. The purpose of said notice will be to allow any interested persons the opportunity to voice their opinions regarding the project being proposed. Said notice shall be sent to all the owners of property within five hundred feet of the subject property at least fifteen days and not more than thirty days in advance of the village board meeting. Failure to provide or receive notice shall not invalidate any subsequent action taken by the village board of trustees.

The development of village owned buildings or property shall be exempt from the requirements of this chapter. (Ord. 2640, 5-23-1995; amd. Ord. 2657, 11-13-1995; Ord. 3245, 6-23-2008)

#### 10-16-2: SPECIAL USES:

In the PRI district, special uses may be allowed by the zoning board of appeals in accordance with [chapter 18](#) of this title, as follows:

A. Special uses for this district as indicated on the land use chart in chapter 21 of this title.

B. Cellular telephone antennas and accessory apparatus no higher than one hundred twenty feet. (Ord. 3245, 6-23-2008)

#### 10-16-3: SPECIAL DEVELOPMENT REGULATION:

A. No new construction, expansion of any building or the addition of any parcel(s) or change of use shall be permitted in a PRI district, except as approved as a planned development under [chapter 19](#) of this title.

B. Overall scaled plan(s) of existing parcel(s) and development within all PRI districts shall be submitted to the zoning administrator by the property owner within twelve months of the effective date hereof. Plan(s) shall indicate the location, bulk, height, use and areas of all building(s), accessory structures, roadways, etc. (Ord. 2640, 5-23-1995; amd. Ord. 3245, 6-23-2008)

#### 10-16-4: UNITS PER ACRE:

In a PRI district no residential units, other than those accessory uses contained in section [10-16-1](#) of this chapter, may be erected unless approved under a planned development permit in accordance with [chapter 19](#) of this title. (Ord. 2640, 5-23-1995; amd. Ord. 3245, 6-23-2008)

10-16-5: LOT AREA AND SIZE:

In a PRI district, no building may be erected or altered on any parcel after the effective date hereof which is less than twenty five thousand square feet and one hundred twenty five feet wide throughout its depth. (Ord. 2640, 5-23-1995; amd. Ord. 3245, 6-23-2008)

10-16-6: LOT COVERAGE AND FLOOR AREA RATIO:

In a PRI district, no building(s) with its accessory buildings or structures shall occupy (cover) more than fifty percent of the parcel and the maximum floor area ratio shall not exceed 1.0. (Ord. 2640, 5-23-1995; amd. Ord. 3245, 6-23-2008)

10-16-7: HEIGHT REGULATIONS:

In a PRI district, no building shall be erected or structurally altered to exceed forty feet in height except that the maximum height of a building may be increased one additional foot, up to a maximum of fifteen additional feet, for every five feet by which the setback of the building exceeds twenty five feet from the nearest residential zoning district. (Ord. 2640, 5-23-1995; amd. Ord. 3245, 6-23-2008)

10-16-8: SETBACK REGULATIONS:

In a PRI district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky except as allowed in subsection [10-20-2A](#) of this title.

A. Front Yard: Thirty five feet, except fifty feet when facing an R1, R2 or R3 residential district. A building on a lot which has frontage on two or more streets shall provide the required front yard on all streets.

B. Side And Rear Yards: Twenty five feet.

C. Lot Without Structures: On any lot occupied by a use without structures, the minimum front, side and rear yards requirements that would otherwise be required for such lot shall be provided and maintained. (Ord. 2640, 5-23-1995; amd. Ord. 3245, 6-23-2008)

10-16-9: OFF STREET PARKING:

In a PRI district, no building may be erected or structurally altered unless there shall be provided on the same lot, off street parking as follows:

A. Elementary Schools: One for each two employees, one for each fifteen students or one for each classroom, whichever is greater.

B. Secondary Schools: One for each five students or one for each three persons of auditorium design capacity, whichever is greater, plus one for each two employees.

C. Colleges And Universities: One for each two students, plus one for each two employees.

D. Libraries: One for each two hundred fifty square feet of public area, plus one for each two employees.

E. Public Parks: None for the first two acres, plus five for each additional acre, one for each five persons of design capacity of any structure or facility in the park.

F. Membership Organizations: One for each two hundred fifty square feet of net floor area or one for each four persons of design capacity, whichever is greater.

G. Municipal Buildings: One for each two hundred fifty square feet of net floor area or one for each three persons of design capacity, whichever is greater.

H. Off Street Parking: No off street parking spaces shall be allowed in the required front yard(s) or in any yard adjoining a residential district.

I. Paving: All driveways and places where vehicles stand shall be paved with concrete, asphalt or paving bricks. (Ord. 2640, 5-23-1995; amd. Ord. 3245, 6-23-2008)

10-16-10: OFF STREET LOADING:

In a PRI district, there shall be provided off street loading spaces for trucks or similar vehicles in accordance with the following provisions:

A. One loading space for each twenty five thousand square feet of floor area in excess of the first twenty five thousand square feet of gross floor area exclusive of any residential or church/temple worship space.

B. One loading space for each seventy five dormitory residential dwelling units.

C. Off street loading spaces shall not be located within the required front or side yards or any yard adjoining a residential district.

D. Each loading space shall be at least ten feet wide by twenty five feet long and shall have a vertical clearance of fourteen feet.

E. Each loading space shall be paved with concrete, asphalt or paving bricks and shall not be used for storage or to satisfy the parking requirements of this title. (Ord. 2640, 5-23-1995; amd. Ord. 3245, 6-23-2008)

Chapter 17  
SITE PLAN REVIEW

10-17-1: INTENT AND PURPOSE:

A. Site plan review is a process for the assessment of land development or redevelopment proposals to ensure that they are considerate of and compatible with the surrounding area and fulfill, both within and around the site, the planning principles of safety, convenience, efficient use of land and design consistent with the character of the Village. Site plan review is in addition to zoning review and compliance. (Ord. 2640, 5-23-1995)

B. The development of Village owned buildings or property shall be exempt from the requirements of this Section. (Ord. 2657, 11-13-1995)

10-17-2: GENERAL PROVISIONS:

A. Any project which meets all the applicable requirements of this Zoning Title and is greater than ten thousand square feet of land area or five thousand square feet or more of gross floor area located in the R3, R4, C1, C2, C3, ORIC or PRI Districts shall only be permitted when it is approved in accordance with the provisions of this Section.

B. Each site plan review shall be presented and judged on its own merits. It shall not be sufficient to base justification for approval upon an already existing project.

C. The development of any parcel or tract of land which has been submitted to the Village as a planned development pursuant to [Chapter 19](#) of this Zoning Title shall not be subject to the approval process of this Section.

D. Site plan review approval must be obtained in accordance with the provisions of this Section if both of the following conditions exist:

1. The proposed project involves a parcel of land held in common ownership with a contiguous parcel which obtained site plan review approval within three years prior to the date of this application; and
2. The parcel proposed for development, when combined with the contiguous parcel that is held in common ownership with the subject parcel, equals or exceeds the general provisions contained in subsection A of this Section. (Ord. 2640, 5-23-1995)

10-17-3: STANDARDS FOR REVIEW:

An application for site plan review approval shall be granted by the Development Review Board only if it finds that the applicant has demonstrated that at a minimum the proposed project complies with the following standards:

A. The proposed project is consistent with the goals and policies of the Comprehensive Plan;

B. The establishment, maintenance, or operation of the project will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the residents of the Village;

C. The proposed project will not diminish the use or enjoyment nor impede the development of other property in the vicinity for those uses or combination of uses which are permitted by the Zoning Title of the Village;

D. The proposed project will not diminish property values in the vicinity;

E. Adequate measures already exist or will be taken to provide ingress and egress to the proposed project in a manner that minimizes traffic congestion in the public streets;

F. The proposed project will be consistent with the character of the Village;

G. The project will not materially affect a known historical or cultural resource;

H. The design of the project considers its relationship to the surrounding area and minimizes adverse effects, including visual impacts of the proposed project on adjacent property;

I. The design of the proposed project promotes a safe and comfortable pedestrian environment;  
and

J. The project has included adequate consideration consistent with these standards for buffers, landscaping, fencing, lighting, signage, building materials, public open space, and other improvements to be associated with the proposed project. (Ord. 2640, 5-23-1995)

#### 10-17-4: PROCEDURES:

The following steps are provided to assure the orderly review of every site plan review application in a timely and equitable manner:

##### A. Prefiling Review And Transmittal Of Application:

###### 1. Conference:

a. A prospective applicant, prior to submitting a formal application for a site plan review, shall meet for a prefilling conference(s) with the Zoning Administrator, the Director of Public Works and any other Village official designated by the Village Administrator. The purpose of the conference(s) is to help the applicant understand the Comprehensive Plan, the Zoning Title, the standards by which the application will be evaluated, and the application requirements.

b. After reviewing the site plan review process, the applicant may request a prefilling conference with the Village staff to discuss a request for waiver of any application requirement which in the applicant's judgment should not apply to the proposed project. Such request shall be made in writing prior to the submission of the formal application documents.

c. All requests for waiver shall be reviewed within ten working days by the Zoning Administrator and a final determination regarding the waiver shall be given to the prospective applicant within five working days.

2. Site Plan Review Application: Following the completion of the prefilling conference(s), the applicant shall file the application for a site plan review. The Zoning Administrator may deliver copies of an application to other appropriate Village departments for review and comment.

3. Application Review: The Zoning Administrator shall determine whether the application is complete for purposes of initiating the site plan review. If the Zoning Administrator determines that the application is not complete, he shall notify the applicant in writing of any deficiencies and shall take no further steps to process the application until the deficiencies are remedied.

4. Development Review Board: 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 development with the requirements and standards of this Section shall be delivered to the Development Review Board.

5. Determination Not Binding: Neither the Zoning Administrator's determination that an application is complete nor any comment made by the Zoning Administrator at a prefilling conference or as part of the review process shall be intended or construed as a formal or informal recommendation for the approval of a site plan review for the proposed project, or component part thereof, nor shall be intended or construed as a binding decision of the Village, the Development Review Board or any staff member.

B. Review and Action by the Development Review Board:

1. Upon receiving the written report from the Zoning Administrator, the Development Review Board shall review and act upon the site plan review at its next regular meeting.

2. The Development Review Board shall review the application, the standards and requirements established by this Zoning Title, the written report of the Zoning Administrator, and any oral and written comments received by the Development Review Board. Within thirty days following the regular meeting, the Development Review Board shall make specific findings addressing each of the standards set forth in Section [10-17-3](#) and shall approve, approve with conditions, or disapprove the site plan review.

C. Appeal to the Board of Trustees:

1. An applicant whose project did not receive site plan review Approval or received approval with conditions with which the applicant is not satisfied may, by written notice received by the Zoning Administrator within twenty days of the Development Review Board's determination, appeal the decision of the Development Review Board to the Board of Trustees. Upon receipt of the notice of appeal, the Zoning Administrator shall forward the complete application file along with the findings of the Development Review Board to the Board of Trustees.

2. Within sixty days of the filing of the notice of appeal, the Board of Trustees may deny the appeal, may refer the application to the Development Review Board for further review, may postpone further consideration pending the submittal of additional information including any application requirement previously waived, or may approve the site plan review with or without conditions.

3. Any action taken by the Board of Trustees pursuant to subsection C1 above shall require the concurrence of a majority of the Board of Trustees. (Ord. 2640, 5-23-95)

10-17-5: APPLICATION REQUIREMENTS:

A. An application for a site plan review may only be filed by one 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 project is to be located, or any unit of government which either owns the parcel or proposes to acquire the parcel by purchase, gift, or condemnation.

B. Applications for a site plan review 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 Zoning Administrator. Every application shall contain at a minimum the following information and related data:

1. The names and addresses of the owner of the subject property, the applicant and all persons having an ownership or beneficial interest in the subject property and proposed project.

2. A statement from the owner, if not the applicant, approving the filing of the application by the particular applicant.

3. A survey, legal description and street address of the subject property.

4. A statement indicating compliance of the proposed project to the Comprehensive Plan and the Zoning Title.

5. A scaled site plan showing the existing contiguous land uses, natural topographic features, zoning districts and public thoroughfares.

6. A scaled site plan of the proposed project showing the lot area, required yards and setbacks, contour lines, common space and the location, bulk, and lot area coverage and heights of buildings and structures, number of parking spaces and loading areas.

7. 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 combination of uses, and the floor area, of the entire project.

8. A landscaping plan showing the location, size, character and composition of vegetation and other material.

9. 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.

10. A schedule of development showing the approximate date for beginning and completion of each stage of construction of the project. (Ord. 2640, 5-23-95)

#### 10-17-6: EFFECT OF APPROVAL OR DENIAL:

A. Approval of the site plan review in accordance with this Section 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 development. The Zoning Administrator shall review applications for these permits for compliance with the terms of the site plan review approval. No permit shall be issued for the project which does not comply with the site plan review as approved.

B. An approval of a site plan review shall be null and void if the recipient does not file an application for a building permit for the proposed project within nine months after the date of the approval of the site plan review.

C. An application for a site plan review which has not been approved in accordance with this Section shall not be considered by the Village if it is resubmitted in substantially the same form and/or content within two years of the date of such denial.

1. The Zoning Administrator shall review the revised application for a site plan review and determine if the application is or is not substantially the same. An applicant has the right to request a review before the Development Review Board to appeal the determination of the Zoning Administrator, provided a petition for appeal is filed in writing with the Zoning Administrator within ten days of the decision.

2. The Development Review Board shall affirm or reverse the determination of the Administrator regarding whether the new application is in substantially the same form within thirty 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 is entitled to submit an application and have it reviewed in accordance with the provisions of this Section. (Ord. 2640, 5-23-95)

## Chapter 18

### SPECIAL USE PERMITS

#### 10-18-1: INTENT AND PURPOSE:

A. The development and execution of this Zoning Title is based upon the division of the Village into districts, within which the uses of land, structures, and buildings as well as the massing and location of structures and buildings in relation to the land are substantially uniform. It is recognized, however, that there are certain types of uses which because of their specific characteristics, or the services which they provide cannot be permitted in a particular district without consideration of the impact of such use upon the neighboring land, and of the public need for such particular use at a particular location.

B. The Board of Trustees, in accordance with the procedures and standards set forth in this Section, may grant special use permits.

C. Special use permits will be limited to those uses currently permitted in the underlying zoning district as indicated on the land use chart in Chapter 21 of this Zoning Title. (Ord. 2640, 5-23-1995)

#### 10-18-2: GENERAL PROVISIONS:

A. The special uses allowed in the land use chart in Chapter 21 of this Zoning Title shall be authorized in the districts hereinafter indicated subject to the provisions of this Section. When a use is not specifically listed in Section [10-21-2](#) of this Zoning Title or cannot reasonably be included in any category shown on the land use chart it shall be considered a special use subject to the provisions of this Chapter. All other applicable provisions of this Zoning Title, including those of the district in which the proposed special use is to be located, shall apply, except as expressly modified by the terms of the special use permit in order to comply with the standards set forth in this Section. (Ord. 2758, 3-23-1998)

B. The development of any parcel or tract of land which has been submitted to the Village as a planned development pursuant to [Chapter 19](#) of this Zoning Title shall not be subject to the approval process of this Section.

C. Each special use should be presented and judged on its own merits. It shall not be sufficient to base justification for approval upon an already existing special use.

D. The burden of providing evidence and persuasion that any special use permit is necessary and desirable shall in every case rest with the applicant. (Ord. 2640, 5-23-1995)

#### 10-18-3: STANDARDS FOR REVIEW:

An application for a special use permit shall be granted by the Board of Trustees only if it finds that the applicant has demonstrated that at a minimum the proposed use complies with the following standards:

A. The proposed use is consistent with the goals and policies of the Comprehensive Plan;

B. The establishment, maintenance, or operation of the use or combination of uses will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the residents of the Village;



C. The proposed use will not diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses which are permitted by this Zoning Title;

D. The establishment of the proposed use will not impede the normal and orderly development and improvement of surrounding properties for uses or combination of uses otherwise permitted in the zoning district;

E. The proposed use will not diminish property values in the vicinity;

F. Adequate measures already exist or will be taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets;

G. The proposed use will be consistent with the character of the Village;

H. The proposed use will not materially affect a known historical or cultural resource;

I. The design of the proposed use considers its relationship to the surrounding area and minimizes adverse effects, including visual impacts of the proposed use on adjacent property;

J. The design of the proposed use promotes a safe and comfortable pedestrian environment;

K. The proposed use has included adequate consideration consistent with these standards for buffers, landscaping, fencing, lighting, building materials, public open space, and other improvements associated with the proposed use; and

L. The off-site impacts of the proposed use such as vehicular traffic, noise, hours of operation, etc., have been shown to be compatible with the surrounding area. (Ord. 2640, 5-23-1995)

#### 10-18-4: PROCEDURES:

The following steps are provided to assure the orderly review of every special use permit application in a timely and equitable manner:

##### A. Prefiling Review And Transmittal Of Application:

###### 1. Conference:

a. A prospective applicant, prior to submitting a formal application for a special use permit, shall meet for a prefiling conference(s) with the Zoning Administrator, the Director of Public Works and any other Village official designated by the Village Administrator. The purpose of the conference(s) is to help the applicant understand the Comprehensive Plan, the Zoning Title, the standards by which the application will be evaluated, and the application requirements.

b. After reviewing the special use permit process, the applicant may request a prefiling conference with the Village staff to discuss a request for waiver of any application requirement which in the applicant's judgment should not apply to the proposed special use. Such request shall be made in writing prior to the submission of the formal application documents.

c. All requests for waiver shall be reviewed by the Zoning Administrator and a final determination

regarding the waiver shall be given in writing to the prospective applicant within ten working days.

d. The applicant, prior to submitting a formal application for a special use permit, may be required to schedule a meeting to discuss the proposed development and its impact on area residents. If such a meeting is required, the applicant shall send a written notice of the meeting to all property owners within five hundred feet of the proposed development. Such notice shall be mailed not less than fifteen days prior to the date of the meeting. A copy of the notice and mailing list shall be provided to the Zoning Administrator. A written summary of comments made at the meeting shall be maintained and submitted by the applicant with the application.

2. Zoning Board of Appeals: The Zoning Administrator shall confer with the Chairman of the Zoning Board of Appeals on all applications. Upon the determination of both the Administrator and the Chairman, the Zoning Board of Appeals may be asked to participate in the pre-filing conference(s).

3. Filing of Application: Following the completion of the pre-filing conference(s), the applicant shall file the application for a special use permit. The Zoning Administrator may deliver copies of the application to other appropriate Village departments for review and comment.

4. Deficiencies: The Zoning Administrator shall determine whether the application is complete. If the Zoning Administrator determines that the application is not complete, he 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 prepared by the Zoning Administrator incorporating the comments of Village staff and other agencies regarding the compliance of the proposed development with the requirements and standards of this Section shall be delivered to the Zoning Board of Appeals.

6. Determination Not Binding: Neither the Zoning Administrator's determination that an application is complete nor any comment made by the Zoning Administrator, staff or the Zoning Board of Appeals at a pre-filing conference or as part of the review process shall be intended or construed as a formal or informal recommendation for the approval of a special use permit for the proposed development, or component part thereof, nor shall be intended or construed as a binding decision of the Village, the Zoning Board of Appeals or any staff member.

#### B. Review and Action by the Zoning Board of Appeals:

1. Upon receiving the report from the Zoning Administrator, the Zoning Board of Appeals shall hold at least one public hearing on the proposed special use. Notice of the public hearing shall be provided and the public hearing shall be conducted in accordance with the provisions of this Zoning Title, State law and rules of procedure adopted by the Zoning Board of Appeals.

2. Notice of the required public hearing shall be published by the Village not more than thirty nor less than fifteen days before the scheduled hearing in a newspaper published in the Village or if there is none, then in a newspaper of general circulation in the Village and shall contain the following information:

a. The number designation of the application;

b. The date and time of the public hearing;

c. The location of the public hearing; and

d. The general location of the property, the legal description of the property and its street address, if applicable, and a short description of the proposed project and purpose of the public hearing.

3. Notice of the required public hearing shall also be provided by the Village by posting a sign or signs on the property no less than seven days prior to the public hearing. The sign shall be weatherproof and contain such information as is required in subsection B2 above. Failure to post such sign(s) and/or the removal or knocking down (by the Village or others) of the sign after posting but before the hearing shall not invalidate, impair, or otherwise affect any special use permit subsequently granted following such public hearing.

4. Notice of the required public hearing shall also be provided by the Village by regular mail to the owners of record of the property which is the subject of the application (if different than the applicant), and the owners of all property within five hundred feet of the subject property as shown on the written list provided by the applicant pursuant to the requirements of 65 Illinois Compiled Statutes 5/11-13-7 of the Illinois Municipal Code (such notice should be sent to the owners as recorded in the office of the Recorder of Deeds or the Registrar of Zoning Ordinances of Cook County and as they appear from the authentic tax records of Cook County, as shown on the list prepared by the applicant as required in 65 Illinois Compiled Statutes 5/11-13-7 of the Illinois Municipal Code). The applicant shall be required to submit to the Village a search by a reputable zoning ordinance company or other evidence satisfactory to the Village indicating the identity of all such owners required to receive notice, and an affidavit certifying that the applicant has complied with the requirements of 65 Illinois Compiled Statutes 5/11-13-7 of the Illinois Municipal Code. Such notice shall contain the information as is required in subsection B2 of this Section and shall be mailed not more than thirty nor less than fifteen days prior to the date of the public hearing. The notice shall also include the name and address of the applicant for the special use permit. The applicant shall also provide for the service of a separate notice which the applicant is required to serve under 65 Illinois Compiled Statutes 5/11-13-7 of the Illinois Municipal Code. The applicant shall be required to comply with all conditions of 65 Illinois Compiled Statutes 5/11-13-7 of the Illinois Municipal Code, except that the statutory area requirement of two hundred fifty feet is hereby replaced with a Village requirement of five hundred feet.

5. The Zoning Board of Appeals shall review the application, the standards and requirements established by this Zoning Title, the report of the Zoning Administrator, and any oral and written comments received by the Zoning Board of Appeals before or at the public hearing. Within thirty days following the close of the public hearing and at a regular meeting, the Zoning Board of Appeals shall make specific findings addressing each of the standards set forth in Section [10-18-3](#) of this Chapter and transmit such findings, together with a recommendation of approval, approval with conditions, or disapproval to the Board of Trustees.

#### C. Review And Action By The Board Of Trustees:

1. Within sixty days of receipt of the report and recommendation of the Zoning Board of Appeals, and without further public hearing, the Board of Trustees may deny the application, may refer the application to the Zoning Board of Appeals for further review, may postpone further consideration pending the submittal of additional information including any application requirement previously waived or may approve the special use permit. (Ord. 2640, 5-23-1995)

2. Any action taken by the Board of Trustees pursuant to subsection C1 of this Section shall require the concurrence of a majority of all Trustees and the Village President then holding office, however, if the application fails to receive the approval of the Zoning Board of Appeals, the zoning ordinance shall not be approved except by a favorable majority vote of all Trustees then holding office. (Ord. 2733, 8-11-1997)

3. In approving a special use permit, the Board of Trustees 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 Section [10-18-3](#) of this Chapter and to prevent or minimize adverse effects on other property in the immediate vicinity. 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.

4. Advance written notice of the first meeting of the Village Board where a special use permit application will be considered shall be provided by regular mail to the owners of record of the property which is the subject of the application (if different from the applicant), and the owners of all property within five hundred feet of the subject property, not less than ten days prior to the date of the first Village Board meeting. This requirement is enacted to assure the most complete public notice possible for the proposed application for a special use permit, it is not required by State law. Accordingly, any failure to comply with this subsection shall not invalidate, impair or otherwise affect any special use permit subsequently granted following such meetings. (Ord. 2640, 5-23-1995)

#### 10-18-5: APPLICATION REQUIREMENTS:

A. An application for a special use permit may only be filed by one 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 is to be located, or any unit of government which either owns the parcel or proposes to acquire the parcel by purchase, gift, or condemnation.

B. Applications for a special use permit 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 Zoning Administrator. Every application shall contain at a minimum the following information and related data:

1. The names and addresses of the owner of the subject property, the applicant and all persons having an ownership or beneficial interest in the subject property and proposed project.
2. A statement from the owner, if not the applicant, approving the filing of the application by the particular applicant.
3. A survey, legal description and street address of the subject property.
4. A statement showing compliance of the proposed project to the Comprehensive Plan and Zoning Title; and evidence of the proposed project's compliance in specific detail with each of the standards and objectives of this Section.
5. A scaled site plan showing the existing contiguous land uses, zoning districts and public thoroughfares.
6. A scaled site plan of the proposed project showing the lot area, required yards and setbacks, contour lines, common space and the location, bulk, and lot area coverage and heights of buildings and structures, number of parking spaces and loading areas.
7. 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 and the floor area of the entire project.
8. A landscaping plan showing the location, size, character and composition of vegetation and other material.
9. 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.
10. A schedule of development showing the approximate date for beginning and completion of each stage of construction of the project.

C. The applicant may submit a written request for waiver of any application requirement in accordance with subsection [10-18-4A1b](#) and c. The decision of the Zoning Board of Appeals shall be final regarding the approval or denial of the request. However, the Zoning Board of Appeals' decision regarding the request for a waiver of an application requirement does not preclude the Village Board from requesting that same information or any additional information it deems applicable for its review of the application.

D. 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 by the Zoning Board of Appeals or the Village Board. Additional materials may be required during the review of a proposed special use permit if determined necessary by the Zoning Board of Appeals or the Village Board. (Ord. 2640, 5-23-1995)

#### 10-18-6: EFFECT OF APPROVAL OR DENIAL:

A. Approval of the special use permit by the Board of Trustees in accordance with this Section, 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 project. The Zoning Administrator shall review applications for these permits for compliance with the terms of the special use permit granted by the Board of Trustees. No permit shall be issued for the project which does not comply with the terms of the special use permit.

B. An approval of a special use permit by the Board of Trustees shall be null and void if the recipient does not file an application for a building permit for the proposed project within nine months after the date of the approval of the special use permit.

C. An approval of a special use permit by the Board of Trustees shall be null and void if construction has not commenced within fifteen months and is not completed within thirty three months after the date of adoption of the ordinance approving the special use permit.

D. An extension of the time requirements stated in subsections B and C of this Section may be granted by the Board of Trustees for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline.

E. A special use permit shall be null and void if the use for which the approval was granted ceases for a period of one year.

F. No application for a special use permit which was previously denied by the Board of Trustees shall be reconsidered by the Zoning Board of Appeals or the Board of Trustees if it is resubmitted in substantially the same form and/or content within two years of the date of such prior denial.

1. The Zoning Administrator shall review the revised application for a special use permit and determine if the application is or is not substantially the same. An applicant has the right to request a hearing before the Zoning Board of Appeals to appeal the determination of the Zoning Administrator, provided a petition for appeal is filed in writing with the Zoning Administrator within ten days of the decision.

2. The Zoning Board of Appeals shall affirm or reverse the determination of the Administrator regarding whether the new application is in substantially the same form within thirty 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 is entitled to submit an application and have it reviewed in accordance with the provisions of Section [10-18-4](#) of this Chapter. (Ord. 2640, 5-23-1995)

## Chapter 19

### PLANNED DEVELOPMENTS

#### 10-19-1: INTENT AND PURPOSE:

A. One of the principal objectives of this zoning title is to provide for a compatible arrangement of uses of land and buildings which is consistent with the requirements and welfare of the village. To accomplish this objective most uses are classified as permitted or special uses in one or more of the districts established by this zoning title. It is recognized, however, that there are certain uses, whether or not designated as permitted or special, which because of their scope, location

or specific characteristics give rise to a need for a more comprehensive consideration of their impact both with regard to the neighboring land and the village in general. Such uses as fall within the provisions of this section shall only be permitted if authorized as a planned development.

B. The board of trustees, in accordance with the procedures and standards set forth in this section, may grant planned development permits authorizing the establishment of planned developments. (Ord. 2640, 5-23-1995)

C. Planned developments may include uses or combinations of uses currently permitted in the underlying zoning district and those uses which are currently prohibited or special uses provided for elsewhere in this zoning title. However, an applicant may petition for consideration of a use or combination of uses not specifically allowed in the underlying zoning district provided that the village board finds that the conditions, procedures and standards of this section are met and provided further that such use or combination of uses is clearly shown to be beneficial to the village and surrounding neighborhood. (Ord. 2758, 3-23-1998)

D. It is the purpose of planned developments to enable the granting of certain allowances or modifications from the basic provisions of this zoning title to achieve attractive and timely development in furtherance of the village's objectives and proposed land uses as stated in the comprehensive plan and policy resolutions of the village board.

E. Through the flexibility of the planned development process, the village seeks to achieve the following specific objectives:

1. Creation of a more desirable environment than would be possible through strict application of other village land use regulations.
2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities.
3. Combination and coordination of the character, the form, and the relationship of structures to one another.
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation, and geologic features.
5. Provision for the preservation and beneficial use of open space, or an increase in the amount of open space over that which would result from the application of conventional zoning regulations.
6. Encouragement of land uses or combination of uses that maintain the existing character and property values of the village, and promote the public health, safety, comfort, and general welfare of its residents.
7. Promotion of long term planning pursuant to a master plan which will allow harmonious and compatible land uses or combination of uses with surrounding areas.

F. The development of village owned buildings or property shall be exempt from the requirements of this section. (Ord. 2640, 5-23-1995)

#### 10-19-2: GENERAL PROVISIONS:

A. No development of twenty thousand square feet or more of land area or gross floor area and no multi-family housing of any size shall be permitted unless approved as a planned development in accordance with this chapter. Provided, however, that: 1) this chapter shall not

apply to the construction, reconstruction or remodeling of one single-family detached dwelling unless the proposed project is submitted pursuant to subsection B of this section, and 2) this chapter shall not apply to the reconstruction or restoration of any existing structure which is damaged to the extent of less than fifty percent of its value unless the proposed project is submitted pursuant to subsection B of this section.

The reconstruction or restoration of any existing multi-family housing which is damaged to the extent of fifty percent or more of its value shall be governed by this chapter and not subsection [10-5-7A3](#) of this title. (Ord. 2941, 10-22-2001)

B. The development of any parcel or tract of land in any zoning district, irrespective of size, may be submitted to the village for consideration as a planned development.

C. Approval of a planned development permit must be obtained in accordance with the provisions of this section if both of the following conditions exist:

1. The proposed development involves a parcel of land held in common ownership with a contiguous parcel which obtained approval as a planned development within three years prior to the date of this application; and
2. The parcel proposed for development, when combined with the contiguous parcel that is held in common ownership with the subject parcel, equals or exceeds the general provisions contained in subsection A or B of this section.

D. Each planned development should be presented and judged on its own merits. It shall not be sufficient to base justification for approval of a development upon an already existing planned development except to the extent such development has been approved as part of a master plan.

E. The burden of providing evidence and persuasion that any planned development permit is necessary and desirable shall in every case rest with the applicant.

F. Buildings and uses or combination of uses within a planned development shall be limited solely to those approved as part of the zoning ordinance granting a planned development permit provided, however, that any buildings and uses or combination of uses in compliance with the master plan approved as part of the zoning ordinance granting a planned development permit may be approved by the development review board and the village board of trustees. (Ord. 2640, 5-23-1995)

G. Any applicant shall be subject to a penalty of up to seven hundred fifty dollars per day to be assessed against the applicant and recorded as a lien against the applicant's property in the village for failure to comply with any condition, contingency or master plan submitted by the applicant or imposed by the village to comply with this chapter. (Ord. 2941, 10-22-2001)

#### 10-19-3: STANDARDS FOR REVIEW:

An application for approval as a planned development shall be granted by the board of trustees only if it finds that the applicant has demonstrated that at a minimum the proposed use or combination of uses complies with the following standards:

A. The proposed use or combination of uses is consistent with the goals and policies of the comprehensive plan;

B. The establishment, maintenance, or operation of the use or combination of uses will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the residents of the village;

C. The proposed use or combination of uses will not diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses which are permitted by this zoning title;

D. The establishment of the proposed use or combination of uses will not impede the normal and orderly development and improvement of surrounding properties for uses or combination of uses otherwise permitted in the zoning district;

E. The proposed use or combination of uses will not diminish property values in the vicinity;

F. Adequate utilities, road access, drainage, police and fire service and other necessary facilities already exist or will be provided to serve the proposed use or combination of uses;

G. Adequate measures already exist or will be taken to provide ingress and egress to the proposed use or combination of uses in a manner that minimizes traffic congestion in the public streets;

H. The proposed use or combination of uses will be consistent with the character of the village;

I. Development of the proposed use or combination of uses will not materially affect a known historical or cultural resource;

J. The design of the proposed use or combination of uses considers the relationship of the proposed use or combination of uses to the surrounding area and minimizes adverse effects, including visual impacts of the proposed use or combination of uses on adjacent property;

K. The design of the proposed use or combination of uses promotes a safe and comfortable pedestrian environment;

L. The applicant has the financial and technical capacity to complete the proposed use or combination of uses and has made adequate provisions to guarantee the development of any buffers, landscaping, public open space, and other improvements associated with the proposed use or combination of uses;

M. The proposed use or combination of uses is economically viable and does not pose a current or potential burden upon the services, tax base, or other economic factors that affect the financial operations of the village, except to the extent that such burden is balanced by the benefit derived by the village from the proposed use; and

N. The proposed use or combination of uses will meet the objectives and other requirements set



forth in this section. (Ord. 2640, 5-23-1995)

O. Except as provided in subsection [10-19-4B](#) of this chapter, no planned development containing multi-family housing shall be approved unless the following standards are met:

1. At least 2.5 parking spaces per dwelling unit are provided for. This requirement may be met by a contract, easement or other device providing permanent rights to off site parking; and
2. No less than two thousand eight hundred square feet of land area shall be provided for each residential unit. A parking area which meets the requirements of subsection O1 of this section may be used in meeting this requirement; and
3. One of the following criteria is met:
  - a. If the underlying zoning district is C1, C2 or C3, the proposed development provides for space devoted exclusively to retail sales;
  - b. The total number of parking spaces on the site is increased from that existing at the time of the application.
4. The requirements of this subsection O may be met using more than one site within the village and as part of a master plan submitted by the applicant with the application. (Ord. 3314, 12-14-2009)

#### 10-19-4: SITE DEVELOPMENT ALLOWANCES:

A. Site development allowances, i.e., alterations or variations from the underlying zoning provisions set forth outside this chapter may be approved provided the applicant specifically identifies each such site development allowance and demonstrates how each such site development allowance would be compatible with surrounding development and is in furtherance of the stated objectives of this section. (Ord. 2833, 6-21-1999)

B. A waiver may be granted for any of the requirements set forth in subsection [10-19-3O](#) of this chapter for any planned development containing multi-family housing which replaces an existing structure on the same site containing multi-family housing or submitted by the applicant as part of a master plan. (Ord. 2941, 10-22-2001)

#### 10-19-5: PROCEDURES:

The following steps are provided to assure the orderly review of every planned development application in a timely and equitable manner:

##### A. Prefiling Review and Transmittal of Application:

###### 1. Conference:

a. A prospective applicant, prior to submitting a formal application for a planned development, shall meet for a prefiling conference(s) with the Zoning Administrator, the Director of Public Works and any other Village official designated by the Village Administrator. 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. After reviewing the planned development process, the applicant may request a meeting with the Village staff and the Development Review Board to discuss a request for waiver of any application requirement which in the applicant's judgment should not apply to the proposed development. Such request shall be made in writing prior to the submission of the formal application documents.

c. All requests for waiver shall be reviewed within ten working days by the Development Review Board. A final determination regarding the waiver shall be given to the prospective applicant within five working days following the completion of the Development Review Board's deliberation.

d. The applicant, prior to submitting a formal application for a planned development, may be required to schedule a meeting to discuss the proposed development and its impact on area residents. If such a meeting is required, the applicant shall send a written notice of the meeting to all property owners within five hundred feet of the proposed development. Such notice shall be mailed not less than fifteen days prior to the date of the meeting. A copy of the notice and mailing list shall be provided to the Zoning Administrator. A written summary of comments made at the meeting shall be maintained and submitted by the applicant with the application.

2. Development Review Board: The Zoning Administrator shall confer with the Chairman of the Development Review Board on all applications. Upon the determination of both the Administrator and the Chairman, the Development Review Board may be asked to participate in the prefilling conference(s).

3. Filing of Application: Following the completion of the prefilling conference(s), the applicant shall file an application for a planned development in accordance with Section [10-19-6](#) hereof. The Zoning Administrator may deliver copies of the application to other appropriate Village departments for review and comment.

4. Deficiencies: The Zoning Administrator shall determine whether the application is complete. If the Zoning Administrator determines that the application is not complete, he 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 development with the requirements and standards of this Section shall be delivered to the Development Review Board prior to the public hearing.

6. Determination Not Binding: Neither the Zoning Administrator's determination that an application is complete nor any comment made by the Zoning Administrator, staff or the Development Review Board at a prefilling 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 development permit for the proposed development, or component part thereof, nor shall be intended or construed as a binding decision of the Village, the Development Review Board or any staff member.

#### B. Review and Action by the Development Review Board:

1. Upon receiving the report from the Zoning Administrator, the Development Review Board shall hold at least one public hearing on the proposed planned development. Notice of the public hearing shall be provided and the public hearing shall be conducted in accordance with the provisions of this Section, State law and rules of procedure adopted by the Development Review Board.

2. Notice of the required public hearing shall be published by the Village not more than thirty nor less than fifteen days before the scheduled hearing in a newspaper published in the Village or if there is none, then in a newspaper of general circulation in the Village and shall contain the following information:

a. The identification number designation of the application;

b. The date and time of the public hearing;

c. The location of the public hearing; and

d. The general location of the property, the legal description of the property and its street address, if applicable, and a short description of the proposed development and purpose of the public hearing.

3. Notice of the required public hearing shall also be provided by the Village by posting a sign or signs on the property no less than fifteen days prior to the public hearing. The sign shall be weatherproof and contain such information as is required in subsection B2 above. Failure to post such sign(s) and/or the removal or knocking down (by the Village or others) of the sign after posting but before the hearing shall not invalidate, impair, or otherwise affect any planned development permit subsequently granted following such public hearing.

4. Notice of the required public hearing shall also be provided by the Village by regular mail to the owners of record of the property which is the subject of the application (if different than the applicant), and the owners of all property within five hundred feet of the subject property as shown on the written list provided by the applicant pursuant to the requirements of 65 Illinois Compiled Statutes 5/11-13-7 of the Illinois Municipal Code (such notice should be sent to the owners as recorded in the office of the Recorder of Deeds or the Registrar of Zoning Ordinances of Cook County and as they appear from the authentic tax records of Cook County, as shown on the list prepared by the applicant as required in 65 Illinois Compiled Statutes 5/11-13-7 of the Illinois Municipal Code). The applicant shall be required to submit to the Village a search by a reputable zoning ordinance company or other evidence satisfactory to the Village indicating the identity of all such owners required to receive notice, and an affidavit certifying that the applicant has complied with the requirements of 65 Illinois Compiled Statutes 5/11-13-7 of the Illinois Municipal Code. Such notice shall contain the information as is required in subsection B2 above and shall be mailed not more than thirty nor less than fifteen days prior to the date of the public hearing. The notice shall also include the name and address of the applicant for the planned development. The applicant shall also provide for the service of a separate notice which the applicant is required to serve under 65 Illinois Compiled Statutes 5/11-13-7 of the Illinois Municipal Code. The applicant shall be required to comply with all conditions of Section 5/11-13-7 of the Illinois Municipal Code, except that the statutory area requirement of two hundred fifty feet is hereby replaced with a Village requirement of five hundred feet.

5. The Development Review Board shall review the application, the standards and requirements established by this Section, the report of the Zoning Administrator, and any oral and written comments received by the Development Review Board before or at the public hearing. Within thirty days following the close of the public hearing and at a regular meeting, the Development Review Board shall make specific written findings addressing each of the standards set forth in Section [10-19-3](#) and transmit such findings, together with a recommendation of approval, approval with conditions, or disapproval to the Board of Trustees.

#### C. Review and Action by the Board of Trustees:

1. Within sixty days of receipt of the report and recommendation of the Development Review Board, and without further public hearing, the Board of Trustees may deny the application, may refer the application to the Development Review Board for further review, may postpone further consideration pending the submittal of additional information including any application requirement previously waived by the Development Review Board or may adopt a zoning ordinance approving the planned development permit.

2. Any action taken by the Board of Trustees pursuant to subsection C1 above shall require the concurrence of a majority of all the Trustees of the Village then holding office, including the Village President; however, if the planned development fails to receive the approval of the Development Review Board, the ordinance shall not be approved except by a favorable majority vote of all Trustees then holding office.

3. In approving a planned development permit, the Board of Trustees 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 Section [10-19-3](#) and to prevent or minimize adverse effects on other property in the immediate vicinity. 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.

4. Advance written notice of the first meeting of the Village Board where a planned development application will be considered shall be provided by regular mail to the owners of record of the property which is the subject of the application (if different from the applicant), and the owners of

all property within five hundred feet of the subject property, not less than ten days prior to the date of the first Village Board meeting. This requirement is enacted to assure the most complete public notice possible for the proposed application for a planned development, it is not required by State law. Accordingly, any failure to comply with this subsection shall not invalidate, impair or otherwise affect any planned development permit subsequently granted following such meetings. (Ord. 2640, 5-23-95)

#### 10-19-6: APPLICATION REQUIREMENTS:

A. An application for a planned development may only be filed by one 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; or any unit of government which either owns the parcel or which is not the owner of the parcel but proposes to acquire the parcel by purchase, gift, or condemnation; or any developer or development team which has entered into a redevelopment agreement with the unit of local government seeking to acquire the parcel.

B. Applications for a planned development 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. Every application shall contain at a minimum the following information and related data:

1. The names and addresses of the owner of the subject property, the applicant and all persons having an ownership or beneficial interest in the subject property and proposed development.
2. A statement from the owner, if not the applicant, approving the filing of the application by the particular applicant.
3. A survey, legal description and street address of the subject property.
4. A statement indicating compliance of the proposed development to the Comprehensive Plan; and evidence of the proposed project's compliance in specific detail with each of the standards and objectives of this Section.
5. A scaled site plan showing the existing contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation and utilities.
6. A scaled site plan of the proposed development showing lot area, the required yards and setbacks, contour lines, common space and the location, bulk, and lot area coverage and heights of buildings and structures, number of parking spaces and loading areas.
7. 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 combination of uses, and the floor area of the entire development.
8. A landscaping plan showing the location, size, character and composition of vegetation and other material.
9. 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.
10. A schedule of development showing the approximate date for beginning and completion of each stage of construction of development.
11. A statement acknowledging the responsibility of the applicant to record a certified copy of the zoning ordinance granting the planned development permit with the Cook County Recorder of Deeds' Office and to provide evidence of said recording to the Village within thirty days of passage in the event the proposed planned development is approved by the Village Board.
12. A professional traffic study acceptable to the Village showing the proposed traffic circulation pattern within and in the vicinity of the area of the development, including the location and description of public improvements to be installed, including any streets and access easements.

13. A professional economic analysis acceptable to the Village, including the following:

- a. The financial capability of the applicant to complete the proposed development;
- b. Evidence of the project's economic viability; and
- c. An analysis summarizing the economic impact the proposed development will have upon the Village.

14. Copies of all environmental impact studies as required by law.

15. An analysis reporting the anticipated demand on all Village services.

16. A plan showing off-site utility improvements required to service the planned development, and a report showing the cost allocations for those improvements.

17. A site drainage plan for the developed tract.

18. A written summary of residents' comments pertaining to the proposed application. This summary shall serve as the official record of the meeting that the developer shall be required to hold with all property owners within five hundred feet of the proposed development. This meeting shall be held prior to the submission of the application for a planned development. The developer is further required to provide evidence that a notice of this meeting was sent by regular mail to all affected property owners at least ten days prior to the required meeting date.

C. The applicant may submit a written request for waiver of any application requirement in accordance with subsection [10-19-5A1b](#) and c. The decision of the Development Review Board shall be final regarding the approval or denial of the request. However, the Development Review Board's decision regarding the request for a waiver of an application requirement does not preclude the Village Board from requesting that same information or any additional information it deems applicable for its review of the planned development application.

D. 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 development if determined necessary by the Development Review Board or the Village Board. (Ord. 2640, 5-23-95)

#### 10-19-7: EFFECT OF APPROVAL OR DENIAL:

A. Approval of the planned development permit by the Board of Trustees 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 development. The Zoning Administrator shall review applications for these permits for compliance with the terms of the planned development permit granted by the Board of Trustees. No permit shall be issued for development which does not comply with the terms of the planned development permit.

B. The Village Board shall direct the Zoning Administrator to revise the Official Zoning Map to reflect the existence and boundaries of each planned development permit granted.

C. An approval of a planned development permit by the Board of Trustees shall be null and void if the recipient does not file an application for a building permit for the proposed development within nine months after the date of adoption of the zoning ordinance approving the development permit.

D. An approval of a planned development permit by the Board of Trustees shall be null and void if construction has not commenced within fifteen months and is not completed within thirty three months after the date of adoption of the zoning ordinance approving the planned development permit.

E. An approval of a planned development permit with a phasing plan shall be null and void if construction has not commenced or is not completed in accordance with the terms of that phasing plan.

F. An approval of a planned development permit with a master plan shall be null and void if construction has not commenced or is not completed in accordance with the terms and conditions contained in the master plan.

G. An extension of the time requirements stated in subsections C, D, and E of this Section may be granted by the Board of Trustees for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline.

H. A planned development permit shall be null and void if the use or combination of uses for which the approval was granted ceases for a period of one year.

I. No application for a planned development which was previously denied by the Board of Trustees shall be considered by the Development Review Board or the Board of Trustees if it is resubmitted in substantially the same form and/or content within two years of the date of such prior denial.

1. The Zoning Administrator shall review the application for a planned 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 Zoning Administrator, provided a petition for appeal is filed in writing to the Zoning Administrator within ten days of the decision.

2. The Board shall affirm or reverse the determination of the Administrator regarding whether the new application is in substantially the same form within thirty 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 is entitled to submit an application and have it reviewed in accordance with the provisions of Section [10-19-5](#) hereof. (Ord. 2640, 5-23-95)

#### 10-19-8: AMENDMENTS AND ALTERATIONS TO APPROVED PLANNED DEVELOPMENT PERMITS:

A. Except as provided in subsection B below, any modifications to an approved planned development permit or any addition to or expansion of an existing planned development permit shall require separate review and approval under the provisions of this Section.

B. A minor change is any change in the site plan or design details of an approved planned development permit which is consistent with the standards and conditions applying to the planned development permit and which does not alter the concept or intent of the planned development. A minor change shall not increase the project's density, increase the height of buildings, reduce open space, modify the proportion of housing types, change or add new parking areas, alter alignment of roads, utilities or drainage, amend final governing agreements,

provisions or covenants, or provide any other change inconsistent with any standard or condition imposed by the Board of Trustees in approving the planned development permit. Said minor change may be approved by the Zoning Administrator without obtaining separate approval by the Board of Trustees. In addition, the Village Board may, after reviewing the request for a minor change made by the Village staff or the applicant, direct the Village Administrator to process the minor change administratively. A minor change that would constitute a variation under the Zoning Title may only be approved at the direction of the Village Board. (Ord. 2640, 5-23-95)

## Chapter 20

### EXCEPTIONS AND MODIFICATIONS

#### 10-20-1: HEIGHT:

The requirements in the height regulations in all foregoing sections of this Zoning Title shall be subject to the following exceptions and regulations:

A. Public, semi-public or public service buildings, houses of worship, or schools may be erected to a height not exceeding sixty feet; provided that if such building is adjacent to a residential district it shall be set back from each such property line at least one foot for each foot of additional building height above the limit for that district, in addition to other requirements of this Zoning Title.

B. Chimneys, elevator penthouse, penthouses, stacks, ornamental towers and spires, flagpoles, wireless towers or necessary mechanical appurtenances may be erected to a height in accordance with the Village Code or applicable laws. (Ord. 2640, 5-23-95)

#### 10-20-2: AREA:

The requirements in the area regulations in all foregoing sections of this Zoning Title shall be subject to the following exceptions and regulations:

A. Every part of a required yard shall be open from the ground to the sky unobstructed, except for:

1. The projections of sills, belt courses, cornices, gutters, downspouts, and ornamental features not exceeding four inches; and,
2. The projection of bay windows and balconies into front and rear yards not exceeding eighteen inches.

B. The ordinary projections of chimneys and flues into front and rear yards not exceeding twelve inches may be permitted, provided written permission is first obtained from the Director of Public Works.

C. No yard, court or other open space provided about any building for the purpose of complying with the provisions of these regulations shall again be used as a yard, court or other space for another building.

D. Any building lawfully erected prior to May 6, 1922, which does not conform to the height and area regulations hereof shall not be altered if said alteration constitutes a violation of any of that districts height or area regulations. (Ord. 2640, 5-23-95)





RETAIL TRADE								
Adult bookstore/adult entertainment	N	N	N	N	N	N	N	N
Art dealers	N	N	N	P	P	P	P	N
Automotive parts, accessories	N	N	N	P	P	P	P	N
Boat sales and service	N	N	N	P	P	N	S	N
Book, periodical and music stores	N	N	N	P	P	P	P	N
Camera and photographic supply stores	N	N	N	P	P	P	P	N
Casket sales	N	N	N	P	P	P	P	N
Cellular phone antennas	N	N	N	N	N	N	N	S
Clothing stores	N	N	N	P	P	P	P	N
Computer and software stores	N	N	N	P	P	P	P	N
Dry cleaning, with off premises cleaning	N	N	N	P	P	P	P	N
Dry cleaning, with on premises cleaning	N	N	N	S	S	S	S	N
Electronics and appliance stores	N	N	N	P	P	P	P	N
Florists	N	N	N	P	P	P	P	N
Furniture and home furnishing stores	N	N	N	P	P	P	P	N
Gift, novelty, and souvenir shops	N	N	N	P	P	P	P	N
Gun shops	N	N	N	N	N	N	N	N
Hardware stores	N	N	N	P	P	P	P	N
Hobby, toy, and game stores	N	N	N	P	P	P	P	N
Jewelry stores	N	N	N	P	P	P	P	N
Luggage and leather goods stores	N	N	N	P	P	P	P	N
Lumber and other building materials	N	N	N	S	S	N	S	N
Miscellaneous retail stores	N	N	N	S	S	S	S	N
Motor fuel service station	N	N	N	S	S	S	S	N

Motor fuel service station with minimarts	N	N	N	S	S	S	S	N
Motor vehicle body shops	N	N	N	N	N	N	N	N
Motor vehicle sales and rental	N	N	N	S	S	S	S	N
Motor vehicles repair and maintenance, not including bodywork	N	N	N	S	S	S	S	N
Musical instrument and supply stores	N	N	N	P	P	P	P	N
News dealers and newsstands (indoors)	N	N	N	P	P	P	P	N
News dealers and newsstands (outdoors)	N	N	N	N	N	N	N	N
Optical goods stores	N	N	N	P	P	P	S	N
Paint, glass and wallpaper stores	N	N	N	P	P	P	P	N
Parking facilities _ enclosed, not accessory to use on same lot	N	N	N	P	P	P	P	N
Parking facilities _ outdoor, not accessory to use on same lot, for noncommercial vehicles only (exception made for commercial vehicles temporarily parked in the course of providing deliveries or services)	N	N	N	P	P	P	P	N
Pawnshops	N	N	N	N	N	N	N	N
Pet and pet supplies stores	N	N	N	P	P	P	P	N
Prerecorded tape, CD and record stores	N	N	N	P	P	P	P	N
Rental stores (with outdoor storage)	N	N	N	N	N	N	N	N
Retail nurseries and garden stores	N	N	N	S	S	S	P	N
Retail _ temporary	N	N	N	N	N	N	N	N
Sewing, needlework and	N	N	N	P	P	P	P	N

piece goods								
Shoe stores	N	N	N	P	P	P	P	N
Sporting goods stores	N	N	N	P	P	P	P	N
Stationery stores	N	N	N	P	P	P	P	N
Tobacco stores	N	N	N	N	N	N	N	N
Used merchandise stores	N	N	N	N	N	N	N	N
Wholesale sales and distribution, no outside storage or display	N	N	N	S	S	S	S	N
Wholesale sales with storage of materials outdoors	N	N	N	N	N	N	S	N
ACCOMMODATIONS AND FOOD SERVICES								
Bars, taverns and cocktail lounges	N	N	N	N	N	N	N	N
Coffee shops	N	N	N	P	P	P	P	N
Convenience food marts	N	N	N	S	S	S	S	N
Dinner theaters	N	N	N	S	S	S	S	N
Fast food establishment	N	N	N	S	S	N	S	N
Hotels	N	N	N	S	S	S	S	N
Nursing homes and skilled care facilities	N	N	N	N	N	N	N	N
Restaurant _ drive-through	N	N	N	S	S	S	S	N
Restaurants operating outside the hours of 7:00 A.M. to 1:00 A.M.	N	N	N	S	S	S	S	N
Restaurants, sit down, greater than 5,000 square feet	N	N	N	S	S	S	S	N
Restaurants, sit down, less than 5,000 square feet	N	N	N	P	P	P	P	N
Specialty food stores	N	N	N	P	P	P	P	N
FINANCIAL, INSURANCE AND REAL ESTATE								
Commodity contract	N	N	N	P	P	P	P	N

brokers, dealers								
Financial institutions with drive-up window	N	N	N	S	S	S	S	N
Financial institutions without drive-up window	N	N	N	P	P	P	P	N
Insurance agents, brokers and service	N	N	N	P	P	P	P	N
Investment advisors	N	N	N	P	P	P	P	N
Real estate agents and managers	N	N	N	P	P	P	P	N
Security brokers and dealers	N	N	N	P	P	P	P	N
SERVICES								
Accounting, auditing and bookkeeping	N	N	N	P	P	P	P	N
Adult daycare facilities	N	N	N	S	S	S	S	N
Advertising agencies	N	N	N	P	P	P	P	N
Architectural, engineering and related services	N	N	N	P	P	P	P	N
Auto repossession/recovery	N	N	N	N	N	N	N	N
Barbershops	N	N	N	P	P	P	P	N
Beauty shops	N	N	N	P	P	P	P	N
Business and technical schools	N	N	N	S	S	S	S	N
Business consulting	N	N	N	P	P	P	P	N
Business operations involving the storage of hazardous materials	N	N	N	S	S	S	N	N
Business operations involving the storage of vehicles for more than 24 hours	N	N	N	S	S	S	N	N
Car wash	N	N	N	N	N	N	N	N
Commercial art and graphic design	N	N	N	P	P	P	P	N
Computer and data processing services	N	N	N	P	P	P	P	N
Currency exchange, payday loan store,	N	N	N	N	N	N	N	N

check cashing services								
Direct mail advertising services	N	N	N	S	S	S	S	N
Electrical repair shops (small consumer appliances)	N	N	N	P	P	P	P	N
Employment agencies	N	N	N	P	P	P	P	N
Extermination and pest control services	N	N	N	S	S	S	S	N
Funeral homes	N	N	N	P	P	N	S	N
Labor organizations	N	N	N	P	P	P	P	N
Landscaping services	N	N	N	S	S	S	S	N
Legal services	N	N	N	P	P	P	P	N
Limousine service	N	N	N	S	S	S	S	N
Massage parlors	N	N	N	N	N	N	N	N
Massage therapy establishment	N	N	N	P	P	P	P	N
Medical equipment rental	N	N	N	P	P	P	P	N
Medical or dental offices, labs and outpatient surgical facilities	N	N	N	P	P	P	P	N
Pet care (except veterinary) services	N	N	N	S	S	S	S	N
Photocopying and duplicating services	N	N	N	P	P	S	S	N
Photographic studios, portrait	N	N	N	P	P	P	P	N
Political organizations	N	N	N	P	P	P	P	N
Private instructional facilities	N	N	N	P	P	P	P	S
Private mailing service	N	N	N	P	P	P	P	N
Professional organizations	N	N	N	P	P	P	P	N
Public postal service	N	N	N	N	N	N	P	N
Rail terminals _ commuter	N	N	N	N	N	N	N	P
Recycling centers _	N	N	N	N	N	N	S	P

drop off								
Reupholsters and furniture repair	N	N	N	P	P	P	P	N
Secretarial and court reporting	N	N	N	P	P	P	P	N
Shoe repair and shoeshine parlors	N	N	N	P	P	P	P	N
Tanning salons	N	N	N	P	P	P	P	N
Tattoo parlor	N	N	N	N	N	N	N	N
Telemarketing bureaus	N	N	N	P	P	P	P	N
Towing operations (sole purpose)	N	N	N	N	N	N	N	N
Travel agents	N	N	N	P	P	P	P	N
Veterinary hospitals or clinics for small animals	N	N	N	S	S	N	S	N
Videotape and disk rental	N	N	N	P	P	P	P	N
Watch, clock, jewelry repair	N	N	N	P	P	P	P	N
INDUSTRIAL								
Canning and bottling facilities	N	N	N	N	N	N	N	N
Cellular phone antennas	N	N	N	N	N	N	N	S
Electrical distribution centers and utility substations	S	S	S	S	S	S	S	P
Manufacturing labs, testing facilities	N	N	N	S	S	S	S	N
Manufacturing, processing, assembly and packaging of biological and botanical products, except manure	N	N	N	N	N	N	S	N
Manufacturing, processing, assembly and packaging of merchandise from prepared materials, and pharmaceuticals, toiletries and plastics, chemicals and food products	N	N	N	N	N	N	S	N
Metal fabrication	N	N	N	N	N	N	N	N

facilities								
Newspaper offices and distribution services	N	N	N	P	P	P	P	N
Vehicle and equipment storage yards - outdoor, not accessory to use on same lot	N	N	N	N	N	N	N	N
ENTERTAINMENT AND RECREATION								
Billiard/pool halls	N	N	N	N	N	N	N	N
Fitness and recreational sports centers - less than 10,000 square feet in floor and land area	N	N	N	P	P	P	P	P
Fitness and recreational sports centers - 10,000 square feet or more in floor and land area	N	N	N	S	S	N	S	S
Martial arts facilities	N	N	N	P	P	P	S	N
Off track betting facilities	N	N	N	N	N	N	N	N
Swimming pools _ private	P	P	P	N	N	N	N	N
Swimming pools _ public	N	N	N	N	N	N	N	P
Tennis, racquet and paddle ball courts _ private	S	S	S	N	N	N	N	N
Theaters for movie and drama _ commercial	N	N	N	P	P	P	P	N
Video game arcades	N	N	N	N	N	N	N	N
INSTITUTIONAL								
Colleges and universities	N	N	N	N	N	N	N	N
Convents, monasteries and seminaries	N	N	N	N	N	N	N	N
Hospitals and clinics	N	N	N	N	N	N	N	N
Houses of worship	N	N	N	N	N	N	N	P
Libraries	N	N	N	N	N	N	N	P

Membership organizations, related to recreational facilities and accessory buildings	N	N	N	S	S	S	S	S
Municipal buildings, structures and grounds	N	N	N	N	N	N	N	P
Museums, historical sites and like institutions	N	N	N	S	S	S	S	P
Parks, forest preserves, related recreational facilities, administrative offices and storage buildings	N	N	N	N	N	N	N	P
Schools, public and private, elementary, junior high and high schools	N	N	N	N	N	N	N	P
ACCESSORY USES								
Child daycare homes	P	P	P	N	P	P	N	N
Commissaries for students and faculty	N	N	N	N	N	N	N	P
Dormitories	N	N	N	N	N	N	N	P
Garages, parking facilities, and similar off street parking	P	P	P	P	P	P	P	P
Rectories, parsonages and parish houses	N	N	P	N	P	P	N	P
Other accessory structures for mechanical equipment, storage of mechanical equipment and vehicles and athletic fields and stands	P	P	P	N	N	N	N	P

(Ord. 3270, 3-23-2009)

Chapter 22

ENFORCEMENT

10-22-1: ENFORCEMENT AUTHORITY:

This Zoning Title shall be enforced by the Zoning Administrator who is hereby empowered and whose duty is shall be to enforce this Zoning Title. (Ord. 2640, 5-23-1995)

10-22-2: VIOLATIONS AND PENALTIES:



Any person who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Zoning Title shall be fined not more than seven hundred fifty dollars for each offense. A separate offense shall be deemed committed for each day that a violation is permitted to exist. (Ord. 2838, 7-26-1999)

## Chapter 23

### PERMITS AND DOCUMENTS REQUIRED

#### 10-23-1: OCCUPANCY PERMITS REQUIRED:

Subsequent to the effective date hereof, no change of use or occupancy of land, nor any change of use or occupancy in an existing building shall be made, nor shall any new building be occupied for any purpose until a certificate of occupancy shall state that the new occupancy complies with all provisions of this Zoning Title.

A. No permit for excavation for, or the erection or alteration of, any building shall be issued before the application has been made for a building permit and no such building or premises shall be occupied until a certificate of occupancy has been issued.

B. A record of all certificates of occupancy shall be kept on file in the office of the Director of Public Works and copies shall be furnished on request to any person having a proprietary or tenancy interest in land or in a building affected by such certificate of occupancy.

C. A certificate of occupancy shall be required of all nonconforming uses of land or buildings created by the passage of these regulations. Application for such certificates of occupancy for nonconforming uses shall be filed with the Director of Public Works by the owner or lessee of the land or building occupied by such nonconforming use within one year from the effective date hereof. It shall be the duty of the Director of Public Works to issue a certificate of occupancy for such nonconforming use.

D. Any nonconforming use for which an occupancy permit has not been obtained in conformity with the requirements of this Section shall be presumed to be operating in violation of this Zoning Title and such use shall thereupon be abated.

E. A fee shall be charged for each original certificate and for each copy, as determined by the Village Board from time to time.

F. No public utility company shall furnish any new or additional meters to any building or to the owner, occupant or occupants thereof until it has received a written permit to do so from the Director of Public Works. This subsection shall have no application to the mere exchange of meters for repair or service, or to the furnishing of temporary service.

G. No certificates of occupancy shall be issued for buildings, parcels or tracts of land in the R1, R2, R3, R4, C1, C2, C3, ORIC and PRI Districts until the following information and accompanying data is submitted to the Village for administrative review:

1. The names and addresses of the owner of the subject property, the applicant and all persons having an ownership interest in the subject property.
2. A survey, legal description, and street address of the subject property.
3. A written description explaining the nature of the proposed occupancy and use.

4. A scaled site plan showing the contiguous land uses, natural features, zoning, public thoroughfares, transportation, and utilities.
5. A scaled site plan showing common space, and the location, bulk, and lot area coverage of building(s) and structure(s), parking and loading areas.
6. A schedule showing the number, type, and floor area of any business uses, and the floor area, lot area, and lot coverage.
7. The substance of covenants, easements, and other restrictions existing and to be imposed on the use of the land, including common open space, and buildings and structures.
8. A schedule of development showing the approximate date for beginning and completion of each stage of construction. (Ord. 2640, 5-23-1995)

10-23-2: PLATS:

Each application for a building permit shall be accompanied by a plat in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected, its location upon the lot, and such other information, including off-street parking, as may be necessary to provide for the enforcement of this Zoning Title. A complete record of such applications and plats shall be kept in the office of the Director of Public Works. (Ord. 2640, 5-23-1995)

10-23-3: SUBDIVISION PLATS:

A. All persons subdividing any piece of land, block, lot or subplot, or any part thereof, in the Village shall make a map or plat thereof, and before recording the same in the Recorder's office of the County, as provided by law, shall submit the same, with three additional copies thereof, to the President and Board for their approval or rejection, as they may deem proper provided that said plat shall comply to all applicable zoning requirements unless a variation to said requirements has been granted by the Village. If approved, such approval shall be certified thereon, and signed by the Village President and attested by the Village Clerk; and no such map or plat shall be valid or entitled to be recorded until it shall have been approved as aforesaid.

B. The duplicate of such map or plat as provided in subsection A of this Section shall be kept on file by the Village Clerk for the use and benefit of the Village. No such map or plat shall be approved as aforesaid until the same shall have been properly certified by a surveyor and acknowledged by the owner, as provided by the laws of the State. (Ord. 2733, 8-11-1997)

C. From and after October 11, 1994, no subdivision of any piece of land, block, lot or subplot, or any part thereof, in the Village shall be approved by the President and Board unless each resulting lot is equal to or greater in width than the average width of all lots within the same block, consisting of both sides of the street and measured by the closest intersecting street on each side; provided further, however, that each said resulting lot shall have a width of not less than fifty feet and that corner houses shall be deemed to front on their respective north/south streets.

D. Where two or more lots are combined for the construction of one single-family dwelling, said lots will be construed as one lot for purposes of calculating the average width of lots within the same block. (Ord. 2640, 5-23-1995)

10-23-4: DEDICATIONS OF SCHOOL LANDS OR PAYMENTS OF FEES IN LIEU THEREOF:

As a condition of approval of a certificate of occupancy for the use of a new residential structure or a residential structure or structures that replace an existing structure, or as a condition of approval of a final plat of development, a final plat of subdivision, or a final plat of or special use permit for a planned unit development, each subdivider or developer will be required to dedicate

land for school purposes to serve the immediate and future needs of the residents and children of the development, or make a cash contribution in lieu of actual land dedication, or a combination of both, at the option of the Village, in accordance with the criteria and formula that follow. For the purposes of this Section, "school" and "school district" shall refer only to public elementary school districts.

A. Criteria For School Land Dedication:

1. Requirements And Population Ratio: The ultimate population density of a proposed development, subdivision or planned unit development shall bear directly upon the amount of land required to be dedicated for school sites. The land dedication requirement shall be determined in accordance with the data for the estimated number of children entering school per type of dwelling found in the latest edition of the table prepared by Associated Municipal Consultants, Inc., which table is reproduced as a density formula in subsection C of this Section.

School classifications and size of school sites within the Village shall be determined in accordance with the following criteria based upon "Recommendations for Elementary and High School Spaces", published by the Illinois State Board of Education, Springfield, Illinois:

School Classification By Grades	Maximum Number Of Students	Minimum Number Of Acres Of Land
Elementary	600	11
Junior high	900	29

2. Location: The Comprehensive Plan of the Village, the comprehensive school plan or facility utilization plan of the school district and the standards adopted by the school district shall be considered in locating school sites. The location of dedicated school sites shall be determined with the input of the school district involved. A central location which will serve equally the entire development is most desirable. Additional guidelines which shall be considered in locating sites include, but are not limited to, size of the subdivisions, proximity of the site to other schools and Municipal services, topography and shape of the site, accessibility of the site, safety and other environmental and use conditions.

B. Criteria For Requiring A Contribution In Lieu Of School Land: Where the subdivision or development is small and the resulting school site is, in the opinion of the Village, after consultation with the school district, too small to be practical or when the available land, in the opinion of the Village, after consultation with the school district, is inappropriate for school purposes, the Village shall require the subdivider or developer to pay a cash contribution in lieu of the land dedication required. The cash contributions in lieu of school land dedication shall be paid to and held in trust by the school district in which the development is located, solely for the acquisition of land for school sites and/or the types of improvements of school land, as set forth in subsection B2 of this Section which will be available to serve the immediate or future needs of the residents of that development, subdivision or planned unit development or for the improvement of other existing local school land which already serves such needs. The Village shall have the right to request and receive from the affected school district's annual audit reports and any other information the Village may need from time to time to ensure compliance with this Chapter. If any portion of a cash contribution in lieu of school land dedication is not expended for the purposes set forth herein within ten years from the date of receipt, the school district holding the funds shall refund such contribution to the owners of record of all lots, except lots dedicated pursuant to the provisions of this Chapter, in the development, subdivision, or planned unit development for which such contribution was made. The refund shall be paid to the persons who are the owners of record on the day which is the tenth anniversary of the receipt of such contribution. The amount of the refund due to each lot owner shall be equal to the amount of the original contribution, together with such interest as may have been earned thereon, divided by

the total number of lots in the development, subdivision or planned unit development (excluding only those lots which were dedicated pursuant to this Chapter) for which such contribution was made.

1. Acquisition Using Cash In Lieu Of School Land Donations:

a. The term "acquisition" as used in this Chapter shall mean "the acquiring of land by purchase, condemnation or such other means as may be appropriate".

b. The acquired land shall be used for the construction of new facilities or shall support the types of improvements as set forth in subsection B2 of this Section.

2. Improvement Using Cash In Lieu Of School Land Donations: Where existing school lands will serve the needs of the development, the cash contribution in lieu of land dedication shall be used for the following types of physical improvements: expansion of existing school facilities, including remodeling to allow the accommodation of additional students in the facility, additions to existing facilities, additions to school grounds and environment, purchase or lease of prefabricated units and costs of a capital nature related to any of the foregoing.

3. Fair Market Value: The cash contribution in lieu of improved land shall be based on the fair market value of the acres of land in the development. It has been determined that the present fair market value of such improved land in and surrounding the Village is four hundred twenty nine thousand one hundred dollars per acre and such figure shall be used in making any calculation herein unless the subdivider, developer, or the school district involved files a written objection thereto. In the event of any such objection, the objecting party shall, at its cost, submit an appraisal by a Member of Appraisal Institute (MAI) showing the fair market value of the land in the development or other evidence thereof and final determination of said fair market value per acre of such improved land shall be made by the Village Board based upon such information submitted by the subdivider, developer, or school district involved and from other sources which may be submitted to the Village Board by others. Any developer, subdivider or school district involved shall have a reasonable opportunity to dispute any appraisal submitted under this Section and to submit a contrary appraisal before the Village Board makes a final decision as to any adjustment to the fair market value, except that the Village in conjunction with the school district involved may from time to time submit amendments to this provision to provide for different fair market values for parcels that are deemed by the school district involved and the Village to be of greater or lesser value.

4. Adjustment Of Fair Market Value: The fair market value as established in this Section shall be adjusted from time to time as deemed necessary by the Village. Such adjusted fair market value shall be used in making calculations thereafter until further adjustment by the Village or unless the subdivider, developer or the school district involved files a written objection thereto. The objecting party shall follow the procedure for objecting set forth in subsection B3 of this Section. In determining the fair market value of an improved acre of land, the land shall be valued as if subdivided or subject to an approved planned unit development at its highest and best use and improved substantially as provided in subsection G of this Section.

5. Criteria For Requiring Dedication And A Fee: There may be situations when both a land dedication and a cash contribution are necessary. These occasions may arise, among others, when:

a. If it is determined by the Village that the land to be dedicated for a school site within a development contains fewer acres than the amount called for by this Chapter, a cash contribution shall be required for the difference between the amount of land called for by this Chapter and the amount of land which is actually to be dedicated.

b. If a major part of a local school site has already been acquired and only a small portion of land is needed from the development to complete the site, the remaining portions shall be required by dedication, and a cash contribution for the difference shall be required.

C. Density Formula: The following table of population density is generally indicative of current and short-range projected trends in family size for new construction and shall be used in calculating the amount of required dedication of acres of land or the cash contribution in lieu of unless a written objection is filed thereto by the subdivider, developer, or school district:

**TABLE OF ESTIMATED ULTIMATE POPULATION PER DWELLING UNIT**

**CHILDREN PER UNIT**

Type of Unit	Pre-School	Elementary	Junior High	Total
Grades	0-4	K-5	6-8	K-8
Years of Age	0-4	5-10	11-13	5-13
<b>Detached Single-Family:</b>				
2 bedroom	.102	.122	.041	.163
3 bedroom	.254	.346	.138	.484
4 bedroom	.413	.470	.303	.773
5 bedroom	.236	.314	.231	.545
<b>Attached Single-Family:</b>				
1 bedroom	-0-	-0-	-0-	-0-
2 bedroom	.092	.095	.077	.172
3 bedroom	.231	.237	.064	.301
4 bedroom	.332	.345	.155	.500
<b>Apartments:</b>				
Efficiency	-0-	-0-	-0-	-0-
1 bedroom	-0-	.002	.001	.003
2 bedroom	.042	.082	.041	.123
3 bedroom	.050	.230	.123	.353

Note: There are only 3 significant categories provided in this chart, because of the similarity of yields of all types of attached single-family dwelling units, only 1 category is provided. The same is true with apartments; thus, only 1 category. Because of the relatively short history of some newer types of detached and attached single-family units, individual evaluations may be necessary. Copyright 1993 Illinois School Consulting Service Associated Municipal/Consultants, Inc. Naperville, Illinois.

1. Objections to Density Formula: In the event a subdivider, developer or school district involved files a written objection to the Table of Estimated Ultimate Population listed herein and submits his own demographic study showing the estimated additional population to be generated from the subdivision or planned unit development, a final determination of the density formula to be used in such calculations shall be made by the Village Board based upon such demographic information as the Village shall require. It is recognized that population density, age distribution and local conditions change over the years, and the specific formula for the dedication of land, or the payment of fees in-lieu-thereof, as stated herein, is subject to periodic review and amendment if necessary.

2. Presumed Density Formula: In applying the above table of population density to a development or subdivision for which the types of units and number of bedrooms cannot reasonably be determined from the data on file with the Village at the time the application for final plat approval is complete, the following types of units and bedroom data shall be used unless written objection is filed thereto by the subdivider, developer or school district:

Detached single-family:	Four bedroom unit per lot.
-------------------------	----------------------------

Attached single-family:	Equal mix of two and three bedroom units at maximum unit density permitted by applicable zoning.
Low density apartment:	Equal mix of two and three bedroom units at maximum unit density permitted by applicable zoning.
High density apartment:	Equal mix of one and two bedroom units at maximum unit density permitted by applicable zoning.

D. Reservation of Additional Land: Where the Comprehensive Plan of the Village calls for a larger amount of school land in a particular proposed development, subdivision or planned unit development than the developer is required to dedicate, the land needed beyond the developer's contribution shall, if so determined by the Village Board, be reserved for subsequent purchase by the Village or other public body designated by the Village provided that such acquisition is made within one year from the date of approval of the final plat.

E. Combining with Adjoining Developments: Where the subdivision or planned unit development is less than forty acres, school space which is to be dedicated should, where possible, be combined with dedications from adjoining developments in order to produce usable recreation areas or school sites without hardship on a particular developer.

F. Topography and Grading: The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purposes. Grading on sites dedicated for school uses shall not differ greatly from surrounding land.

G. Improved Sites: All sites shall be graded to a level condition reasonably conforming with the adjacent property and suitable for construction and operation of a school and dedicated in a condition ready for full service of electricity, natural gas, water, sewer, sidewalks, street trees, storm water control and streets, including enclosed drainage and curb and gutter.

H. Title to Sites: All sites to be dedicated shall be conveyed to the Village either by warranty or trustee's deed, or such form of conveyance as the Village shall require. The subdivider or developer shall be responsible for conveying good, merchantable title to such sites, and shall be responsible for payment of all real estate taxes to the date of conveyance, including any agricultural roll back taxes which might be extended or levied against such sites. A commitment for title insurance issued by a company authorized to do business in Illinois, for the benefit of the school district and at the expense of the subdivider or developer, shall be required as evidence of clear title. Conveyance shall occur only after or simultaneously with the passage of a resolution by the school district in which the development is located in which it indicates that the property will be accepted by the school district for school purposes. Immediately thereafter, the Village shall convey such property to the Township Trustees of Schools, for the use and benefit of the appropriate school district.

I. Replacement Structures: Where a subdivider or developer has applied for a certificate of occupancy for the use of a residential structure or structures that replace an existing structure, the subdivider's or developer's obligation under the terms of this Section shall be modified as follows:

1. If the replacement structure is a multi-family residential structure, the formula for determining the required land dedication or impact fee as set forth in subsection J shall be calculated using the increase in the number of units in the replacement structure as compared to the original structure.

2. If the replacement structure is a single-family residential structure and there is no increase in

the number of structures, it shall be considered a de minimis increase in density and shall be exempt from the obligations of this Section.

3. If the replacement structures are single-family residential structures and the original structure remains, the land dedication/impact fee requirement shall be applied only to the new structures.

4. If the replacement structures are single-family residential structures and no original structure remains, the land dedication/impact fee requirement shall be applied only to the increased number of structures. It is the intent of this Title that the land dedication/impact fee requirement shall first be applied to those structures with the largest amount of square footage, or, if the square footage is equal, then inversely to the order in which the application for the certificate of occupancy was filed.

J. Calculation of Land Dedication or Payment In-Lieu-Thereof:

1. The required land dedication or payments in lieu thereof under this Chapter shall be calculated as follows:

Step 1. Derive the children per unit (CPU) figures from the density formula (subsection C) for the development type of K-5 children (CPU elementary) and 6-8 children (CPU junior high) and multiply each by the number of units (U). If the structure is a replacement multi-family residential structure as defined in subsection I, the number of units (U) shall be the increase in the number of units in the replacement structure from the original structure or structures.

A separate calculation shall be done for the CPU elementary and the CPU junior high.

Step 2. Divide the Step 1 figure by the maximum number of students for elementary (maximum elementary) or junior high (maximum junior high) (subsection A1).

Step 3. Multiply the Step 2 figure by the corresponding minimum number of acres for the type of school (minimum A. elementary, minimum A. junior high).

Step 4. If a payment in-lieu-of dedication is required, multiply the Step 3 figure by the fair market value F.M.V. (subsection B3).

If both a dedication of land and a payment-in-lieu of dedication is required under subsection B4, the dedication and payment amounts shall be calculated by applying the CPU ratable for each figure.

2. Formula and Sample Calculations. The formula for dedications and payments-in-lieu thereof is expressed as follows:

$$\frac{\begin{array}{l} \text{elem.} \\ (\text{C.P.U. j.h.} \times \text{U}) \text{ elem.} \\ \hline \text{elem.} \\ \text{Max. j.h.} \end{array}}{\text{Max. j.h.}} \times \text{Min. A. j.h.} \times \text{F.M.V.} =$$

Sample Calculation: Elementary (K-5) District

Positioning a 4 bedroom single-family detached development of 20 units, and a fair market value of \$429,100.00 per acre, the calculation would be as follows:

$$\text{CPU elem.} \times \text{U} \quad .470 \times 20 = 9.4$$

$$\text{. Max. elem.} \quad 9.4 \div 600 = .01567$$

$$\times \text{Min A. elem.} \quad .01567 \times 11 = .17237$$

acres required dedica-  
tion

If payment in lieu-of-dedication,

x F.M.V. .17237 x \$429,100.00 =  
\$73,963.67

For an elementary school district consisting of grades K-8, the product of the calculation for grades K - 5 would be added to the product of the calculation for grades 6-8, to reach the final required dedication or payment.

K. Annexation: The dedications of land or cash contributions in lieu thereof required by this Chapter shall also be required as a condition to the annexation of any land to the Village, and provisions therefor shall be incorporated in any pre-annexation agreement governing such land.

L. Time for Dedication or Payment of Fees In-Lieu-Thereof: The dedication of school lands or payments of fees in-lieu-thereof shall be made by the owner of land within ten days after the land is annexed to the Village or prior to or at the time of the approval of the certificate of occupancy, the final plat of subdivision, or a final plat of, or issuance of a special use permit for, a planned unit development, whichever is first to occur.

M. Expenditure of Cash Contributions: Any cash contributions received by a School District hereunder must be spent for land or other improvements intended to serve children residing within the corporate limits of the Village.

N. Effective Date: This Section's requirement of dedication of school lands or payments of fees in lieu thereof shall apply only to those structures for which the application for building permit was filed after the Section's effective date of June 2, 1995. (Ord. 2640, 5-23-95)

## Chapter 24

### LANDSCAPE REQUIREMENTS<sup>1</sup>

#### 10-24-1: PURPOSE AND INTENT:

The landscaping and screening requirements specified herein are intended to foster aesthetically pleasing development which will protect and preserve the appearance, character, general health, safety and welfare of the village of River Forest. In addition, these regulations are intended to increase the compatibility of adjacent uses that are different, such as commercial uses adjacent to residential uses, by requiring a buffer or screen between them. In doing so, this will minimize the harmful impact of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions and other objectionable activities or impacts conducted or created by adjoining or nearby uses. (Ord. 2960, 4-8-2002)

#### 10-24-2: DEFINITIONS:

ASCENDING: Upright, spreading tree form.

BOTANICAL NAME: The Latin scientific name of a plant, a binomial consisting of "genus" and "species"; each plant has a unique botanical name.

CALIPER: Outside diameter of a tree trunk, measured at six inches aboveground for trees of less than four inch caliper, and measured at twelve inches aboveground for trees of four inches or more.

COLUMNAR: Narrow, upright tree form (see also definition of Fastigiate).



**COMMON NAME:** The English name of a plant.

**CONTAINER:** Structure having sides and bottom, sitting on the sidewalk, filled with soil, used for planting.

**COURTESY WALK:** Narrow walk (usually two feet six inches or three feet) crossing the planted part of the parkway, connecting the curb to the sidewalk.

**DECIDUOUS:** Plants shedding or losing foliage at the end of the growing season.

**DRIP LINE:** Imaginary line at the outermost edge of the tree canopy. Minimum distance from trunk at which protective fencing is to be maintained.

**EVERGREEN:** Plants having foliage that persists and remains green all year.

**FASTIGIATE:** Narrow, upright tree form (see also definition of Columnar).

**GROUND COVER:** Low growing plants no higher than eighteen inches.

**INTERNAL PLANTING:** An area inside the perimeter of a parking lot used for landscaping.

**LANDSCAPED AREA:** An area the ground of which is completely covered with grass, ground cover, shrubs, trees, or other living plant material.

**MULTISTEM:** A tree form characterized by several trunks, or stems, rather than a single trunk. Examples include birch and alder.

**NATURAL LAWN:** Lawns planted with groups of plants, such as grasses and shrubs, native to northern Illinois. These lawns result from intentional cultivation and management and are not the result of neglect or so called passive management.

**ORNAMENTAL TREE:** Deciduous tree, mature height less than thirty feet, possessing qualities such as flowers, fruit, and attractive foliage or shape.

**PARKWAY:** That portion of the public way between the street and the nearest parallel property line, including sidewalk area.

**PARKWAY LANDSCAPE AREA:** An area between the sidewalk and the back of street curb used for landscaping.

**PARKWAY PLANTER:** A large planter cutout in a sidewalk, usually edged with a concrete curb and/or metal fence located in the parkway landscape area.

**PARKWAY TREE:** A permitted shade or ornamental tree planted in the parkway.

**PERIMETER LANDSCAPE AREA:** The seven foot wide area of a site measured inward from the property line.

**ROOT PATH:** A geotextile channel connecting tree root balls to other adjacent trees and/or adjacent green space.

**SHADE TREE:** Large scale deciduous tree, mature height above thirty feet, generally having a single stem, planted primarily for shade.

**SHRUB:** Small scale plants, generally without a single stem, used as hedges, foundation planting, borders, and accents, possessing qualities such as flowers, fruit, and attractive foliage or shape.

**SIGHT TRIANGLE:** A defined area on either side of a street intersection or driveway in which plantings are restricted in order to minimize visual obstructions of oncoming pedestrian or

vehicular traffic.

**STRUCTURAL SOIL:** Soil that has been amended with aggregate to support concrete sidewalks and asphalt parking lots while providing nourishment to plant roots (e.g., "Cornell", "Amsterdam", or other soil that has the ability to support a concrete slab while allowing for root penetration).

**TREE GRATE:** Cast iron covering over a tree pit allowing pedestrian circulation over the pit while reducing soil compaction.

**TREE GUARD:** Protective cage around a tree trunk, usually cast iron, attached to a tree grate, to protect the tree trunk.

**TREE PIT:** A cutout or hole in the sidewalk, filled with soil, in which a tree is planted, sometimes covered with a tree grate.

**TURF GRASS:** A species or cultivar of grass, usually of spreading habit (rhizomes, tillers, stolons) that is maintained as a mowed tuft including Kentucky bluegrass cultivars, perennial ryegrass cultivars and fescue cultivars.

**VEHICULAR USE AREA:** Any area of the lot not located within any enclosed or partially enclosed structure and which is devoted to a use by or for motor vehicles including parking (accessory or nonaccessory) or storage of automobiles, trucks or other vehicles; loading areas; service areas and drives; and access drives and driveways. (Ord. 2960, 4-8-2002)

#### 10-24-3: APPLICABILITY:

The requirements of this chapter shall apply to multi-family residential buildings, commercial establishments, institutions and government buildings, where the building footprint covers five thousand square feet or more of land area. Only those provisions of this chapter related to subsection [10-24-4B](#), "Parkway Landscaping", of this chapter shall apply to single-family residential properties.

Planned development applications which have been approved before April 18, 2002, are hereby exempt from the requirements of this chapter. (Ord. 3009, 1-27-2003)

#### 10-24-4: DESIGN STANDARDS:

##### A. Sight Triangles: (Rep. by Ord. 3009, 1-27-2003)

B. Parkway Landscaping: No less than seventy five percent of the area on the parkway must be seeded or sodded with turf grass. They may also have perennials no higher than eighteen inches and/or ground cover plantings as long as access to utilities are left unobstructed. The area of plantings other than turf grass shall not exceed twenty five percent of the total area of the parkway. Parkway trees are required to be planted at intervals no farther than thirty five feet and no closer than twelve feet (the exact placement of trees within these parameters shall be at the discretion of the village forester). The trees shall have a minimum caliper of two inches. Tree species must be selected from the list of recommended species (see section [10-24-10](#) of this chapter). Applications for planting such trees shall be reviewed by the department of public works prior to installation. If approved, a permit will be issued.

C. Parking Lot Landscaping: All surface parking lots designed for ten or more parking spaces shall have interior landscaping as follows:

1. Parking lot landscape islands shall be located at both ends of each parking row and landscape diamonds shall be provided within the parking row at intervals of no more than eight adjacent parking spaces.
2. Landscape islands shall have minimum dimensions of six feet by eighteen feet as measured

from back of curb to back of curb.

3. Landscape diamonds shall have minimum dimensions of five feet as measured from back of curb to back of curb.
4. The entire area of parking islands and parking diamonds is to be backfilled with planting soil to a uniform depth of two feet. The finish grade of the soil should be slightly crowned to improve drainage of the island.
5. One shade tree of a minimum of two and one-half inch caliper shall be provided for each one hundred thirty square feet of landscape island. A minimum of fifty percent of every landscape island shall be planted with live plant material, such as shrubs, ground cover or turf grass to a maximum height of thirty inches at maturity. The entire area of the landscape island shall be covered with organic mulch.
6. Shrubs shall be no greater than thirty inches in height and the branches of trees shall start no less than six feet above the pavement, to ensure proper visibility within the parking lot.

D. Parking Lot Screening: All parking lots, regardless of number of parking spaces or of intended use and service or loading areas, must be landscaped around their perimeters as follows:

1. A minimum seven foot wide landscape area shall be provided around the parking lot where it abuts another parcel or right of way.
2. Landscape areas shall have minimum plant coverage of seventy five percent, which consists of a continuous screen, thirty to forty eight inches high. The entire landscape perimeter area shall be covered with organic mulch.
3. All parking lots shall have concrete curbs around their perimeters.

E. Setbacks And Buffers:

1. Building Perimeter Landscaping:

- a. Width: A landscaped area a minimum of three feet in width shall be located around the front of all buildings.
- b. Coverage: Required building perimeter landscaping areas shall remain open and free of all paving except where walks to buildings and other similar paving are required.
- c. Planting Materials: Landscaping shall be provided along all front facades except where sidewalks and driveways are located. Such landscaping shall be comprised of a combination of plants such as shade trees, ornamental trees, evergreens, shrubs and ground cover. Particular attentions should be paid toward providing transitions between the building and ground plane, visual breaks along monotonous building facades, and enhance walkways, entrances, seating areas, bus stops or any other pedestrian areas; separate and buffer pedestrian and public areas from cruise lanes, drives and parking areas, and provide direction to focal areas and main entrances.

2. Lot Perimeter Landscaping:

- a. Applicability: All nonresidential and multiple-family residential developments shall provide lot perimeter landscaping in accordance with the provisions of this section.
- b. Nonresidential Property Abutting Residential Property: Where nonresidential property abuts property zoned for residential use, landscaping shall be provided as follows:

(1) Width: A landscaped area a minimum of five feet in width shall be provided.

(2) Screening: Solid landscape screening to a minimum of six feet in height above the grade of the subject property and in a design satisfactory to the zoning administrator or his authorized designee shall be provided along the length of the abutting property line. If determined necessary by the village, due to topographical changes between the abutting commercial and residential property, the minimum height of the required screening may be increased to eight feet. Any

landscape materials used shall be made up of twenty five percent evergreen trees a minimum of six feet tall, twenty five percent ornamental trees a minimum of three inches in caliper or clumps six feet tall, and fifty percent evergreen and deciduous shrubs achieving a minimum height of screening six feet at the time of planting. Whenever possible, berms should be used in conjunction with the landscaping.

(3) Shade Trees: Shade trees shall be provided at the equivalent of not more than thirty feet apart along the abutting property line. Such trees may be clustered or spaced linearly.

(4) Ground Cover: Except where occupied by planting beds, all perimeter landscaping areas shall be sodded or seeded.

c. Multiple-Family Residential Property: Multiple-family residential property shall be landscaped as follows:

(1) Width: A landscaped area a minimum of ten feet in width shall be provided.

(2) Landscaping: A minimum of fifty percent of the required landscape setback shall be landscaped. Such landscaping shall be made up of fifty percent evergreen trees and ornamental trees a minimum of six feet tall and fifty percent evergreen and deciduous shrubs a minimum of three feet tall. Whenever possible, berms should be used in conjunction with the landscaping.

(3) Shade Trees: Shade trees shall be provided at the equivalent of not more than thirty feet apart along the abutting property line. Such trees may be clustered or spaced linearly.

(4) Ground Cover: Except where occupied by planting beds, all landscaping areas shall be sodded or seeded.

(5) Building Perimeter Landscaping: Building perimeter landscaping in a minimum planting bed with a width of eight feet shall be provided along one hundred percent of all building facades except where sidewalks and driveways are located. Fifty percent of the landscape requirements shall be made up of evergreen trees and shrubs and fifty percent deciduous trees, ornamental trees and shrubs.

F. Fencing And Walls: Fencing and walls are to be used where screening is required but there is insufficient depth in the landscape area to exclusively use plant materials and achieve satisfactory results.

1. Ornamental metal fencing, forty two inches high, is required along public rights of way covered by corridor design guidelines which are incorporated into this chapter as section [10-24-11](#).

2. Chainlink fence is not permitted along public rights of way (excluding alleys) and/or outside the rear yard of a property. If erected in a rear yard chainlink fencing must have a dark green or black vinyl coating. Vine planting is recommended at the base of required perimeter fencing.

3. There shall be a minimum of one foot from the right of way line to the fence.

4. Year round screening is required around dumpsters, air conditioning units, garbage can storage areas, satellite dishes, dog runs and compost heaps.

G. Irrigation: Commercial, multi-family residential (six dwelling units or larger), institutional, and governmental facilities must provide irrigation for all required landscape areas.

1. Irrigation systems shall be designed to minimize overspray and runoff onto adjacent impervious surfaces.

2. For sprinkler irrigated areas, perimeter sprinkler heads must be included in the irrigation pattern.

3. Precipitation rates are to be matched for all irrigation heads in a given zone.

4. Drip irrigation systems are required for trees unless within lawn areas.

5. Consideration should be given to planting species of landscape materials and arranging them

in a way that promotes the conservation of water used in their care.

H. Growing Medium: It is essential that trees and other plants be given a sufficient quantity and quality of soil at the time of planting. Planters in parkways and parking lots shall have planting soil installed as follows:

1. Three foot minimum depth.
2. Soil composition, soil acidity, and organic content are as per standards by the American association of nurserymen.
3. Parkway planters shall be as long and continuous as possible.
4. In areas between parkway planters structural soil shall be installed under the sidewalk. Root paths between the planting pits or cantilevered sidewalks built over a typical soil mix are also acceptable.

I. Grading And Drainage: Any grading or alteration of drainage patterns must not release any additional quantities or increase rates of runoff onto adjacent properties than existed prior to the construction. (Ord. 2960, 4-8-2002)

#### 10-24-5: TREE PRESERVATION:

It is the purpose and intent of this section to establish regulations limiting the removal and ensuring the replacement of trees from multi-family residential, commercial, institutional and governmental property within the village and, in doing so, safeguard the ecological and aesthetic environment of the community. These regulations are further intended to serve to dissuade the unnecessary clearing and disturbing of land so as to preserve, insofar as practical, the existing natural trees, and preserve existing landscaping buffers to minimize the impact of adjoining differing land uses, enhance and protect the integrity of roadway corridors, and reduce the surface heat and negative visual impact of vehicular use areas.

#### A. Tree Removal:

1. Approval Required: No tree having a trunk size of six inches or greater in diameter as measured twelve inches above the established ground levels, shall be removed from any multi-family residential, commercial, institutional and governmental property requiring building permit approval as set forth in this code, or which is the subject of a petition for a zoning variation or subdivision in the village, without written approval from the zoning administrator or his authorized designee. In cases where only a zoning variation is sought, only those trees that are to be removed as a result of the construction that requires the variation shall be subject to these regulations. Undesirable species of trees such as those described in section [10-24-10](#) of this chapter shall be exempt from these regulations. A written statement indicating the reasons for removal of trees and a general description of the trees to be removed shall accompany the application for tree removal.

2. Conditions Of Approval: The zoning administrator or his authorized designee shall approve all requests for tree removal if one or more of the following conditions is present:

- a. Safety Hazard To Pedestrians Or Vehicular Traffic: Necessity to remove trees that pose a safety hazard to pedestrian or vehicular traffic or threaten to cause a disruption of public safety.
- b. Safety Hazard To Buildings: Necessity to remove trees which pose a safety hazard to a building.
- c. Diseased Or Weakened Trees: Necessity to remove diseased trees or trees weakened by age, storm, fire or other injury.
- d. Observe Good Forestry Practice: Necessity to observe good forestry practice, i.e., the number of healthy trees a given parcel of land will support.

e. Location Of Proposed Structure: Necessity to remove trees in order to locate proposed structure(s) without causing unreasonable economic hardship.

f. Grade Changes: Necessity to remove trees in order to provide for essential grade changes.

3. Replacement Trees: Any trees that have been identified for removal must be replaced in accordance with the following criteria:

a. Replacement trees shall either:

(1) Equal or exceed the same size caliper as the tree removed; or

(2) Consist of smaller trees, not less than three inches in caliper, which add up to the caliper of the original tree.

b. All replacement trees shall be selected from the village's recommended species list (see section [10-24-10](#) of this chapter).

c. Replacement trees shall be documented on the final landscape plan.

d. Replacement trees may be used for required perimeter yard landscaping and screening on the subject property.

B. Protection Of Existing Trees During Construction:

1. Tree Survey: A tree survey shall be submitted at the time of an application for building permit approval indicating the location, size and species (both scientific and common) of all trees located on the parcel with a trunk size of six inches or greater, as measured twelve inches above the established ground level.

2. Integration Of Existing Trees Into Site And Landscape Plans: Subject to the determination of the zoning administrator, every reasonable effort shall be made to retain existing trees on the aforementioned trees survey through the integration of those trees surveyed into the site and landscape plan for the proposed development. Removal of trees designed for preservation shall only be allowed by amendment to the approved landscape plan.

3. Tree Preservation Plan: A tree preservation plan shall be submitted at the time of an application for site plan and architectural approval indicating, at a minimum, the location of those trees to be preserved and the methods which are to be used to preserve such trees. The tree preservation plan shall specify the following preservation techniques:

a. Grading, Construction Equipment And Materials: All grading and construction equipment and materials shall be forbidden from encroaching upon the tree's drip line.

b. Materials Detrimental To Trees: Crushed limestone or any other materials that may be detrimental to trees shall not be dumped within the drip line of any trees nor shall be located at any higher location where drainage toward the tree(s) could conceivably affect the health of said tree(s).

c. Storage Of Vehicles: No materials or vehicles shall be stored, driven or parked within the drip line of any trees.

d. Installation Of Snow Fencing: Snow fencing, or an alternative temporary barrier, with the written approval of the zoning administrator or his authorized designee, shall be installed at the periphery of the tree's drip line to protect trees from root compaction by the storage of materials or vehicles.

e. Pruning: Identification of any trees which have to be saved, but which could be negatively affected during the construction process. All such trees shall be pruned by a qualified arborist to compensate for root loss during construction.

f. Preservation Methodology: The methods that are to be used to preserve those trees shall be clearly specified. If, in the opinion of the zoning administrator, or his authorized designee the necessary precautions, as specified in the tree preservation plan for the development, were not undertaken before or during construction to ensure the preservation of those trees, the site

development permit for the parcel shall not be issued, or if previously issued, may be revoked until such time as compliance with the precautions is achieved.

g. Consultant: The village shall, at its discretion, have the right to retain a professional tree consultant/forester to review the preservation plans and to submit a written report to the zoning administrator. All expenses incurred by the village shall be reimbursed by the developer.

h. Village Right To Inspection: The village shall have the right to inspect the subject property at any time during the construction process, in order to verify that the developer and contractor have protected trees in accordance with the approved tree preservation plan.

4. Removal Of Trees Designated For Preservation: If it is determined by the village that a tree designated for preservation is destroyed or razed during the construction process by a deliberate action in violation of the approved tree preservation plan, such tree shall be replaced with new trees in accordance with the following exchange rate. Village staff may, with just cause, waive the following exchange rate due to accidental damage to protected trees:

a. Exchange Rate:

Existing Trees (In Caliper Inches)	Number Of Replacement Trees
36+	1" for each 1" of tree removal
30-35	11
26-29	10
20-25	9
13-19	8
6-12	7

C. Trunk Size: Trunk size as measured at twelve inches above the established ground. For the above, in the event of a fraction of an inch, if the fraction is less than one-half inch, it may be disregarded. If the fraction is one-half or greater, it shall be counted as one inch.

D. Minimum Size Of Replacement Trees: All replacement trees shall be a minimum trunk size of three inches in diameter, as measured six inches above the established ground.

E. Payment In Lieu Of Replacement Trees: If it is determined by the village that an insufficient area exists which would support any or all of the replacement trees, the property owner shall contribute one hundred percent of the dollar value (as determined by the most recent valuations of the international society of arboriculture) of the replacement trees to the village. Said funds shall be used for the sole purpose of planting trees at locations determined by the village. (Ord. 2960, 4-8-2002)

10-24-6: MAINTENANCE:

All property owners shall be responsible for the maintenance, repair, and replacement of all required landscape materials.

A. Grass shall be maintained at a height not in excess of eight inches.

B. All required landscape materials shall be maintained in good condition so as to present a healthy, neat and orderly appearance, shall be replaced when dead or dying, and shall be kept free of refuse and debris. (Ord. 2960, 4-8-2002)

#### 10-24-7: LANDSCAPE PLAN REQUIREMENTS:

Four blue-line or black-line prints of the landscape plan must be submitted for any project subject to this chapter. The plan must have a scale of one inch equals forty feet or larger (e.g., one inch equals thirty feet or one inch equals twenty feet) and be on standard size drawing sheets not to exceed thirty six by forty eight inches.

A. The landscape plan must include the following information:

1. Drawing scale.
2. Drawing orientation (indicated by conventional north arrow).
3. Property lines, easements, and rights of way frontages, showing dimensions.
4. Sight triangles at intersections and at alley and driveway curb cuts.
5. Total vehicular use area calculation.
6. Location and dimensions of all landscaped areas including parkway planting; parking lot and vehicular use area screening; parking lot and vehicular use area internal planting.
7. Location, botanical name and sizes of all plants and the location of other pertinent landscape features.
8. Location of all existing trees on site greater than two and one-half inch caliper that the applicant proposes to remove.
9. Location of all existing trees on site greater than two and one-half inch caliper which are to be retained and counted towards the planting requirements.
10. Location of existing parkway trees including a description of their quality and species.
11. Location, design, height, and building material of all proposed walls, tree pits, planter containers, and fences.
12. Location of existing and proposed streetlights and fire hydrants in public rights of way.
13. Size and location of all existing and proposed public and private utility improvements, both underground and overhead, within the public rights of way.
14. Proposed layout of vehicular use areas including the location and dimensions of parking spaces, islands, internal planting, pedestrian walkways, and driving aisles.
15. Direction of street traffic using one- or two-way arrows.
16. Estimated time scheduled for planting.
17. Names, addresses, and phone numbers of the owner and the registered landscape architect responsible for preparing the landscape plans.
18. A certified statement, signed by the owner(s), committing to the protection and, if necessary, replacement of all existing parkway trees and internal trees designated for credit toward landscaping requirements (see section [10-24-12](#) of this chapter).
19. A certified statement, signed by the owner(s), committing to the maintenance of required landscaping (see section [10-24-12](#) of this chapter).
20. A certified statement, signed by the registered landscape architect responsible for preparing the landscape plans, stating that the plans have been prepared in accordance with the zoning



standards and the landscape ordinance of the village of River Forest (see section [10-24-12](#) of this chapter).

B. Other submission requirements include:

1. Plat of survey.
2. Survey showing existing trees (size, location, genus, and condition).
3. Photographs of all existing trees with a caliper of two inches or greater.
4. Plan of types and extent of soil modifications and drainage. (Ord. 2960, 4-8-2002)

10-24-8: APPLICATION PROCEDURES:

A. Submittals And Reviews: Building permit plans and landscape plans are submitted to the public works department for the village of River Forest. Prior to any site work along with any application fees that may be required.

B. Inspection And Approval: Following construction of all improvements and installation of plant materials and prior to the issuance of an occupancy permit, a site inspection will be made by the village forester to verify compliance with all provisions of this chapter. (Ord. 2960, 4-8-2002)

10-24-9: EFFECTIVE DATE:

This chapter shall take effect as of April 18, 2002. Properties that do not conform to the sight triangle requirements of subsection [10-24-4A](#) of this chapter shall be brought into compliance within one year from the effective date hereof. Properties that do not conform to the requirements of this chapter except those provisions relating to sight triangles in subsection [10-24-4A](#) of this chapter shall be brought into compliance within three years from the effective date hereof. (Ord. 2960, 4-8-2002)

10-24-10: PLANT TYPES AND STANDARDS:

This section describes general standards; tree planting standards; hedge planting standards; shrub planting standards; and ground cover planting standards.

A. General Standards: To ensure installation of plants that will thrive under stressful urban conditions, certain species must be encouraged. The standards listed in this section will help prevent the planting of trees that become hazards, maintenance problems, or a scar on the landscape.

B. Quality:

1. Plants shall meet the standards of "American Standard for Nursery Stock", ANSI Z60.1 latest edition, American association of nurserymen, which by reference is made a part of these guidelines. References to minima and maxima with respect to plant height and spread, root ball diameter and depth, etc., are from this publication.
2. Plants shall meet all requirements of federal, state, and local law with respect to plant type, labeling, nursery or plant inspection, disease, insect, and other pest infestation, and any other requirements.
3. Plants shall be high quality nursery grown stock.
4. Substandard "B-grade" or "park grade" plants are not acceptable.

5. Field collected plants are not acceptable, even if they have been subsequently planted in the ground in a nursery or planted in a container.

6. Plants shall have been grown in a climate zone similar to River Forest's, i.e., United States department of agriculture (most recent USDA zone hardiness map) zone 4 or 5 (zone 5 plants are generally hardy only near the warming influence of Lake Michigan). Plants from zone 6B or more, i.e., warmer climate zones, are not acceptable.

7. Plants shall be in a healthy, vigorous condition, free of dead or broken branches, scars that are not completely healed, frost cracks, disfiguring knots, broken or abraded bark, redundant leaders or branches, rubbing branches, or aberrations of any kind. Plants shall not have multiple leaders, unless this is the natural form; multistem trees are not acceptable for required planting in parkways.

8. Plants shall have full, even, well developed branching and a dense, fibrous, and vigorous root system.

#### C. Digging And Handling:

1. Balled and burlapped (B&B) plants shall be dug with a firm root ball of natural earth, of a size in proportion to the plant's size, as measured by caliper, height, or spread.

2. Balled and burlapped plants shall be handled only by the root ball, not by the trunk or branches, as this may break or loosen the root ball and damage the root system.

3. Container plants shall have been established for a minimum of one full growing season in their containers before installation.

4. Container plants shall be handled only by the container, not by the stems or branches, as this may pull the plant out of the container and break or loosen the root ball and damage the root system.

5. Bare root shrubs and ground cover plants are acceptable, if they are dug and installed at the appropriate season and handled in the appropriate manner.

6. Bare root trees are not acceptable.

7. Plants shall be protected from drying out during shipping with tarpaulins or other covering.

8. Plants shall be protected from drying out after delivery by planting immediately; if this is not possible, the root ball shall be covered with peat moss or earth, and watered frequently to keep it moist until planting.

9. Not handled, moved, bound, tied or otherwise treated so as to damage the root ball, roots, trunk, or branches in any way.

#### D. Inspection:

1. During construction, parkway trees will be inspected by the village forester to confirm compliance with this chapter. If the trees fail to meet the requirements of this chapter, they must be replaced at the owner's expense. At the end of five years, the village forester will perform an acceptance inspection. If the project is approved, the village will then assume responsibility for the trees in the public right of way.

2. Standards for size are at time of installation.

3. Minimum size shall be two and one-half inch caliper, measured six inches aboveground.

4. Trees shall have a clear trunk, free of branches, to a minimum height of six feet.

5. Trees shall be balled and burlapped (B&B), with no exceptions.

6. Two and one-half inch caliper trees shall be twelve feet to fourteen feet in height, with a maximum height of sixteen feet.

7. Two and one-half inch caliper trees shall have a minimum twenty eight inch diameter by eighteen inch depth root ball.

E. Recommended Species; Trees: The following deciduous tree species and varieties are recommended. The selection of trees is subject to the review of the village for specific locations.

Botanical Name	Common Name
<i>Acer saccharinum</i>	Silver maple
<i>Catalpa</i> spp.	Catalpa species
<i>Celtis occidentalis</i>	Hackberry
<i>C. occidentalis</i> 'Prairie Pride'	Prairie pride hackberry
<i>Corylus colurna</i>	Turkish filbert
<i>Fraxinus americana</i>	White ash
<i>F. americana</i> 'Autumn Applause'	Autumn applause white ash
<i>F. americana</i> 'Autumn Purple'	Autumn purple white ash
<i>F. americana</i> 'Rose Hill'	Rose hill white ash
<i>Fraxinus excelsior</i>	European ash
<i>Fraxinus quadrangulata</i>	Blue ash
<i>Fraxinus pennsylvanica</i>	Green ash
<i>F. pennsylvanica</i> 'Newport'	Newport green ash
<i>F. pennsylvanica</i> 'Patmore'	Patmore green ash
<i>F. pennsylvanica</i> 'Summit'	Summit green ash
<i>Ginkgo biloba</i> (male only)	Ginkgo
<i>G. biloba</i> 'Autumn Gold'	Autumn gold ginkgo
<i>G. biloba</i> 'Fairmount'	Fairmount ginkgo
<i>G. biloba</i> 'Lakeview'	Lakeview ginkgo
<i>G. biloba</i> 'Princeton Sentry' <sup>1</sup>	Princeton sentry ginkgo
<i>Gleditsia triacanthos</i>	Honey locust, straight species
<i>Gleditsia triacanthos inermis</i>	Thornless honey locust
<i>Gleditsia triacanthos inermis</i> 'Greenglory'	Green glory honey locust
<i>G. triacanthos inermis</i> 'Halka'	Halka honey locust
<i>G. triacanthos inermis</i> 'Shademaster'	Shademaster honey locust
<i>G. triacanthos inermis</i> 'Skyline'	Skyline honey locust
<i>Gymnocladus dioicus</i>	Kentucky coffee tree
<i>Liriodendron tulipifera</i>	Tulip tree, yellow poplar
<i>Phellodendron amurense</i>	Amur corktree
<i>Pyrus calleryana</i> 'Chanticleer' <sup>2</sup>	Chanticleer flowering pear
<i>P. calleryana</i> 'Redspire' <sup>2</sup>	Redspire flowering pear
<i>P. calleryana</i> 'Whitehouse' <sup>2</sup>	Whitehouse flowering pear
<i>Quercus bicolor</i>	Swamp white oak
<i>Quercus imbricaria</i> <sup>2</sup>	Shingle oak
<i>Quercus muehlenbergii</i> <sup>2</sup>	Chinkapin oak
<i>Quercus robur</i> <sup>2</sup>	English oak
<i>Quercus rubrum</i> <sup>2</sup>	Red oak
<i>Quercus macrocarpa</i> <sup>2</sup>	Bur oak
<i>Tilia americana</i>	American linden
<i>T. americana</i> 'Fastigiata'	Pyramidal American linden
<i>T. americana</i> 'Redmond'	Redmond linden

Tilia cordata	Littleleaf linden
T. cordata 'Chancellor'	Chancellor linden
T. cordata 'Glenleven'	Glenleven linden
T. cordata 'Olympic'	Olympic linden
Tilia x euchlora	Redmond linden
Tilia platyphyllos	Big leaf linden
Tilia tomentosa	Silver linden
T. tomentosa 'Sterling Silver'	Sterling Silver silver linden
Tilia vulgaris	European linden
Ulmus carpinifolia 'Accolade'	Accolade smooth leaf elm
U. carpinifolia 'Homestead'	Homestead smooth leaf elm
U. carpinifolia 'Regal'	Regal smooth leaf elm
Zelkova serrata	Zelkova
Z. serrata 'Greenvase'	Greenvase zelkova
	Ponderosa pines

1. For use only in narrow parkways with nearby buildings and street.
2. Spring dig only.

The specification of improved varieties of plants is recommended. The varieties of a given species may have a straighter trunk, a more symmetrical crown, better flowering or fall color, resistance to disease or insect infestations, etc. All trees shall be wrapped with burlap from base to lowest branches and secured with biodegradable twine. Project owners are advised to seek advice when selecting plants: a certified nurseryman, the cooperative extension service of the University of Illinois, a registered landscape architect, a reputable landscape contractor, etc.

F. Acceptable Species, Subject To Approval: The following tree species and varieties are acceptable if specifically approved by the village forester:

Botanical Name	Common Name
Acer rubrum	Red maple
Acer saccharum	Sugar maple
A. saccharum 'Columnare'	Columnar sugar maple
A. saccharum 'Green Mountain'	Green mountain sugar maple
A. saccharum 'Wright Brothers'	Wright brothers sugar maple
Alnus glutinosa	Alder
Betula nigra	River birch
Malus spp.	Apples, crab apples
Metasequoia glyptostroboides	Dawn redwood
Populus spp.	Poplars, cottonwood, aspen
Prunus spp.	Cherries, plums
Robinia pseudoacacia	Black locust
Taxodium distichum	Bald cypress

G. Unacceptable Species: The following tree species and varieties are unacceptable (conifers or needle evergreens are unacceptable; trees with thorns are unacceptable for any parkway planting):

<u>Botanical Name</u>	<u>Common Name</u>
Acer negundo	Box elder
Acer platanoides 'Emerald Queen'	Emerald queen Norway maple
Ailanthus altissima	Tree of heaven
Elaeagnus angustifolia	Russian olive
Ginkgo biloba (female)	Female ginkgo
Maclura pomifera	Osage orange

H.Hedge Planting Standards:

1. Size standards are at time of installation.
2. Minimum height of hedge plants shall be thirty inches.
3. Minimum spread of hedge plants shall be twenty four inches.
4. Narrow, upright, or smaller plants, such as Japanese barberry, Peking cotoneaster, compact burning bush, Hick's yew, compact European cranberry, and compact American cranberry may be difficult to obtain with a twenty four inch spread, and shall have a minimum eighteen inch spread.
5. Spacing standards are at time of installation.
6. Maximum spacing of hedge plants shall be thirty six inches.

Narrow, upright, or smaller plants, such as Japanese barberry, Peking cotoneaster, compact burning bush, Hicks yew, compact European cranberry, and compact American cranberry make a more effective screen when planted closer together, and shall have a maximum thirty inch spacing.

I.Hedge Maintenance:

1. Hedges shall be maintained as dense, continuous lines of foliage, and shall not be sheared as a series of individual plants.
2. Hedges shall be sheared with "battered" sides, i.e., the base wider than the top, to allow light to reach the lower part of the plant, to prevent the foliage at the bottom from thinning.
3. Planting of any tree species or varieties not listed above as an acceptable species will require application to, and permission from, the village forester.

J.Unacceptable Forms: The following tree forms are unacceptable for parkway planting:

1. Multistem: Trees with two or more trunks.
2. Espalier Or Topiary: Geometrical plant forms achieved through pruning which are contrary to natural form.
3. Dwarf Or Small Scale: Those trees which grow higher than three feet but cannot be undertrimmed to a minimum height of six feet.
4. Topped Or Dehorned: Trees with most of the crown removed, such that the main branches end abruptly in stubs.

K.Recommended Species For Hedges: The following shrub species and varieties are recommended:

Botanical Name	Common Name
Berberis thunbergii	Japanese barberry
Caragana arborescens	Siberian pea shrub
Cotoneaster acutifolius	Peking cotoneaster
Euonymus alata 'Compacta'	Compact burning bush
Juniperus virginiana	Eastern red cedar
Ligustrum lucidum	Privet
Ribes alpinum	Alpine currant
Syringa meyeri	Meyer's lilac
Syringa patula 'Miss Kim'	Miss Kim Korean lilac
Thuja occidentalis 'Technyi'	Mission arborvitae
Viburnum trilobum 'Compactum'	Compact American cranberry

Planting of any species or varieties not listed above as an acceptable species will require application to, and permission from, the village forester.

L. Shrub Planting Standards:

1. Shrub planting is not required, except as a hedge required for vehicular use area screening. Shrub planting is encouraged in appropriate locations supplemental to the internal landscaping required for vehicular use areas. No shrubs shall be planted on the parkway unless approved by the village.
2. Shrubs are subject to the following restrictions:
  - a. If used, they must be maintained below three foot height.
  - b. Shrubs are subject to the same location standards as trees.

M. Recommended Species; Shrubs: The following shrub species and varieties are recommended:

Botanical Name	Common Name
Aronia melanocarpa	Black chokeberry
Berberis thunbergii	Japanese barberry
Buxus microphylla koreana	Korean boxwood
Caragana arborescens	Siberian pea shrub
Corylus americana	American filbert
Cotoneaster apiculata	Cranberry cotoneaster
Cotoneaster horizontalis	Rockspray cotoneaster
Euonymus fortunei 'Sarcoxie'	Sarcoxie wintercreeper
Forsythia 'Arnold Dwarf'	Arnold dwarf forsythia
F. viridissima 'Bronxensis'	Bronx green stem forsythia
F. x intermedia	Border forsythia
Ilex x meserveae	Blue holly
Juniperus chinensis	Chinese junipers
Juniperus chinensis procumbens	Japanese garden juniper

Juniperus horizontalis	Dwarf creeping junipers
Ligustrum vulgare	Common privet
Ligustrum x vicaryi	Golden vicary privet
Potentilla fruticosa	Potentilla
Rhus aromatica 'Gro-low'	Gro low sumac
Ribes alpinum	Alpine currant
Spirea japonica	Japanese spirea
Spirea x bumalda	Bumalda spirea
Syringa meyeri	Meyer's lilac
Syringa patula 'Miss Kim'	Miss Kim Korean lilac

N.Ground Cover Planting Standards:

1. Ground cover planting is not required, except in required vehicular use area internal planting. However, it is encouraged in appropriate locations as an adjunct to required internal planting.
2. For safety and visibility, ground covers can be planted only in certain areas of the parkway.

O.Recommended Species; Ground Cover: The following ground cover species and varieties are recommended:

Botanical Name	Common Name
Aegopodium podagraria	Goutweed
Cotoneaster adpressa	Creeping cotoneaster
Cotoneaster dammeri	Bearberry cotoneaster
Cotoneaster horizontalis	Rock spray cotoneaster
Cotoneaster horizontalis 'Hessei'	Hesse cotoneaster
Euonymus fortunei 'Colorata'	Purple leaf wintercreeper
Euonymus fortunei vegetus	Big leaf wintercreeper
Hedera helix	English ivy
Juniperus chinensis procumbens	Japanese garden juniper
Juniperus chinensis sargentii	Sargent juniper
Juniperus conferta	Shore juniper
Juniperus horizontalis	Creeping juniper
Lonicera henry	Henry honeysuckle
Pachysandra terminalis	Japanese pachysandra
Rhus aromatica 'Gro-low'	Gro low sumac
Vinca minor	Periwinkle

Certain species listed above require a more sheltered planting environment and project owners are advised to seek advice when selecting plants: a certified nurseryman, the cooperative extension service of the University of Illinois, a registered landscape architect, a reputable landscape contractor, etc.

P.Other Species: Planting of any species or varieties not listed above will require application to, and permission from, the zoning administrator.

Botanical Name	Common Name
----------------	-------------

Taxus cuspidata	Japanese yew
Taxus x media 'Tauntonii'	Taunton yew
Viburnum carlesii 'Compacta'	Dwarf Korean spice viburnum
Viburnum trilobum 'Compactum'	Compact American cranberry
Viburnum trilobum 'Hahs'	Hahs American cranberry
Viburnum x carlcephalum	Fragrant viburnum

Q.Permission Required For Unapproved Species: Planting of any species or varieties not listed above will require application to, and permission from, the zoning administrator. (Ord. 2960, 4-8-2002)

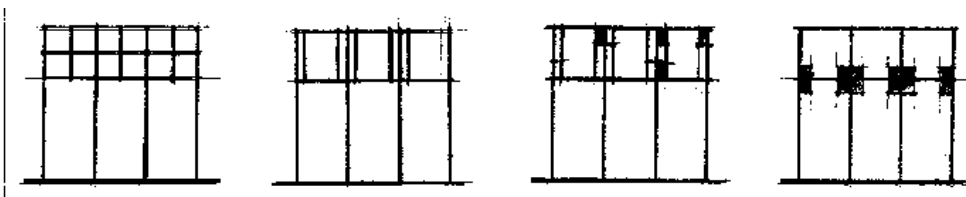
10-24-11:ORNAMENTAL METAL FENCING:

A.Criteria:

1. Ornamental fencing shall be designed with a prairie style motif.
2. Height, design and color should be consistent with surrounding architectural and site characteristics (proposed or existing). As a guide, freestanding metal fences should be forty two inches to forty eight inches tall. Metal fences on planter curbs should be sixteen inches to twenty four inches tall.
3. All fencing must be structurally sound and coated to withstand vandalism and inclement weather.

B.Recommendations:

1. The ornamental fence shall be of square solid stock metal pieces with square intermediate posts and contain a prairie style motif along the top one-third of the fence.
2. There should be no more than a four inch space between any two metal pieces.
3. All fencing shall be painted black to reduce their visual effect and minimize rust.



(Ord. 2960, 4-8-2002)

10-24-12: SWORN STATEMENTS:

The following certified statements are to be signed by the appropriate parties and made a part of each landscape plan:

A. Sworn Statement By Owner:

1. Commits to the maintenance of required landscaping in the following form:

*The undersigned acknowledges that the landscape planting plan shown on the attached landscape plan(s) for the property at (street address), River Forest, Illinois (zip code) has, to the*



*best of the undersigned applicant's knowledge, been designed and will be installed, maintained, and replaced as required in accordance with the requirements of the zoning code and the landscape ordinance of the Village of River Forest.*

2. Commits to the protection and replacement of required landscaping in the following form:

*Existing parkway and on-site interior trees are to be protected while project is under construction and will be replaced by current and subsequent owner if damaged.*

B. Sworn Statement By Registered Landscape Architect: Commits to the preparation of the landscape plan in the following form:

*The undersigned landscape architect, registered in the State of Illinois, acknowledges that the landscape planting plan and construction details shown on the attached landscape plan(s) for the property at (street address), River Forest, Illinois (zip code) has been designed in accordance with the requirements of the zoning code and the landscape ordinance of the Village of River Forest.*

(Ord. 2960, 4-8-2002)