



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

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UNIFIED DEVELOPMENT ORDINANCE ADVISORY COMMITTEE AGENDA

Thursday, July 14, 2022
6:30 PM

Yorkville City Hall Council Chambers
800 Game Farm Road

Meeting Called to Order: 6:30 p.m.

Roll Call:

Establishment of Quorum

Previous meeting minutes: May 19, 2022

Citizen's Comments:

1. Introduction
2. Review of Materials
 - a. Chapter 3: District Standards
 - b. Chapter 4: Use Standards
 - c. Chapter 5 Development Standards
3. Committee Comments and Questions
4. Adjournment

**MINUTES OF UNIFIED DEVELOPMENT ORDINANCE
ADVISORY COMMITTEE MEETING**

Thursday, May 19, 2022 6:30pm
City Hall Council Chambers
800 Game Farm Road, Yorkville, IL

NOTE: In accordance with Public Act 101-0640 and Gubernatorial Disaster Proclamation issued by Governor Pritzker pursuant to the powers vested in the Governor under the Illinois Emergency Management Agency Act, the United City of Yorkville is encouraging social distancing by allowing remote attendance at the UDO Advisory Committee meeting due to the ongoing Covid-19 pandemic.

Meeting Called to Order

The meeting was called to order at 6:30pm by Chairman Chris Funkhouser and a quorum was established.

Roll Call & Establishment of Quorum

Committee Members:

Chris Funkhouser, Chairman/Alderman/in-person
Jeff Olson, PZC Chairman/remote attendance
Deborah Horaz, PZC Member/remote attendance
Dan Transier, Alderman/remote attendance
David Schultz, Engineer-HR Green/in-person

Others Present:

Krysti Barksdale-Noble, Community Development Director/remote attendance
Jason Engberg, Senior Planner/in-person

Previous Meeting Minutes March 31, 2022

The minutes were approved as presented.

Citizens Comments None

1. Introduction

Mr. Engberg said the meeting would be an overview of Chapter 7. Staff and engineering have reviewed the comments and he asked for committee input as well. After Houseal Lavigne updates all the responses, this Committee will review again.

2. Review of Materials

a. Chapter 7: Subdivision Standards and Procedures Discussion

Mr. Engberg shared the updates in a PowerPoint presentation. He said the individual sub-topics in this chapter review how development is subdivided and how roads, bicycle lanes and sidewalks are regulated. This is not in the zoning ordinance now, but is part of the subdivision code, so it has become part of the unified development ordinance.

Following is a summary of consultant updates received and Committee discussion for each sub-section of Chapter 7:

10-7-1 INTENT AND PURPOSE:

No comments

10-7-2 LOTS:

Updates: There are new requirements for landscaping for double frontage lots which can occur, but are discouraged. An update to the ordinance precludes frontage along major thoroughfares or collectors. The Comp Plan defines all existing and future roadway classifications. If a major development comes in, there will be more collector streets rather than fronting on a major road.

Committee Discussion: Staff looked at other UDO's, including Montgomery's which was just updated and includes many best practices. Montgomery has required east/west access of roads and orienting houses to be south-facing to utilize solar power. Mr. Schultz said it should be a recommendation, but not requirement for Yorkville. Mr. Funkhouser commented that the idea opposes design intent of streets that should be located according to features and topography, to which other committee members agreed. Staff will consider language to promote solar power generation. It was agreed that more flexibility is needed for whoever makes the determination for a cluster development and the definition of a cluster. Also needing clarification is the intent of the right angles requirement.

Discussing double frontage lots, Mr. Funkhouser said one provision states that those lots can be extra deep and create a buffer. He cautioned against extra depth and recommended the buffer be an outlot. This could result in issues of HOA management/maintenance vs. homeowner maintenance because a transition yard is required. The landscaping would be maintained by the HOA. Ms. Noble noted this is how some of the Grande Reserve lots are designed. Also questioned was who would maintain easements within a subdivision.

Access to streets: Ms. Noble said staff recommends language stating that all lots shall have access to public streets. She said there is a townhome development in Kendall Marketplace that has private roads, but they have connectivity to public streets.

Access fronting to thoroughfares/collector streets: there are requirements for separation and Mr. Funkhouser asked if this is for primary entrances and the type of inclusions. At this time, the code is written for all entrances and could include full access.

Distance between access points: Mr. Funkhouser asked if there are standards based on right in/right out traffic studies. Ms. Noble said there are standard specifications which will be detailed in an upcoming version of the code. The typical 200 feet between driveways and corner intersections will be included.

10-7-3 STREET DESIGN AND IMPROVEMENTS:

Updates: Original block lengths were 1,320 feet and the consultants recommend retaining that for non-residential, but the length should be decreased to 800 feet for residential. This is also a CMAP recommendation to improve connectivity and walkability. A Connectivity Index was added, however, the wording was confusing. Typically developers put in street stubs and a turnaround for cars should be finished. The consultants updated lengths, widths and improvements for best practices. EEI and staff will meet for clarification.

A new concept suggested was mid-block pedestrian access in the 800-foot residential block. It could be longer if pedestrian ingress/egress is added between blocks. Heartland Circle currently does this. It has several bike trails and multi-use paths in mid-block creating easier access to the park in the center of the development. The committee will consider whether they wish to include.

Cul-de-sacs possibly should be avoided, however, they could be an opportunity to add connectivity.

There is a small amount of language for bike amenities regarding lane width and shared bike lanes that need to be in line with the current standards. Do we want to require them on the streets? Discussion is needed on this section.

Committee Discussion: Mr. Schultz asked the purpose of a Connectivity Index, the standards on which it is based, ranges and how to calculate it. Mr. Engberg will verify with the consultant, but the concept is to insure a good ratio of streets and intersections and to reduce the block length making the street more walkable. Mr. Funkhouser asked what is being accomplished with the block length and index. He is in favor of doing a mid-block requirement, but he said 800 feet is not very long for a street and is inefficient. He is more in favor of a good design, whether it be longer blocks, curved or a median in the middle.

Mr. Schultz said 800 feet is too short and might create too much roadway/right-of-way maintenance. Mr. Transier concurred and said more yield and stop signs will be needed and it could generate more accidents. Ms. Horaz agreed. The idea was to create a more walkable environment, said Mr. Engberg. These comments will be forwarded to the consultant. He also suggested creating developer incentives for streets longer than 800 feet. Mr. Funkhouser asked for a checklist of those incentives.

Ms. Noble said she had concern for increased impervious surfaces because it could impact the total developable area of the site. In an earlier review, the Public Works Director encouraged a trail and sidewalk rather than a sidewalk on each side of the street. Pervious pavers could also be used, said Mr. Olson, however, increased maintenance was cited. Permeable streets would be more flexible if they are wider and would reduce stormwater, Mr. Funkhouser said. Mr. Engberg commented that some communities have bio-swailes and no curb instead of grass parkways.

There was brief conversation about street intersections radii and that it must be adequate for fire apparatus. The ideal is 90 degrees and any exceptions should be considered by the zoning administrator. Flexibility was stressed.

Property Lines:

Committee members talked about sidewalks, straight vs. curved and recommended traditional saying the curved ones were awkward and could cause issues for utilities. They agreed corner cuts were OK too, as long as they are traditional. Cul-de-sacs should be able to accommodate fire trucks, plows, etc and Public Works should be consulted. A center island was also recommended for cul-de-sacs, but engineering should be consulted. Islands should be mountable for emergencies and there should be no vegetation that obstructs the view. An island that is wider on one end was also OK with the committee. Straight stubs must have the street built to collector standards. The committee recommended that trails/paths be called shared-use path.

Parkways:

The committee discussed either 5 foot or 7 foot parkways and if there would be adequate room if utilities and light poles were installed there. Ms. Noble noted that ComEd has made requests to put utilities in front yards and not under streets. Ms. Horaz questioned whether a narrower parkway is adequate for trees, however, Mr. Funkhouser said Public Works would prefer that trees not be planted in the parkway.

On-Street Parking:

Mr. Transier asked if all streets must be marked and striped for on-street parking. Most minor streets do not require marking.

Medians:

Landscaping should be required for mountable curbs, but Engineering and the Fire Department should be asked for their opinion before making it standard. If medians are landscaped they should be maintained by HOA's or the development rather than be a city obligation.

Street Design Requirements:

The committee discussed right-of-way widths and minimum pavement widths. It was stated that the typical width in residential is 66 feet. Mr. Funkhouser questioned the justification to go from 66 feet to 75 feet and it is most likely for bike facilities. He said there should be a range and pavement widths will vary depending on other elements. Ms. Noble asked committee members to mark any suggested changes and email to staff. An example was given of collector streets in Fox Hill that allow parallel parking on one side while other collector streets do not allow parking. Flexibility is key. Mr. Schultz made a recommendation to increase widths of street from the current code to about 2 feet wider. It was suggested to obtain feedback from other government entities such as the fire and police, garbage trucks, Public Works and Septran for any concerns they may have. Mr. Engberg said staff will reach out to those agencies.

It was noted that parking requirements change in neighborhoods as children get older and there are more drivers. The question was raised if parking should be restricted to one side. Ms. Horaz commented that requirements for bike lanes, medians, parking etc., may not be needed in certain areas. Mr. Engberg said there is information available that provides information for every street and it shows bike lanes as shared. Ms. Horaz also noted there are many trails but the difficulty is crossing the river.

10-7-4 CIRCULATION AND CONNECTIVITY:

Updates: Under the current ordinance, alleys are not permitted in the city. With new language, they are permitted, maintained privately and are encouraged in more dense residential areas. A new requirement would have all new intersections marked with a crosswalk even in neighborhoods.

Committee Discussion: Mr. Funkhouser said he likes alleys for small lots and if there is a rear garage for a single family home, an alley would be required for a rear loading garage. Mr. Transier asked if there is a way to enforce maintenance of alleys. Ms. Noble replied maintenance and snow removal would be considered property maintenance. The city would not do the removal, but could ticket for it. The maintenance could be covered by a backup or dormant SSA and property owners could be taxed.

10-7-5 EASEMENTS:

Committee Discussion: Committee members questioned easements being placed in front yards for private utilities. Mr. Schultz said there could be exceptions like in Kendallwood Estates where it is dependent on the topography. Storm sewers are sometimes placed in the front. Ms. Noble will check with Engineering due to changing policies. The easements would be for dry installations, but the concern is for wet installations in the front. The committee recommended keeping utilities in the back until a mandate is received.

10-7-6 WATER, SEWER AND STORMWATER

Committee Discussion: For stormwater drainage, bio-swales were recommended. Ms. Horaz asked if they should be planted with tall grasses or natural vegetation and how they are maintained. Maintenance depends on the rear yard or common open spaces. It was noted in Windett Ridge, it would be a major overflow as there is not enough capacity. She also asked about bio-swales in parkways. That would be part of cluster designs. If they were in the parkway or public way, it would be the city's job to maintain. Aurora has already converted some areas to this method. Ms. Horaz said she likes bio-swales as a feature, but not in the front or parkway.

10-7-7 CLUSTER DEVELOPMENT:

Updates: A new cluster development section was added and recommended in the 2016 Comp Plan. Cluster bonuses could include more density if they maintain conservation easements or preserve natural features.

Committee Discussion: Mr. Funkhouser asked if the density number is correct and appropriate since wetlands should be preserved. In the denser developments, a bio-swale could be located on one side and a sidewalk on the other side. The least amount of pavement should be used in maintaining these wild conservation areas. Ms. Horaz suggested a trail to wind around the bio-swales for an interesting look. Mr. Funkhouser noted this section

addresses resources to be preserved, but criteria should also be added for maximum density. Mr. Engberg said it is defined by IDNR. This will go through staff approval and City Council will be the final authority if something more specific should be preserved.

10-7-8 ANTI-MONOTONY STANDARDS:

Committee Discussion: Committee members asked what is considered the threshold for any of the anti-monotony standards. Ms. Horaz expressed concern for flat roofs, saying they are not practical with Illinois weather and that a more modern look is needed. It was noted that some commercial buildings have flat roofs and some in-fill buildings do as well. They concurred that more specifics are needed regarding roof heights, colors and products.

10-7-9 PARK LAND PROVISION:

Committee Discussion: The committee had no issue with parks being required and it was noted the size has changed to a minimum of 8,000 sq. ft. for a playlot. They were OK with the proposed requirements if Parks and Rec approved. They also had no issue with land dedicated for schools. If there are areas dedicated to older age ranges, the committee asked that it should be referenced with an age study.

3. Committee Comments and Questions

There were no further comments/questions from committee members.

In summary, Mr. Engberg said staff will have Chapters 3, 4, 5, 6 back from the consultants soon. He and Ms. Noble have reviewed them and the committee will review them again at the June 23rd meeting. They have also been working with Encode Plus who now has newer features and the completed chapters will be sent to Encode by this summer. Some of the chapters will soon be entered into the on-line interactive version and changes can still be made at that point. Also, a new feature will allow developers to visualize changes in 3-D while applying code standards. There are two more chapters left for the Advisory Committee to consider.

4. Adjournment

There was no further business and the meeting adjourned at 8:27pm.

Minutes respectfully submitted by Marlys Young, Minute Taker
Transcribed from audio; not present at meeting

REVIEW GUIDE

Existing Text

New Text

References to be updated

Chapter 3. District Standards

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10-3-1. Establishment of District

A. For the purpose and provisions of this title, Yorkville is organized into thirteen (13) districts.

B. Residential Districts.

1. R-1 Single-Unit Suburban Residence District
2. R-2 Single-Unit Traditional Residence District
3. R-2A Single-Unit Moderate Density District.
4. R-2D Duplex, Two-Unit Attached Residence District
5. R-3 Multi-Unit Attached Residence District
6. R-4 General Multi-Unit Residence District

C. Business and Manufacturing Districts.

1. B-1 Local Business District
2. B-2 Mixed Use District
3. B-3 General Business District
4. M-1 Limited Manufacturing District
5. M-2 General Manufacturing District

D. Institutional and Open Space Districts.

1. PI Public Institutional District
2. A-1 Agricultural District
3. OS Open Space District

E. Overlay Districts.

1. D-O Downtown Overlay District
2. PD-O Planned Development Overlay District

10-3-2. District Map and Boundaries

- A. **Zoning Map.** The boundaries of the zoning districts designated in section 10-3-1 of this chapter are hereby established as shown on the latest edition of the map entitled "Zoning Map: The United City Of Yorkville", which said map shall have the same force and effect as if the zoning map, together with all notations, references and other information shown on the zoning map, were fully set forth and described in this title.
- B. **District Boundaries.** When uncertainty exists with respect to the boundaries of the various districts shown on the zoning map, the following rules shall apply:
1. District boundary lines are either the centerlines of railroads, highways, streets, alleys or easements or the boundary lines of sections, quarter sections, divisions of sections, tracts or lots, or such lines extended or otherwise indicated.
 2. In areas not subdivided into lots and blocks, wherever a district is indicated as a strip adjacent to and paralleling a street or highway, the depth of such strips shall be in accordance with the dimensions shown on the map measured at right angles from the centerline of the street or highway, and the length of frontage shall be in accordance with dimensions shown on the map from section, quarter sections or division lines, or centerlines of streets, highways or railroad rights of way unless otherwise indicated.
 3. Where a lot held under single ownership and of record on the effective date hereof is divided by a district boundary line, the entire lot shall be construed to be within the less restricted district; provided, that this construction shall not apply if it increases the lot width of the lot by more than twenty five (25) feet.

10-3-3. Zoning of Streets, Alleys, Public Ways, Waterways, and Railroad Rights-of-Way

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

10-3-4. Zoning of Annexed Land

Any territory or land annexed to the city after the adoption of this title shall automatically, upon such annexation, be classified within the R-1 residential district and be subject to all conditions and regulations applicable to land in such district until such land is subsequently rezoned.

10-3-5. Purpose of Residential Districts

- A. **General Purpose of Residential Districts.** Residential zoning districts are established, designed, and intended to provide a comfortable, healthy, safe, and pleasant environment in which to live and shall:
 - 1. Provide appropriately located areas for residential development that are consistent with the Comprehensive Plan, as amended;
 - 2. Ensure adequate light, air, privacy, and open space for residents;
 - 3. Provide for a variety of neighborhoods with a range of housing types with varying characters and patterns of development;
 - 4. Protect neighborhoods from the harmful effects of excessive noise, traffic congestion, and other potential adverse impacts; and
 - 5. Provide amenities while protecting residents from incompatible uses and activities.
- B. **R-1 Single-Unit Suburban Residence District.** The R-1, single-unit suburban residence zoning designation is intended to create a spacious suburban residential neighborhood. To protect the character of the district, permitted uses are limited to single-unit detached housing yet accommodate other compatible and complementary cultural, religious, educational, and public uses.
- C. **R-2 Single-Unit Traditional Residence District.** The R-2, single-unit traditional residence zoning designation is intended to accommodate smaller, more conventional suburban residential neighborhoods. The primary permitted uses are single-unit detached housing in addition to compatible and complementary cultural, religious, educational, and public uses.
- D. **R-2A Single-Unit Moderate Density District.** The R-2A, single-unit moderate density zoning designation is intended to accommodate the areas with smaller-lot suburban residential development in Yorkville's historic neighborhoods and accommodate newer small-lot residential development as it occurs over time. The primary permitted uses are single-unit detached housing in addition to compatible and complementary cultural, religious, educational, and public uses.
- E. **R-2D Duplex, Two-Unit Attached Residence District.** The R-2D, duplex, two-unit attached residence zoning designation is intended for moderate density duplex dwelling structures. This district is primarily located off of a major thoroughfare or as a transitional land use adjacent to single-unit residences. Therefore, the R-2D, duplex district is intended to accommodate single-unit attached dwelling structures of a size and character that are compatible with the surrounding single-unit detached residential districts and adjacent to commercial, office and retail space.
- F. **R-3 Multi-Unit Attached Residence District.** The R-3, multi-unit attached residence zoning designation is intended for moderate density residential developments near commercial areas and transportation corridors, and to promote economically mixed housing developments and the provision of a range housing types including multi-unit buildings such as duplexes or townhomes.
- G. **R-4 General Multi-Unit Residence District.** The R-4, general multi-unit residence zoning designation is intended for moderate to high density multi-unit buildings and complexes. This district may accommodate other compatible and complementary cultural, religious, educational, and public uses.

10-3-6. Purpose of Business and Manufacturing Districts

- A. **General Purpose of Business and Manufacturing Districts.** Business and Manufacturing Districts are established, designed, and intended to provide a comfortable, healthy, safe, and pleasant environment in which to work, shop, dine, recreate, and shall:
1. Accommodate retail, commercial, service, and mixed uses needed by Yorkville residents, businesses, visitors, and workers;
 2. Maintain and enhance the City's economic base and provide employment opportunities, shopping, entertainment, restaurant, service and other nonresidential uses close to where people live and work;
 3. Create suitable environments for various types of business and manufacturing uses and protect them from the adverse effects of incompatible uses;
 4. Allow flexibility to encourage redevelopment and positive improvements to existing uses; and
 5. Help ensure that the appearance and operational impacts of business and manufacturing developments do not adversely affect the character of the areas in which they are located.
- B. **B-1 Local Business District.** The B-1, local business district zoning designation is intended for the location of commercial and professional facilities that are especially useful in close proximity to residential areas. The district is designed to provide convenient shopping and services that meet the needs and enhance the quality of life for surrounding residential neighborhoods. This district also encourages dwelling units located above the first floor of a permitted use to create mixed use buildings.
- C. **B-2 Mixed-Use Business District.** The B-2, mixed-use business zoning designation is intended to accommodate pedestrian oriented mixed-use corridors and districts with a range of business, service, office, and residential uses including the Downtown.
- D. **B-3 General Business District.** The B-3, general business district zoning designation is intended for the location of a broad range of commercial uses, including small scale and large scale businesses. These uses are usually oriented toward automobile access and visibility; therefore, they are typically set along major arterial roads. The businesses in this district are meant to serve regional as well as local customers. This district also encourages dwelling units located above the first floor of a permitted use to create mixed use buildings.
- E. **M-1 Limited Manufacturing District.** The M-1 limited manufacturing district zoning designation is intended to provide for the location of a broad range of warehousing, manufacturing, and industrial uses of minimal environmental impact. The intensity and impact of uses shall be controlled through the special use permitting process to ensure compatibility with adjacent land uses through the minimization of off-site impacts. Related uses such as indoor event or recreation conversions or employee supporting restaurants and retail may also be appropriate.
- F. **M-2 General Manufacturing District.** The M-2 general manufacturing district zoning designation is intended to provide for the location of manufacturing, industrial, and related uses that have greater off-site impacts than those in the M-1 limited manufacturing district. The district is intended to ensure the compatibility of the manufacturing and industrial uses with surrounding residential and commercial uses and to minimize off-site impacts such as noise, traffic, and visual qualities.

10-3-7. Purpose of Open Space and Institutional Districts

- A. **A-1 Agricultural District.** The A-1, Agricultural district zoning designation is intended to accommodate areas where the conditions are best suited for agricultural pursuits or where essential community facilities or utilities do not yet or are not reasonably expected to serve the property.
- B. **OS Open Space District.** The OS, open space district designation is intended to govern the use of city owned green space and park land in the city of Yorkville. This zoning district shall apply to all existing and newly annexed land currently used or intended for use as open space, recreational areas, and parks identified in Yorkville's park and recreation master plan. These regulations are also intended to provide for the protection, conservation and utilization of high quality natural resources; preservation of wildlife habitats; creation of scenic vistas; provision of public gathering areas or facilities for safe and accessible outdoor space; connectivity between other green infrastructure via bike and hiking trails and paths; and to maintain or establish appropriate buffers between differing land use types or intensities.
- C. **PI Public Institutional District.** The PI, Public Institutional district zoning designation is intended to provide for the location of properties used or operated by a public entity or private institution. The purpose of the PI District is to recognize that public and institutional facilities provide necessary services to the community.

10-3-8. Overlay Districts

- A. All provisions of this title, to the extent that they do not conflict with the standards delineated in this section, shall remain in full force and effect for all properties subject to the provisions of this section.
- B. The standards found in this section shall be used by property owners, developers, City staff members, the Planning and Zoning Commission and the City Council during the design and review of development and redevelopment proposals within the overlay districts. These standards and criteria complement and add to those contained within the City's Comprehensive Plan, as amended, Yorkville Downtown Overlay District Form-Based Code, this title and other land use regulations.
- C. **D-O Downtown Overlay District.** The D-O, Downtown Overlay district designation is intended to guide the development of a mix of uses and a pedestrian oriented environment, to provide for a mix of housing types for people of all ages and lifestyles, and to achieve development that is appropriate in scale and intensity for the overlay district and adjacent neighborhoods.
- D. **PD-O Planned Development Overlay District.** The purpose of the PD-O, Planned Development Overlay District is to visually represent areas of the community that are governed by Planned Development Ordinances as detailed in **Chapter #** of this title.

10-3-9. Bulk and Dimensional Standards

A. Table 10-3-9(A) Bulk and Dimensional Standards establishes the requirements applicable to the development or use of a lot in a given district.

Table 10-3-9 Bulk and Dimensional Standards										
Zone	Min. Lot Size	Min. Lot Size per DU (For Single-Family Attached Uses)	Maximum Density (For Multifamily Uses)	Min. Lot Width	Max. Lot Coverage	Setbacks			Max. Building Height	Dwelling Unit Max. Height
						Min. Front	Min. Side* ⁷	Min. Rear ⁷		
A-1	-	-	-	-	-	100' ¹	50'	-	80' ⁵	30'
R-1	12,000 sq. ft.	-	-	80'	50%	40'	15' (40')	50'	30'	30'
R-2	10,000 sq. ft.	-	-	70' ²	45%	25'	10' (30')	30'	30'	30'
R-2A	6,000 sq. ft.	-	-	70' ²	45%	30'	10' (30')	30'	30'	30'
R-2D	15,000 sq. ft.	9,000 sq.ft.	-	100' ³	50%	30'	10' (30')	30'	30'	30'
R-3	9,000 sq. ft. ⁴	7,000 sq.ft.	5 dwelling units/acre ⁴	70' (90' for attached units)	70%	30'	10' (20')	30'	80'	30'
R-4	15,000 sq. ft. ⁴	5,000 sq.ft.	8 dwelling units/acre	70' (90' for attached units)	70%	30'	12' or 60% of building height (20')	40'	80'	40'
B-1	8,000 sq. ft.	-	-	-	80%	30'	20'	20'	80'	-
B-2	-	-	-	-	85%	0'	-	20'	80'	-
B-3	10,000 sq. ft.	-	-	-	80%	50'	20' (30') ⁶	20'	80'	-
M-1	-	-	-	-	85%	25'	Min. 10% of lot and max. 20'	-	-	-
M-2	-	-	-	-	85%	25'	Min. 10% of lot and max. 20'	-	-	-
PI	-	-	-	-	85%	25'	20' (25')	20'	80'	-
OS	-	-	-	-	-	30'	10'	20'	80'	-
Notes:										
* Dimensions within () = requirement for side yards adjoining a street. (Note: For special uses refer to section 10-4-9 of this title.)										
1. 200 feet along Illinois Routes 34, 47, 71 and 126.										
2. Lots with private wells and/or private sewage minimum 1 acre and 125 foot width. Density shall not exceed 1 dwelling unit per acre on lots with private wells and/or private sewage treatment facilities.										
3. Lots with private wells and/or private sewage minimum 1.5 acres and 150 foot width. Density shall not exceed 1.3 dwelling units per acre on lots with private wells and/or private sewage treatment facilities.										
4. Nonresidential principal uses shall have a minimum lot size of 15,000 square feet and 100 foot width. A one-story structure shall have a minimum of 1,200 square feet and a two-story structure shall have a minimum of 1,400 square feet of livable space.										
5. 100 foot structure height shall be allowed for silos on sites with agricultural uses.										
6. Parking lots in the B-3 district located adjacent to an arterial roadway, as defined in the city's comprehensive plan, must maintain a minimum setback of 20 feet from the property line and 10 feet from nonarterial roadways.										
7. The minimum setback required may be less than the width of the transition yard required by use as specified in Section 10-5-3(F), in which instance, the more stringent width required by the transition yard shall apply.										

B. Minimum building separations in the B-3 District shall be as detailed in table 10-3-9(B) below.

Table 10-3-9(B) Building Separation Requirements in R-3	
Separation Type	Requirement
Side to side	20 feet
Side to rear	40 feet
Rear to rear	60 feet
Front to side	50 feet
Front to front	50 feet
Rear to front	100 feet

10-3-10. Calculating Bulk and Dimensional Standards

A. **Lot Width.** Minimum lot width shall be measured at the required front yard setback line.

[INSERT GRAPHIC]

B. **Setbacks.** A required setback shall be measured by the shortest distance between the applicable lot line and nearest point of the principal use or building or any required yards or fences, except any building features specified in section 10-3-11, which shall not be subject to required setbacks.

[INSERT GRAPHIC]

C. **Height.** Building and dwelling unit height shall be the vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the:

1. *Flat Roof:* highest point of the roof,
2. *Mansard Roof:* deck line of roof, or
3. *Gable, Hip, or Gambrel Roof:* mean height level between eaves and ridge.

[INSERT GRAPHIC]

D. **Lot Coverage.** Lot coverage shall be that portion of the lot occupied by the principal building or buildings, accessory buildings, and all other impervious areas such as driveways, roads, sidewalks, parking lots and structures, and any area of concrete asphalt.

[INSERT GRAPHIC]

10-3-11. Permitted Yard Setback Obstructions

Every part of a required yard setback shall be open and unobstructed from finished grade upward, except as specified in Table 10-3-11 below or as allowed for accessory buildings and structures as detailed in [Section 10-4-15\(A\)](#).

Permitted Obstruction	Required Yards				Regulation
	All	Front	Side	Rear	
Permanent Structures					
Accessory Buildings and Structures			P	P	Shall maintain a minimum distance of 5 feet from any side or rear property line.
Arbors and trellises	P	P	P	P	-
Awnings and canopies	P	P	P	P	Shall adjoin a principal structure and may project 3 feet into required yard.
Balconies and breezeways	-	-	-	P	May project 3 feet into the required yard.
Chimneys	P	P	P	P	May project 18 inches into the required yard.
Enclosed, attached or detached off-street parking	-	-	-	P	-
Flagpoles	P	P	P	P	-
Landscaping	P	P	P	P	-
One-story bay windows	P	P	P	P	May project 3 feet or less into the required yard.
Open porches	P	-	-	-	May project 5 feet into the yard.
Open terraces and decks	P	P	P	P	Shall not project over 4 feet above the average level of the adjoining ground but not including a permanently roofed over terrace or porch.
Ornamental light standards	-	P	P	-	-
Overhanging eaves and gutters	-	P	P	P	May project 3 feet or less into the yard. May project into a required side yard for a distance not exceeding 40 percent of the required yard width.
Steps	P	P	P	P	Steps 4 feet or less above grade which are necessary for access to zoning lot from a street or alley.
Temporary Structures					
Accessory Buildings and Structures, Temporary	P	P	P	P	Shall maintain a minimum of 5 feet from rear and side property lines.
Air conditioning units	-	-	P	P	May project for a distance not exceeding 10 percent of the required yard width, but in no case exceeding 12 inches.
Recreational equipment	-	-	-	P	-

10-3-12. Permitted and Special Uses

A. The following key shall be used in the interpretation of Table 10-3-12(B) Permitted and Special Uses below.

1. **Permitted Uses.** Uses which are marked as "P" in the tables shall be allowed subject to all applicable regulations of this title.
2. **Special Uses.** Uses which are marked as "S" in the tables shall be allowed upon the approval of a special use permit, as detailed in **section 10-#-##** of this title.
3. **Temporary Uses.** Uses which are marked as "T" in the tables shall be allowed upon the approval of a temporary use permit, as detailed in **section 10-#-##** of this title.
4. **Prohibited Uses.** Uses which are marked as "-" shall be prohibited in the respective district unless it is otherwise expressly allowed by other regulations of this title.
5. **Uses Not Listed.** If a proposed use is not listed in the tables, the **Zoning Administrator**, through the administrative interpretation process detailed in **section 10-#-##**, shall determine if the use is substantially similar to a use listed in the tables. If it is, the use shall be treated in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.
6. **Additional Regulation.** If a use has use specific standards, they are referenced in this column. Use specific standards shall apply to permitted and special uses.

Table 10-3-12(B) Permitted and Special Uses establishes the allowed uses in the City's zoning districts.

Table 10-3-11(B) Permitted and Special Uses																	
Use Category	Additional Regulation	Zoning Districts															
		Ag	Open Space	Residential						Business			Mfg.		Inst.		
				A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3		M-1	M-2
Agricultural Uses		A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI		
Agricultural uses		P	S	-	-	-	-	-	-	-	-	-	-	-	P		
Apiaries		P	P	-	-	-	-	-	-	-	-	-	-	-	P		
Commercial feeding of fish, poultry, livestock		S	-	-	-	-	-	-	-	-	-	-	-	-	-		
Cultivation of nonfood crops and seeds used of cellulosic biofuels production		P	-	-	-	-	-	-	-	-	-	-	-	-	-		
Farming/Cultivation		P	T	-	-	-	-	-	-	-	-	-	-	-	-		
Forestation		P	-	-	-	-	-	-	-	-	-	-	-	-	-		
Grain elevators and storage		P	-	-	-	-	-	-	-	-	-	-	-	-	-		
Nursery/greenhouses		S	-	-	-	-	-	-	-	-	-	P	P	P	P		
Recreational camp - private		S	S	-	-	-	-	-	-	-	-	-	-	-	-		
Riding academies with stables		S	-	-	-	-	-	-	-	-	-	-	-	-	-		
Roadside stand		P	-	-	-	-	-	-	-	-	-	-	-	-	-		
Stables or paddocks		P	-	-	-	-	-	-	-	-	-	-	-	-	-		
Residential Uses		A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI		
Dwelling, duplex	10-4-2(A)	-	-	-	-	-	P	P	P	-	-	-	-	-	-		
Dwelling, multi-unit	10-4-2(B)	-	-	-	-	-	-	P	P	P	S	S	S	-	-		

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Dwelling, single-unit		P	-	P	P	P	P	P	P	-	-	-	-	-	-
Dwelling, townhouse	10-4-2(C)	-	-	-	-	-	-	P	P	-	-	-	-	-	-
Mobile home park	10-4-2(D)	-	-	-	-	-	-	S	S	-	-	-	-	-	-
Senior housing, dependent		S	-	S	S	S	S	S	S	P	P	-	-	-	P
Senior housing, independent		S	-	P	P	P	P	P	P	P	P	-	-	-	P
<i>Lodging Uses</i>		A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Bed and breakfast inn		S	-	S	-	-	-	-	-	S	P	P	-	-	-
Hotel/Motel		-	-	-	-	-	-	-	-	-	P	P	-	-	-
Short-term rental	10-4-3(A)	-	-	P	P	P	P	P	P	-	-	-	-	-	-
<i>Commercial Retail Uses</i>		A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Adult uses	10-4-4(A)	-	-	-	-	-	-	-	-	-	-	-	S	S	S
Building material sales		-	-	-	-	-	-	-	-	-	P	P	P	-	-
Liquor store		-	-	-	-	-	-	-	-	P	P	P	-	-	-
Pawnbrokers/pawnshops		-	-	-	-	-	-	-	-	P	P	P	S	-	-
Retail store, general - less than one (1) acre		-	-	-	-	-	-	-	-	P	P	P	S	-	-
Retail store, general greater than one (1) acre		-	-	-	-	-	-	-	-	-	-	P	-	-	-
<i>Commercial Service Uses</i>		A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Adult daycare facility		-	-	S	S	S	S	S	-	P	P	P	S	S	S
Animal hospital		S	-	-	-	-	-	-	-	-	-	P	S	-	-
Art galleries/art studio		-	-	-	-	-	-	-	-	-	P	P	P	-	P
Auction house		P	-	-	-	-	-	-	-	-	-	-	-	-	-
Campground		S	S	-	-	-	-	-	-	-	S	S	-	-	-
Commercial laboratory		-	-	-	-	-	-	-	-	P	P	P	P	-	-
Commercial/trade school		-	-	-	-	-	-	-	-	P	P	P	S	-	-
Daycare facility and preschools		-	-	S	S	S	S	S	-	P	P	P	S	S	S
Entertainment production studios		-	-	-	-	-	-	-	-	P	P	P	P	-	-
Financial institutions and services		-	-	-	-	-	-	-	-	P	P	P	-	-	-
Funeral home/mortuary		-	-	-	-	-	-	-	-	P	P	P	-	-	-
Health and fitness club/center		-	-	-	-	-	-	-	-	-	P	P	P	-	-
Indoor shooting gallery/range	10-4-5(A)	-	-	-	-	-	-	-	-	S	S	S	S	S	-
Kennel, commercial or private dog kennels		S	-	-	-	-	-	-	-	-	-	P	S	-	-
Massage establishment	3-9	-	-	-	-	-	-	-	-	S	S	S	-	-	-
Casino and Off track betting (OTB) establishments		-	-	-	-	-	-	-	-	-	S	S	-	-	-
Professional services/offices		-	-	-	-	-	-	-	-	P	P	P	-	-	-
Public storage facilities/mini warehouse storage	10-4-5(B)	-	-	-	-	-	-	-	-	-	P	P	P	P	-
Tattoo and body piercing establishment	3-10	-	-	-	-	-	-	-	-	P	P	P	P	P	-
Veterinary clinic		-	-	-	-	-	-	-	-	-	P	P	S	S	-
<i>Commercial Entertainment Uses</i>		A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Amusement park		S	S	-	-	-	-	-	-	-	-	S	S	S	S

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Commercial entertainment, indoor		-	-	-	-	-	-	-	-	T	P	P	S	S	P
Commercial entertainment, outdoor	10-4-6(A)	-	-	-	-	-	-	-	-	S	S	S	S	S	P
Community / Recreation center		-	-	-	S	S	S	S	S	P	P	P	S	S	P
Golf course, miniature		S	-	-	-	-	-	-	-	-	-	P	-	-	-
Golf course	10-4-6(B)	S	-	P	P	P	P	P	P	-	-	-	-	-	-
Golf driving range		S	-	-	-	-	-	-	-	-	P	P	S	-	-
Indoor Event/Recreation Conversion		-	-	-	-	-	-	-	-	-	-	P	P	P	-
Outdoor music venues		-	-	-	-	-	-	-	-	S	S	S	S	-	-
Skating rink		-	-	-	-	-	-	-	-	-	P	P	S	S	-
Stadium		-	-	-	-	-	-	-	-	-	-	S	S	-	P
Swimming pool - indoor		-	P	-	-	-	-	-	-	P	P	P	S	-	P
Theater, live performance		-	-	-	-	-	-	-	-	P	P	P	-	-	-
Theater, motion picture		-	-	-	-	-	-	-	-	P	P	P	-	-	-
<i>Eating and Drinking Uses</i>		A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Brewery/Winery/Distillery tasting room		-	-	-	-	-	-	-	-	P	P	P	P	P	-
Microbrewery/brewpub, microdistillery and microwinery	10-4-7(A)	-	-	-	-	-	-	-	-	P	P	P	P	P	-
Restaurant		-	-	-	-	-	-	-	-	P	P	P	-	-	-
Tavern - nightclub or lounge		-	-	-	-	-	-	-	-	P	P	P	-	-	-
Prepared Food Service Establishment		-	-	-	-	-	-	-	-	P	P	P	-	-	-
<i>Medical Uses</i>		A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Hospital		S	-	S	S	S	S	S	S	P	P	P	-	-	P
Medical clinic / office		-	-	-	-	-	-	-	-	P	P	P	-	-	-
Treatment center		-	-	-	-	-	-	-	-	P	P	P	-	-	-
<i>Vehicle Related Uses</i>		A-1	OS	R-1	R-2	R-2A	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Automobile parts/accessories sales		-	-	-	-	-	-	-	-	-	P	P	-	-	-
Automobile rental	10-4-9(A)	-	-	-	-	-	-	-	-	-	P	P	-	-	-
Automobile repair		-	-	-	-	-	-	-	-	-	-	P	P	P	-
Automobile sales and service, enclosed	10-4-9(A)	-	-	-	-	-	-	-	-	-	-	P	P	P	-
Automobile sales and service, open sales lot	10-4-9(A)	-	-	-	-	-	-	-	-	-	-	S	S	S	-
Boat sales and rental	10-4-9(A)	-	S	-	-	-	-	-	-	P	P	P	P	-	P
Boat storage		-	S	-	-	-	-	-	-	S	S	S	P	P	P
Car wash		-	-	-	-	-	-	-	-	-	-	P	P	P	-
Gasoline service station		-	-	-	-	-	-	-	-	-	S	S	S	S	-
Heavy machinery and equipment rental		-	-	-	-	-	-	-	-	-	P	P	P	P	-
Recreational vehicle sales and service	10-4-9(A)	-	-	-	-	-	-	-	-	-	-	P	P	P	-
Semi-truck repair		-	-	-	-	-	-	-	-	-	-	P	P	P	-
Truck and trailer rental	10-4-9(A)	-	-	-	-	-	-	-	-	-	-	P	P	P	-
Truck, truck-tractor, truck trailer, car trailer or bus storage		-	-	-	-	-	-	-	-	-	-	-	P	P	-

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yard - not include motor freight terminal															
<i>Industrial Uses</i>		<i>A-1</i>	<i>OS</i>	<i>R-1</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-2D</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>M-1</i>	<i>M-2</i>	<i>PI</i>
Aggregate materials extraction, processing and site reclamation (stone and gravel quarries)		-	-	-	-	-	-	-	-	-	-	-	-	S	-
Artisan manufacturing	10-4-10(A)	-	-	-	-	-	-	-	-	P	P	P	-	-	-
Assembly, production, manufacturing, testing, repairing, or processing, light	10-4-10(B)	-	-	-	-	-	-	-	-	-	-	S	P	-	-
Assembly, production, manufacturing, testing, repairing, or processing, heavy	10-4-10(B)	-	-	-	-	-	-	-	-	-	-	-	P	P	
Bakery (wholesale)		-	-	-	-	-	-	-	-	S	S	S	P	P	-
Blacksmith or welding shop		S	-	-	-	-	-	-	-	-	-	P	P	P	-
Brewery/winery/distillery		-	-	-	-	-	-	-	-	S	S	P	P	P	-
Contractor facilities with outdoor storage		-	-	-	-	-	-	-	-	-	-	S	P	P	-
Data Center													P	P	P
Dry cleaning plant		-	-	-	-	-	-	-	-	-	-	-	S	S	-
Manufacturer / sales of firearms and ammunition		-	-	-	-	-	-	-	-	-	-	-	P	P	-
Newspaper publishing		-	-	-	-	-	-	-	-	-	P	P	P	P	P
Research laboratories		-	-	-	-	-	-	-	-	-	-	-	P	P	-
Wholesaling and warehousing - local cartage express facilities - not including motor freight terminal		-	-	-	-	-	-	-	-	-	-	-	P	P	-
<i>Transportation Uses</i>		<i>A-1</i>	<i>OS</i>	<i>R-1</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-2D</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>M-1</i>	<i>M-2</i>	<i>PI</i>
Airport		S	-	-	-	-	-	-	-	-	-	-	S	S	S
Bus or truck garage		-	-	-	-	-	-	-	-	-	-	-	P	P	-
Bus or truck storage yard		-	-	-	-	-	-	-	-	-	-	-	P	P	-
Motor freight terminals		-	-	-	-	-	-	-	-	-	-	-	S	S	S
Railroad passenger station		S	-	S	S	S	S	S	S	S	S	S	S	S	S
Railroad repair shops, maintenance buildings and switching yards		S	-	S	S	S	S	S	S	S	S	S	S	S	S
<i>Alternative Energy Uses</i>		<i>A-1</i>	<i>OS</i>	<i>R-1</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-2D</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>M-1</i>	<i>M-2</i>	<i>PI</i>
Solar farm	10-4-12(B)	S	S	-	-	-	-	-	-	-	-	-	S	S	S
Building mounted solar energy systems	10-4-12(C)	P	-	P	P	P	P	P	P	P	P	P	P	P	P
Freestanding solar energy systems - accessory use	10-4-12(D)	P	P	P	P	P	P	P	P	P	P	P	P	P	
Freestanding solar energy systems - principal use	10-4-12(E)	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Wind farm	10-4-12(F)	S	-	-	-	-	-	-	-	-	-	-	S	S	S
Building mounted wind energy system	10-4-12(G)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Freestanding wind energy system - accessory use	10-4-12(H)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Freestanding wind energy system - principal use	10-4-12(I)	S	S	S	S	S	-	-	-	-	-	-	S	S	S
<i>Medical and Adult Use Cannabis Uses</i>		<i>A-1</i>	<i>OS</i>	<i>R-1</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-2D</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>M-1</i>	<i>M-2</i>	<i>PI</i>

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Cannabis Craft Grower	10-4-13(B)	S	-	-	-	-	-	-	-	-	-	-	S	S	-
Cannabis Cultivation Center	10-4-13(C)	S	-	-	-	-	-	-	-	-	-	-	S	S	-
Cannabis Dispensing Organization	10-4-13(D)	-	-	-	-	-	-	-	-	-	-	S	S	S	-
Cannabis Infuser Organization	10-4-13(E)	-	-	-	-	-	-	-	-	-	-	S	S	S	-
Cannabis Processing Organization	10-4-13(F)	-	-	-	-	-	-	-	-	-	-	-	S	S	-
Cannabis Transporting Organization	10-4-13(G)	-	-	-	-	-	-	-	-	-	-	-	S	S	-
<i>Institutional, Public, and Utility Uses</i>		<i>A-1</i>	<i>OS</i>	<i>R-1</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-2D</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>M-1</i>	<i>M-2</i>	<i>PI</i>
Cemetery		S	S	S	S	S	S	S	S	-	-	-	-	-	P
College, university or junior college		S	-	S	S	S	S	S	S	P	P	P	-	-	P
Communications use		S	-	-	-	-	-	-	-	-	-	-	-	-	P
Electric substation		S	S	S	S	S	S	S	S	P	P	P	P	P	P
Filtration plant		S	-	S	S	S	S	S	S	-	-	-	P	P	P
Fire station		P	-	P	P	P	P	P	P	P	P	P	P	P	P
Library		-	-	P	P	P	P	P	P	P	P	P	-	-	P
Other public utility facilities		S	-	P	P	P	P	P	P	-	-	-	P	P	P
Parks		P	P	P	P	P	P	P	P	P	P	P	P	P	P
Place of worship/assembly		S	-	S	S	S	S	S	S	P	P	P	S	S	P
Playground		-	P	P	P	P	P	P	P	P	P	P	-	-	P
Police station		P	-	P	P	P	P	P	P	P	P	P	P	P	P
Public utility - electric substations and distribution centers, gas regulation centers and underground gas holder stations		S	S	-	-	-	-	-	-	-	-	-	P	P	P
Radio and television towers - commercial		P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sanitary landfill		S	-	-	-	-	-	-	-	-	-	-	S	S	S
School, public or private		-	-	P	P	P	P	P	P	-	-	-	-	-	P
Sewage treatment plant		-	-	S	S	S	S	S	S	-	-	-	P	P	P
Solid waste disposal site		-	-	-	-	-	-	-	-	S	S	S	P	P	P
Utility company maintenance yard		-	-	-	-	-	-	-	-	-	-	-	P	P	P
Utility service yard or garage		-	-	-	-	-	-	-	-	-	-	-	P	P	P
<i>Accessory Uses</i>		<i>A-1</i>	<i>OS</i>	<i>R-1</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-2D</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>M-1</i>	<i>M-2</i>	<i>PI</i>
Accessory Buildings	10-4-15(A)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Structures, Permanent	10-4-15(A)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Community Garden		P	P	P	P	P	P	P	P	P	P	P	P	P	P
Drive Throughs	10-4-15(B)	-	-	-	-	-	-	-	-	S	-	S	-	-	-
Dwelling, accessory	10-4-15(C)	P	-	P	P	P	P	P	P	-	-	-	-	-	P
Recreational vehicle, trailer, and boat parking	10-4-2(D)	P	P	P	P	P	P	P	P	-	-	-	-	-	-
Home occupations	10-4-15(E)	P	-	P	P	P	P	P	P	-	P	-	-	-	-
Outdoor displays	10-4-15(F)	P	P	-	-	-	-	-	-	P	P	P	P	P	-
Vehicle Charging Stations		-	-	-	-	-	-	P	P	P	P	P	P	P	-
<i>Temporary Uses</i>		<i>A-1</i>	<i>OS</i>	<i>R-1</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-2D</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>M-1</i>	<i>M-2</i>	<i>PI</i>

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Accessory structures, Temporary	10-4-16(A)	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Mobile food vendor vehicles and retail vendor vehicles	10-4-16(B)	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Storage of roadway construction materials and equipment	10-4-16(C)	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Portable Outdoor Storage Device	10-4-16(D)	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Temporary and seasonal uses	10-4-16(E)	-	-	-	-	-	-	-	-	T	T	T	-	-	-
Tents	10-4-16(F)	T	T	T	T	T	T	T	T	T	T	T	T	T	T

REVIEW GUIDE

Existing Text

New Text

References to be updated

Direction from City needed

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10-4-1. Agricultural Use Standards

RESERVE

10-4-2. Residential Use Standards

A. Dwelling, Duplex.

1. The main entrances to a duplex shall face the primary street.
2. A minimum of one (1) of the parking spaces, as required in **Section 10-5-#** of this Title, shall be provided in an attached or detached garage. Attached garages are encouraged to be located on rear or side façades. If attached garages are located on the primary façade they shall comply with the following standards.
 - a. Be setback a minimum of twenty-five (25) feet from the street right-of-way or the required front yard setback, whichever is greater.
 - b. **Garage Set Ahead.**
 - (a) The garage may be set ahead a maximum of five (5) feet from the front façade of the home, inclusive of porches, bay windows, or other minor projections.

- (b) If the garage is set ahead from the front façade of the home, as detailed in (a) above, it shall not exceed forty-five (45) percent of the façade's total width.
- c. **Garage In Line.** If the garage is in line with the front façade of the home, exclusive of porches, bay windows, or other minor projections, it shall not exceed fifty (50) percent of the façade's total width.
- d. **Garage Set Behind.**
 - (1) The garage may be set behind the front façade of the home, exclusive of porches, bay windows, or other minor projections, a minimum of one (1) foot.
 - (2) If the garage is set behind the front façade of the home, as detailed in (a) above, it shall not exceed fifty-five (55) percent of the façade's total width.

[INSERT GRAPHIC]

B. Dwelling, Multi-Unit.

- 1. The main entrance to a multi-unit dwelling shall face the primary street, unless otherwise allowed in subsection 7 below.
- 2. All off-street parking shall be located to the side or rear of the primary building. Off-street parking located to the side of the primary building shall be set back a minimum of one (1) foot from the front elevation of the primary building.
- 3. A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise recommended by the Public Works Director and approved by the Planning and Zoning Commission.
- 4. Service areas, dumpsters, utilities and the required nonvegetative screening thereof shall not be visible from rights-of-way.
- 5. **Multi-Building Developments.** Developments with multiple multi-unit dwelling buildings shall meet the following additional standards.
 - a. The primary façade shall include a building entrance and be oriented towards the following (listed in priority order). Primary façades shall not be oriented towards off-street parking lots, garages, or carports.
 - (1) Perimeter Streets,
 - (2) Primary Internal Streets,
 - (3) Parks or other common open space, or
 - (4) Secondary internal streets.

[INSERT GRAPHIC]

C. Dwelling, Townhouse.

- 1. The entrance to a townhouse shall face the primary public street unless otherwise approved.
- 2. A minimum of one (1) of the parking spaces, as required in Section 10-5-# of this UDO, shall be provided in an attached or detached garage.
- 3. Attached garages shall be located on rear or side façades unless otherwise approved.
- 4. A maximum width of a townhome cluster shall be two hundred (200) lineal feet.

5. The siting of the townhouse units in a cluster shall be staggered in order to define street edges, entry points, and public gathering spaces.

[INSERT GRAPHIC]

D. Mobile Home Park.

1. The minimum site size shall be ten (10) acres.

10-4-3. Lodging Use Standards

RESERVE

10-4-4. Commercial Retail Use Standards

A. Adult Uses.

1. Limitations on Adult Uses.

- a. *Distance from another existing adult use:* An adult use shall not be allowed within five hundred (500) feet of another preexisting adult use.
- b. *Distance from zoning districts:* An adult use shall not be located within seven hundred (700) feet of any zoning district which is zoned for single-unit suburban residence district (R-1), single-unit traditional residence district (R-2), single-unit moderate-density (R-2A), two-unit attached residence district (R-2D), multi-unit attached residence district (R-3), general multi-unit residence district (R-4), local business district (B-1), mixed use district (B-2), general business district (B-3), agricultural district (A-1).
- c. *Distance from school or place of worship:* An adult use shall not be located within five hundred (500) feet of a preexisting school or place of worship.
- d. *Distance from business selling alcoholic beverages and cannabis dispensaries:* An adult use shall not be located in a building which contains another business that sells or dispenses in some manner alcoholic beverages or Cannabis Dispensing Organization as defined in this UDO.
- e. *Arterial roadways:* Adult uses which are located next to an arterial roadway, as defined in the City's comprehensive plan, must provide a twenty five (25) foot setback from any property line.
- f. *Nonarterial roadways:* Adult uses which are located next to a nonarterial roadway, as defined in the City's comprehensive plan, must provide a ten (10) foot setback from the side and rear property lines and shall provide a twenty five (25) foot setback from the front property line.
- g. *Traffic study:* A traffic study may be required as part of the special use permit approval process.

2. **Measurement of Distance.** For the purposes of this Section, measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the lot or parcel containing the adult use to the property line of the lot or parcel containing the nearest adult use, school, place of worship, cannabis dispensary, or district zone for residential use.

3. **Exterior Signage and Display.** No adult use shall be conducted in any manner that permits the observation of any material, depicting, describing, or relating to "specified sexual activities", "specified anatomical areas" or otherwise deemed to be obscene by display, decoration, sign, show window, or other opening from any public way or from any property not licensed as an adult use.

4. **Display of License and Permit.** Every licensee (per Section 10-7-#) shall display a valid license in a conspicuous place within the adult use business so that same may be readily seen by persons entering the premises.

5. **Employment of Persons Under the Age of Eighteen (18) Prohibited.** It shall be unlawful for any adult use licensee or their manager or employee to employ in any capacity within the adult business any person who is not at least eighteen (18) years of age.
6. **Hours of Operation.** All areas within the premises of an adult use business shall be cleared of customers and secured from customers and the public in general during the time when not permitted open for operation, and no person, other than the licensee or their employees or agents, shall be permitted within the area of such premises during such hours as listed below:
 - a. *Monday through Saturday:* 7:00am to 1:00am the next day
 - b. *Sunday:* 11:00am to 1:00am the next day
7. **Violation and Penalty.** Each day of violation of the requirements of this Section shall constitute a separate and punishable offense.

10-4-5. Commercial Service Use Standards

A. **Indoor Shooting Gallery/Gun Range.**

1. When located in a multiple-tenant building, shall only be located in an end unit and with the gallery/range not adjacent to an adjoining unit.
2. The minimum building setback for indoor shooting gallery/gun range facilities shall be fifty (50) feet from any property line that abuts a residentially zoned property.
3. The retail operations of any indoor shooting gallery/gun ranges shall occupy not more than twenty-five (25) percent of the total floor area.

B. **Public Storage Facilities/Mini Warehouse Storage.**

1. All storage facilities shall be in completely enclosed buildings or structures when located in a Business Zoning District or when located within one hundred fifty (150) feet of a property in a Residential Zoning District.
2. There shall be a minimum of twenty (20) feet between buildings.
3. Truck and storage pod rentals are permitted accessory uses.

10-4-6. Commercial Entertainment Use Standards

A. **Commercial Entertainment, Outdoor.**

1. All golf course and driving range perimeters shall be fully enclosed in netting not less than thirty-two (32) feet in height and at least ninety (90) percent transparent.

B. **Golf Course.**

1. Regulation size golf courses are permitted provided that no clubhouse or accessory building shall be nearer than five hundred (500) feet to any dwelling on an adjacent zoning lot, with the exception of golf courses in the A-1 District where the minimum separation requirement shall be three hundred (300) feet.

10-4-7. Eating and Drinking Use Standards

A. **Microbrewery/Brew Pub, Micro Distillery and Microwinery.**

1. **Microbreweries/Brew Pubs.**

- a. Microbreweries/brewpubs, where if off-premises consumption is allowed, all sales must be in a hand capped, sealed container with a total maximum production of one hundred fifty-five thousand (155,000) gallons per calendar year inclusive of on-premises and off-premises sales.
- b. Microbrewery/brewpub operations will be ancillary to a restaurant or eating establishment, and the brewing component of the facility shall be no more than twenty-five (25) percent of the total floor area.

2. Microdistilleries and Microwineries.

- a. Outdoor storage of equipment, production waste or product for microdistilleries and microwineries is strictly prohibited when located in a business district. However, outdoor storage of spent grains or grapes may be permitted to be stored outdoors in appropriate silos or containers in the manufacturing districts, provided the storage is screened from public view. Screening may be with fencing, landscaping or a combination of both.
- b. All microdistilleries and microwineries located in business districts must have off-street or rear accessible loading and unloading facilities.
- c. Microdistilleries or microwineries located in business districts must include an ancillary tasting room with a minimum of one hundred fifty (150) square feet. Retail sales of the product from a microdistillery or microwinery are permitted on-site and shall be consistent with state and City laws.

10-4-8. Medical Use Standards

RESERVE

10-4-9. Vehicle Related Use Standards

A. Automobile Rental; Automobile Sales and Service/Open Sales Lot; Boat Sales and Rental; Recreational Vehicle Sales and Rental; and Truck and Trailer Rental.

1. Open sales and rental lots shall be exempt from the landscape spacing requirements for the parking area perimeter zone and instead may cluster required landscape elements in order to preserve views to goods offered for sale.

10-4-10. Industrial Use Standards

A. Artisan Manufacturing.

1. Gross floor area shall not exceed ten thousand (10,000) square feet.
2. Outdoor storage and/or outdoor operations or activities shall be prohibited.
3. Retail sales of goods manufactured on-site shall be permitted but shall be limited to twenty-five (25) percent of the total area of the building.
4. A maximum of one (1) residential unit shall be permitted but shall be limited to the upper floor or to the rear of the artisan manufacturing use and shall not exceed twenty five (25) percent of the gross floor area.

B. Assembly, Production, Manufacturing, Testing, Repairing, or Processing.

1. All related activity shall take place within completely enclosed buildings unless otherwise specified.
2. Within one hundred fifty (150) feet of a residentially zoned property or a property in the B-1, B-2, or PI Districts, all storage shall be in completely enclosed buildings or structures.
3. Storage not located within one hundred (150) feet of a residentially zoned property or a property in the B-1, B-2, or PI Districts may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto)

with a minimum height of eight (8) feet. In no case shall the solid walls or fences be lower in height than the enclosed storage.

4. Solid fences or walls enclosing storage shall meet the building foundation landscape requirements per **Section 10-5-#**.

10-4-11. Transportation Use Standards

RESERVE

10-4-12. Alternative Energy Use Standards

A. General Requirements for all Alternative Energy Uses.

1. **Applicability.** The provisions of this Section are to establish zoning parameters by which solar and wind energy systems may be installed in the City. Additional renewable energy solutions not mentioned herein may be authorized subject to compliance with the applicable codes and standards of the City.
2. **Use.** Alternative energy systems shall be an accessory to the principal permitted use of a site.
3. **Abandoned Systems.** All alternative energy systems inactive or inoperable for twelve (12) continuous months shall be deemed abandoned. If the system is deemed abandoned, the owner is required to repair or remove the system from the property at the owner's expense within ninety (90) days after notice from the City. If the owner does not comply with said notice, the Building Code Official shall enforce this as a violation of the Yorkville Zoning Ordinance.
4. **Signage.** No attention getting device is permitted on any alternative energy system. One (1) sign shall be permitted to indicate the emergency contact information of the property owner or operator. Said sign shall not exceed two (2) square feet in size. Graphics, colors, corporate logos, and text on wind energy systems located within business or manufacturing zoned properties are permitted, subject to the discretion of the City Council.
5. **Safety.** All wind energy systems shall be equipped with manual and/or automatic controls and mechanical brakes to limit rotation of blades to prevent uncontrolled rotation.
6. **Lighting.** Alternative energy systems shall not be illuminated, except as required by the FAA or those used in commercial applications such as streetlights.
7. **Shadow Flicker.** No habitable portion of an existing adjacent structure shall be subject to shadow flicker from a wind turbine. Shadow flicker onto an adjacent roof and/or exterior wall which does not contain any windows, doors, and like openings shall be acceptable. If shadow flicker occurs, the operation of the wind turbine shall cease during those times which cause the shadow flicker.
8. **Screening.** There shall be no required mechanical screening for alternative energy systems.
9. **Design.** Wind energy systems and associated tower shall be a nonreflective color. The City Council may impose such conditions as are necessary to eliminate, if at all possible, any adverse effects such system may have on surrounding properties.
10. **Compliance.** Wind energy systems shall meet or exceed current standards of the international building code and Federal Aviation Administration (FAA) requirements, any other agency of the state or federal government with the authority to regulate wind energy systems, and all City codes.
11. **Building Code/Safety Standards.** Any owner or operator of an alternative energy system shall maintain said system in compliance with the standards contained in the current and applicable state or local building codes and any applicable standards for said energy systems that are published by the International Building Code, as amended from time to time. If, upon inspection, the United City of Yorkville concludes that an alternative energy system fails to comply

with such codes and standards and constitutes a danger to persons or property, the City Code Official shall require immediate removal of the system at the owner's expense.

B. Solar Farm.

1. No solar farm shall be erected on any lot less than three (3) acres in size.
2. A solar farm use may occupy up eighty (80) percent of a given parcel.
3. A certified professional engineer shall certify that the foundation and design on the solar panels are within accepted professional standards, given local soil and climate conditions.
4. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground.
5. Off-street parking provided on site shall be paved. Gravel or other unpaved materials shall be prohibited.
6. Systems, equipment, and structures shall not exceed thirty feet (30) in height when ground mounted.
7. Ground mounted solar energy collection systems as part of a solar farm shall have a minimum setback for all equipment, excluding fences, of:
 - a. *Front and Corner Yards*: one hundred (100) feet,
 - b. *Side and Rear Yards*: fifty (50) feet from nonresidential property lines and one hundred (100) feet from residential property lines.
8. Systems equipment and structures shall be fully enclosed and secured by a fence or wall with a height of eight (8) feet. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
 - a. **Warnings.**
 - (1) Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.
 - (2) The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the Zoning Officer monthly. The recorded calls shall be maintained for at least twelve (12) months.
9. **Outdoor Storage.** Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the wind farm shall be allowed except for outdoor storage that is expressly allowed in the zoning district specified elsewhere in this title.
10. **Materials Handling, Storage, and Disposal.**
 - a. All solid wastes related to the construction, operation, and maintenance of the solar farm shall be removed from the site promptly and disposed of in accordance with all federal, state, and local laws.
 - b. A list of hazardous fluids that may be used on site shall be provided. All hazardous materials related to the construction, operation, and maintenance of the solar farm shall be handled, stored, transported, and disposed of in accordance with all applicable local, state and federal laws.
11. **Decommissioning Plan.** Prior to receiving approval, the applicant shall submit a decommissioning plan to ensure that the solar farm project is properly decommissioned, which shall include:

- a. Provisions describing the triggering events for decommissioning the solar farm project. Any nonfunctioning solar panel/array of the project shall be decommissioned within thirty (30) days unless the operator has shown to the Zoning Administrator that it is diligently repairing such solar panel/array or component.
- b. Procedures for the removal of structures, debris, and cabling, including those below the soil surface,
- c. Provisions for the restoration of the natural soil and vegetation,
- d. An estimate of the decommissioning costs certified by a professional engineer, to be updated every three (3) years or as determined necessary by the Zoning Administrator. The Zoning Administrator may request an independent third-party verification of the decommissioning costs at any time. The costs for this verification shall be reimbursed by the applicant and/or operator.
- e. Financial assurance, secured by the owner or operator, for the purpose of performing the decommissioning, in an amount equal to the professional engineer's certified estimate of the decommissioning cost.
- f. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of his successors, assigns, or heirs.

C. Building-Mounted Solar Energy Systems.

1. **Location.** Building-mounted solar energy systems are allowed on the principal and accessory structures, any roof face and side and rear building facades. The systems are allowed on the front or exterior side building facades if the following conditions are met:
 - a. Solar access is optimized on the front and exterior side facades.
 - b. Systems are simultaneously used to shade the structure's doors or windows. See Figure 10-19-8C of this section.
2. **Height.** Systems shall not extend beyond three (3) feet parallel to the roof surface of a pitched roof. Nor shall the system extend beyond four (4) feet parallel to the roof surface of a flat roof unless completely concealed or equal to the height of the parapet wall, whichever is greater. If the system is flush-mounted, the system must be less than eight (8) inches from the roof surface. Refer to Figure 10-19-8A of this Section.
3. **Quantity.** The total square footage may not exceed the total area of the roof surface of the structure to which the system is attached.
4. **Projection.** The system may project up to four (4) feet from a building facade or roof edge. The system may project into an interior side or interior rear setback but shall be no closer than five (5) feet to the interior side or interior rear property line. Refer to Figure 10-19-8B of this section.

[INSERT GRAPHIC]

D. Freestanding Solar Energy Systems – Accessory Use.

1. **Setbacks.** All parts of any freestanding solar energy system shall be set back eight (8) feet from the interior side and interior rear property lines.
2. **Permitted Yard Locations.** Freestanding solar energy systems shall not be located within the required front yard or corner side yard. They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding solar energy system shall be prohibited.
3. **Solar Glare.** Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
4. **Maximum Height.** Maximum height of freestanding solar energy systems shall be fifteen (15) feet unless otherwise approved by the Zoning Administrator.

[INSERT GRAPHIC]

E. Freestanding Solar Energy System – Principal Use.

1. **Setbacks.** All parts of any freestanding solar energy system shall meet the setbacks established for the district in which the system is located.
2. **Permitted Yard Locations.** A freestanding solar energy system shall not be located closer to the public right-of-way than the front façade of the principal building on the adjacent lot(s). They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding solar energy system shall be prohibited.
3. **Clearance.** Minimum clearance between the lowest point of the system and the surface on which the system is mounted is ten (10) feet. Refer to **Figure 10-19-7A** of this Section.
4. **Solar Glare.** Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
5. **Maximum Height.** Maximum height of a freestanding solar energy system shall be fifteen (15) feet unless otherwise approved.

[INSERT GRAPHIC]

F. Wind Farm.

1. No wind farm shall be erected on any lot less than four (4) acres in size.
2. **Design and Installation.**
 - a. **Safety Certification.**
 - (1) Wind farm systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (UL), Det Norske Veritas (DNV), Germanischer Lloyd Wind Energic (GL), or an equivalent third party prior to plan approval.
 - (2) Following plan approval, a professional engineer shall certify, as part of the building permit application, that the foundation and tower design of the wind farm system is within accepted professional standards, given local soil and climate conditions.
 - b. **Controls and Brakes.** All wind farm systems shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
 - c. **Electrical Components.** All electrical components of the wind farm systems shall conform to applicable local, state, and national codes, and relevant national and international standards (e.g., ANSI and international electrical commission). Utility lines connecting the towers, substations, etc., shall be placed underground where practical.
 - d. **Turbine Consistency.** To the extent feasible, the project shall consist of turbines of similar design and size, including tower height. Further, all turbines shall rotate in the same direction.
 - e. **Warnings.**
 - (1) A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

- (2) Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.
 - (3) Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.
 - (4) The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the Zoning Officer monthly. The recorded calls shall be maintained for at least twelve (12) months.
- f. **Climb Prevention.** All wind farm towers must be unclimbable by design or protected by anti-climbing devices such as:
- (1) Fences with locking portals at least six (6) feet high, or
 - (2) Anti-climbing devices twelve (12) feet vertically from the base of the wind farm tower.
- g. **Setbacks.** Wind farm towers and appurtenant structures shall meet the following minimum setbacks.
- (1) Wind farm towers shall be six (6) times the height of the wind farm tower or at least three thousand, two hundred fifty (3,250) feet, whichever is greater, from any principal structure or use on the subject or neighboring property.
 - (2) Wind farm towers shall be one and one-tenth (1.10) times the wind farm tower height from public roads, third party transmission lines, and communication towers.
 - (3) Wind farm towers shall be one thousand six hundred forty (1,640) feet from adjacent property lines, as measured from the center of the wind farm tower foundation.
 - (4) No part of a wind farm tower or foundation shall encroach on a public or private sewage disposal (septic) system
 - (5) Above ground transmission facilities and poles shall be set back one-hundred fifty (150) feet from any portion any principal structure or use on the subject or neighboring property.
- h. **Use of Public Roads.** An applicant, owner, or operator proposing to use any City or County Road for the purpose of transporting and installation of wind farm or substation parts and/or equipment for construction, operation, or maintenance of the wind farm or substations, shall:
- (1) Identify all such public roads, and
 - (2) Obtain applicable weight and size permits from relevant government agencies prior to construction.
 - (3) To the extent an applicant, owner, or operator must obtain a weight or size permit from the City, County, or State, the applicant shall provide:
 - (a) Financial assurance, in a reasonable amount agreed to by the relevant parties, for the purpose of repairing any damage to public roads caused by constructing, operating or maintaining the wind farm prior to the issuance of building permits.
 - (b) A signed copy of any agreements pertaining to the use of public roads prior to the issuance of building permits.

- i. **Outdoor Storage.** Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the wind farm shall be allowed except for outdoor storage that is expressly allowed in the zoning district specified elsewhere in this title.

3. **Operation.**

a. **Maintenance.**

- (1) The owner or operator of the wind farm must submit, upon request a summary of the operation and maintenance reports to the City. In addition to the annual summary mentioned in this subsection, the owner or operator must furnish such operation and maintenance reports, as the City reasonably requests.
- (2) Any replacement of equipment that is not a like-kind replacement using the same equipment in plan as approved shall require that an amendment to the special use.

b. **Materials Handling, Storage, and Disposal.**

- (1) All solid wastes related to the construction, operation, and maintenance of the wind farm shall be removed from the site promptly and disposed of in accordance with all federal, state, and local laws.
- (2) A list of hazardous fluids that may be used on site shall be provided. All hazardous materials related to the construction, operation, and maintenance of the wind farm shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

c. **Decommissioning Plan.** Prior to receiving approval, the applicant shall submit a decommissioning plan to ensure that the wind farm project is properly decommissioned, which shall include:

- (1) Provisions describing the triggering events for decommissioning the wind farm project. Any nonfunctioning wind turbine of the project shall be decommissioned within thirty (30) days unless the operator has shown to the Zoning Administrator that it is diligently repairing such wind turbine or component.
- (2) Procedures for the removal of structures, debris, and cabling, including those below the soil surface,
- (3) Provisions for the restoration of the natural soil and vegetation,
- (4) An estimate of the decommissioning costs certified by a professional engineer, to be updated every three (3) years or as determined necessary by the **Zoning Administrator**. The **Zoning Administrator** may request an independent third-party verification of the decommissioning costs at any time. The costs for this verification shall be reimbursed by the applicant and/or operator.
- (5) Financial assurance, secured by the owner or operator, for the purpose of performing the decommissioning, in an amount equal to the professional engineer's certified estimate of the decommissioning cost.
- (6) A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of his successors, assigns, or heirs.

G. **Building-Mounted Wind Energy Systems.**

- 1. **Location.** Building-mounted wind energy systems are allowed on all principal and accessory structures and shall be affixed to the roof deck of a flat roof or to the ridge or slope of a pitched roof and may not be affixed to the parapet or chimney of any structure.
- 2. **Setback.** The systems must be set back a minimum of five (5) feet from the edge or eave of the roof.
- 3. **Quantity.** One (1) turbine is allowed for every five hundred (500) square feet of the combined roof area. For a pitched roof, each surface of the roof shall be included in the roof area calculation.

4. **Noise.** Building-mounted wind energy systems shall not exceed the following:
 - a. Fifty-five (55) dBA when in or adjacent to all residential districts.
 - b. Sixty (60) dBA when in or adjacent to all nonresidential districts.
5. **Height.** The maximum height for a building-mounted wind energy system is fifteen (15) feet. The system is measured from the roof surface on which the system is mounted to the highest edge of the system with the exception of any roof pitches ten to twelve (10:12) or greater. The system shall not exceed fifteen (15) feet above the maximum permitted height of the zoning district. Refer to **Figure 10-19-6A** of this Section.
6. **Appearance Standards.** Graphics, colors, corporate logos and text on wind energy systems located within business or manufacturing zoned properties are permitted, subject to the discretion of the City Council.
7. **Warnings.**
 - a. A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
 - b. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.
 - c. Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.
 - d. The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the Zoning Officer monthly. The recorded calls shall be maintained for at least twelve (12) months.

[INSERT GRAPHIC]

H. Freestanding Wind Energy System – Accessory Use.

1. **Clearance.** In all zoning districts, the minimum clearance between the lowest tip of the rotor or blade and the ground is fifteen (15) feet. See **Figure 10-19-5A** of this Section.
2. **Permitted Yard Locations.** A freestanding wind energy system shall not be located within the required front yard or corner side yard. They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding wind energy system shall be prohibited.
3. **Height.** The maximum height for a freestanding wind energy system shall be one hundred seventy-five (175) feet measured from the base to the highest edge of the system.
4. **Setbacks.** The base of the system shall be set back 1.1 times (110 percent) the height of the highest edge of the system from all property lines, overhead utility line poles, communication towers, public sidewalks or trails, public rights-of-way, and other freestanding wind energy systems. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zoning district.
5. **Access.** A freestanding wind energy system and all components shall be protected against unauthorized access by the public. Climbing access to the tower shall not start until twelve (12) feet above grade.
6. **Noise.** A freestanding wind energy system shall not exceed the following:
 - a. Fifty five (55) dBA when in or adjacent to all residential districts.

- b. Sixty (60) dBA when in or adjacent to all nonresidential districts.

[INSERT GRAPHIC]

I. Freestanding Wind Energy System – Principal Use.

1. **Clearance.** In all zoning districts, the minimum clearance between the lowest tip of the rotor or blade and the ground is fifteen (15) feet. See **Figure 10-19-5A** of this Section.
2. **Permitted Yard Locations.** All parts of any freestanding wind energy system shall meet the setbacks established for the district in which the system is located.
3. **Height.** The maximum height for a freestanding wind energy system shall be one hundred seventy-five (175) feet measured from the base to the highest edge of the system.
4. **Setbacks.** The base of the system shall be set back 1.1 times (110 percent) the height of the highest edge of the system from all property lines, overhead utility line poles, communication towers, public sidewalks or trails, public rights-of-way, and other freestanding wind energy systems. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zoning district.
5. **Access.** Freestanding wind energy systems and all components shall be protected against unauthorized access by the public. Climbing access to the tower shall not start until twelve (12) feet above grade.
6. **Noise.** A freestanding wind energy system shall not exceed the following:
 - a. Fifty five (55) dBA when in or adjacent to all residential districts.
 - b. Sixty (60) dBA when in or adjacent to all nonresidential districts.
7. **Warnings.**
 - a. A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
 - b. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.
 - c. Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.

The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the Zoning Officer monthly. The recorded calls shall be maintained for at least twelve (12) months.[INSERT GRAPHIC]

10-4-13. Medical and Adult Use Cannabis Use Standards

A. General Requirements for all Cannabis Uses.

1. **Business Hours.** Business hours for all cannabis businesses shall be from 10:00 a.m. to 8:00 p.m. Monday through Saturday and 12:00 p.m. to 5:00 p.m. on Sundays.
2. **On-Premises Consumption.** On-premises consumption of cannabis products in all cannabis businesses operations is prohibited.
3. **Signage.**

- a. Recreational cannabis dispensaries shall be limited to one (1) wall-mounted sign per business.
- b. All cannabis establishments shall be prohibited from having electronic message board signs.
- c. Signage for cannabis establishments shall not contain cannabis imagery such as leaves, plants, smoke, paraphernalia, or cartoonish imageries.

B. Cannabis Craft Grower.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, unless in the A-1 zoning district where the residential use is owned by the same owner as the adult-use cannabis craft grower, regardless of corporate boundary.
3. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.
4. Cannabis craft growers may co-locate with a dispensing organization or a cannabis infuser organization, or both, only on properties zoned within the M-1 or M-2 districts.
5. Cannabis craft grower shall be limited to one (1) facility within the boundaries of the City.

C. Cannabis Cultivation Center.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this Section.
2. Facility may not be located within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.
4. Cannabis cultivation center shall be limited to one (1) facility within the boundaries of the City.

D. Cannabis Dispensing Organization.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. Facility shall have a maximum gross floor area of five thousand (5,000) square feet, of which at least seventy-five (75) percent of the floor area occupied by a dispensing organization shall be devoted solely to the activities the dispensing cannabis or cannabis products as authorized by the Act and shall not sell food or alcohol for consumption on the premises.
4. Drive-through facilities are prohibited.
5. E-commerce delivery service platforms are prohibited.

6. Cannabis dispensing organizations shall be limited to one (1) facility within the boundaries of the City.

E. Cannabis Infuser Organization.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. Infuser organizations may co-locate with a dispensing organization or a cannabis craft grower organizations, or both, only on properties zoned within the M-1 or M-2 Districts. In such instances, the maximum gross floor area dedicated to the dispensing organization shall be five thousand (5,000) square feet of which seventy-five (75) percent of the floor area must be devoted to the activities authorized by the Act.
4. Cannabis infuser organizations shall be limited to one (1) facility within the boundaries of the City.

F. Cannabis Processing Organization.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. At least seventy-five (75) percent of the floor area occupied by a dispensing organization shall be devoted solely to the activities the dispensing cannabis or cannabis products as authorized by the Act, and shall not sell food or alcohol for consumption on the premises.
4. Cannabis processing organizations shall be limited to one (1) facility within the boundaries of the City.

G. Cannabis Transporting Organization.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. The transporting organization shall be the sole use of the space in which it is located. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.
4. Cannabis transporting organization shall be limited to one (1) within the boundaries of the City.

10-4-14. Institutional, Public, and Utility Use Standards

RESERVE

10-4-15. Accessory Use Standards

A. Accessory Buildings and Accessory Structures, Permanent.

1. **Location.** Accessory buildings and structures shall be subject to the following locational requirements:
 - a. If located entirely within the required rear or side yard the accessory building or structure shall be located a minimum of five (5) feet from side and rear property lines.
 - b. Accessory buildings shall be located at least ten (10) feet from the principal building, however, accessory structures may be located within ten (10) feet of the principal building.
 - c. If located entirely within the buildable area of the lot the accessory building or structure shall not be located between the primary building and the front property line.
 - d. No accessory building or structure shall be located within an easement.
 - e. If located partially in a required yard and partially in the buildable area of the lot, the accessory building or structure shall maintain the required side setback for the full length of the property and be a minimum of five (5) feet from the rear property line.

[INSERT GRAPHIC]

1. **Location on Reversed Corner Lots.** On a reversed corner lot in a residence district and within fifteen (15) feet of any adjacent property to the rear in a residence district, no accessory building or permanent accessory structure or portion thereof shall be closer to the side lot line abutting the street than a distance equal to sixty (60) percent of the minimum depth required in **Table 10-3-9** for the front yard on such adjacent property to the rear. Further, in the above instance, no such accessory building or structure shall be located within five (5) feet of any part of a rear lot line which coincides with a side lot line or portion thereof of property in a residence district.

[INSERT GRAPHIC]

2. **Time of Construction.** No accessory building or permanent accessory structure with a connected water supply shall be constructed on any zoning lot prior to the start of construction of the principal building to which it is accessory, or as provided in **section 10-3-3** of this title for contiguous parcels.
3. **Height of Accessory Buildings or Structures in Required Rear Yards.** No accessory building or permanent accessory structure or portion thereof shall exceed fifteen (15) feet in height.

B. Drive Throughs.

1. Drive Throughs.
2. Drive throughs shall be permitted a maximum of four (4) total menu boards with a combined maximum area of 100 square feet.
3. Each menu board or pre-order board shall not exceed sixty (60) square feet in area and ten (10) feet in height. Menu boards and pre-order boards may utilize electrically activated changeable copy message centers for one hundred (100) percent of the permitted menu board or pre-order board area and must follow all regulations of Section ~~##~~ ~~###~~.
4. Any structural element of a drive through, including pavement, speaker boxes, or menu signs, shall be located at least five hundred (500) feet from the parcel boundary of any residentially zoned parcel.
5. Any speaker or intercom associated with a drive through shall not be audible beyond the boundaries of the property.
6. The hours of operation for a drive through adjoining a residential property shall be limited to between 7 am and 11 pm daily.
7. Drive through canopies shall maintain a uniform and consistent roofline with the building to which the drive-through is associated.

8. Stacking spaces and lanes for drive through stations shall not impede on- and off-street traffic movement, shall not cross off-street parking areas or drive aisles and shall not impede pedestrian access to a public building entrance.
9. Drive through lanes shall be separated from off-street parking areas. Individual lanes shall be striped, marked, or otherwise delineated.
10. Drive through facilities shall be provided with a bypass lane with a minimum width of ten (10) feet unless an alternative means of exit is approved.
11. Stacking lanes shall have a minimum depth of twenty (20) feet per stacking space and the following minimum lane widths:
12. One (1) lane: twelve (12) feet,
13. Two (2) or more lanes: ten (10) feet per lane.
14. Drive through facilities shall be required to provide a minimum number of stacking spaces as detailed in Table 9-1-11(D).

Table 10-4-15(C) Drive Through Stacking Requirements		
Use	Minimum Stack	Measure From
Automated Teller Machine	3 per machine	teller machine
Bank Teller Lane	2 per lane	teller or window
Restaurant	6 per order box	order box ¹
Carwash Stall, Automatic	5 per stall	stall entrance
Carwash Stall, Manual	3 per stall	stall entrance
Oil Change Shop	3 per service bay	service bay entrance
Pharmacy	4 per lane	machine or window
Other	as determined by the Zoning Officer	

1. 4 of the required stacking spaces are to be located between the order-box and pick-up window, including the stacking space at the order box.

C. Dwelling, Accessory.

1. One (1) secondary dwelling unit shall be permitted per lot.
2. Detached secondary dwelling units shall not exceed nine hundred (900) square feet or ten (10) percent of size of the lot, whichever is less.
3. Internal or attached secondary dwelling units shall not exceed nine hundred (900) square feet or thirty (30) percent of the size of the principal building, whichever is less.
4. Detached and attached secondary dwelling units shall be located to the rear of the primary building.
5. Only one (1) entrance shall be located on the front façade of the primary building. Entrances to secondary dwelling units must be located on the side or rear façade.
6. On non-corner lots, both the primary structure and the accessory dwelling unit shall be served by one (1) common driveway connecting the secondary dwelling unit to a public or private road. Corner lots with an accessory dwelling unit may be allowed two (2) common driveways connecting to a public or private road, provided that each driveway is located along a different road frontage.

7. Parking for the secondary dwelling unit shall be in addition to the parking space(s) required for the primary building. The parking for the secondary dwelling unit shall not be located in the required front yard setback. A tandem parking space, where one (1) car is parked behind another within the driveway, with the spaces required for the primary building shall be prohibited.
8. Secondary dwelling units shall be similar in character to the primary building and to abutting properties including roof pitch, eaves, exterior building cladding materials, windows, trim, color, and landscaping.


D. **Recreational Vehicle, Trailer, and Boat Parking.**

1. **Permanently Affixing to Ground Prohibited.** Recreational vehicles, trailers, and other recreational equipment shall not be permanently affixed to the ground as principal or accessory structures on a lot in any district.
2. **Improved Hard Surface.** Recreational vehicles, trailers, boats, and other recreational equipment shall be parked on a driveway or a parking pad as specified in **Section ##-###** if constructed in a front or side yard but may be parked on the grass if located in the rear yard as approved only by the City Engineer. .
3. **Number.** A maximum of one (1) recreational vehicle, trailer, boat, or other recreational equipment shall be parked on a lot any given time.
4. **Location.** Recreational vehicles, trailers, boats, and other recreational equipment shall be located per the following:
 - a. If located entirely within the required rear yard the recreational vehicle, trailer, boat, or other recreational equipment shall be located a minimum of five (5) feet from side and rear property lines,
 - b. If located entirely within the buildable area of the lot the recreational vehicle, trailer, boat, or other recreational equipment shall not be located between the primary building and the front property line, or
 - c. If located partially in the required rear yard and partially in the buildable area of the lot the recreational vehicle, trailer, boat, or other recreational equipment shall maintain the required side yard setback for the full length of the property and be a minimum of five (5) feet from the rear property line.
5. **Screening.** If a recreational vehicle, trailer, boat, or other recreational equipment is parked on a driveway located within the required side yard setback it shall be screened from the adjacent property with a six (6) foot high opaque fence.

E. **Home Occupations.** The standards for home occupations are intended to ensure compatibility with other permitted uses and maintain the residential character of the surrounding residential uses. Any gainful activity which is not a permitted home occupation as defined in this title shall be considered a business use and is prohibited in a residence district. Any such use existing on the effective date of this title shall be subject to provisions of **chapter 15** for the elimination of a nonconforming use.

1. In all residence districts, any customary home occupation shall be permitted provided that:
 - a. It is conducted entirely within the dwelling by the residents of the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes.
 - b. It does not require internal or external alteration;
 - c. It does not involve construction features or use of equipment not customary in a dwelling;
 - d. The entrance to the space devoted to such occupation shall be from within the dwelling;
 - e. Not more than twenty-five (25) percent of the floor area, including the lookout basement, of the dwelling shall be devoted to such home occupation. If more than one (1) home occupation is operated in a residence, the combined total square footage devoted to all such home occupations shall not exceed twenty-five (25) percent of the floor area of the dwelling;

- f. There is no display or activity that will indicate from the exterior of the dwelling that it is being used in part for any use other than a dwelling.
 - g. No electrical or mechanical equipment is used, except such as is customarily used for purely domestic or household purposes;
 - h. Off-street parking is provided in accordance with the provisions of **section 10-5-1**, of this title;
 - i. Limited amounts of goods, commodities or stock in trade shall be received, retained, used, or stored on, or physically transferred from the premises;
 - j. It does not interfere with the reasonable use and enjoyment of adjacent residential properties, such as, but not limited to, those home occupations that create any form of electromagnetic interference or cause fluctuation in line voltage outside of the dwelling in which the home occupation is conducted;
 - k. It does not generate any solid waste or sewage discharge in a volume or type which is not normally associated with a residential use in the zoning district; and
 - l. In home daycare/childcare services meet the following provisions:
 - (1) Any person operating an in home daycare/childcare service shall obtain a license from the Illinois Department of Children and Family Services before commencing the operation of such service.
 - (2) Any person operating an in home daycare/childcare service shall obtain an operational permit from the Bristol Kendall Fire District.
 - (3) In home daycare/childcare services are limited to no more than twelve (12) children under the age of twelve (12) at any one (1) time, unless approved through a special use permit pursuant to **chapter 6** of this title.
2. Any home occupation requiring a local, state, or federal license shall be obtained.
3. The following home occupations are prohibited:
- a. Selling or manufacturing of firearms;
 - b. Jobbing, wholesale, or retail businesses, unless conducted entirely by mail, electronically, or telephone;
 - c. Manufacturing business;
 - d. Medical clinic or hospital;
 - e. Animal hospital or kennel (animal grooming services are permitted);
 - f. Restaurant;
 - g. Mortuary and funeral parlors; and
 - h. Any activity that produces noxious matter or employs or produces flammable matter or is in violation of **section 10-3-10** of this title.
- F. **Outdoor Displays.** In the business and manufacturing districts outdoor displays are permitted accessory uses provided that the following provisions are met. However, nothing in this section shall waive the prohibition of outdoor storage as defined and regulated in this title.
- 1. **Accessory Use.** Outdoor displays shall be permitted only as an accessory use on the same lot as a permitted or special use of the business or operation located there and shall not operate as a separate enterprise.

2. **Nature of Merchandise.** The goods, merchandise, or products offered for sale in an outdoor display area must be of such a nature that they are not typically located within a permanent building or structure, such as vehicles, trailers, farming equipment, landscape supplies, propane or other material contained in a pressurized tank, ice/vending machines, recycling containers and automated teller machines (ATM). Goods, merchandise or products that are typically located within a permanent building or structure, such as clothing and prepared food, shall not be offered for sale in a permanent outdoor display area. 
3. **Location.**
 - a. **Setbacks.** Outdoor display areas may be located in front of, on the side of, or behind the primary building, but shall not encroach upon the required minimum yard setbacks for the zoning district in which it is located.
 - b. **Parking.** Outdoor display areas may be located within existing parking spaces but only if there is a sufficient number of other parking spaces available to meet the minimum parking requirements of the use(s) on the property, as provided in **section 10-5-1** of this title.
 - c. **Pedestrian Walkways.** Outdoor display areas may be located on a pedestrian walkway if an unobstructed portion of the walkway measuring not less than three (3) feet in width shall be continuously maintained for pedestrian access and no point of ingress or egress from any building or any individual unit within any building shall be blocked at any time.
 - d. **Right-of-Way.** Unless otherwise provided by this title, outdoor display areas shall not be located on any public or private right-of-way.
 - e. **Lawn.** Outdoor display areas may be located on concrete, asphalt, or brick paver areas and shall not be located on lawn areas or required landscape areas.
 - f. **Near Single-Family Residence District.** No outdoor display areas shall be located within fifty (50) feet of any single-family residentially zoned district, exclusive of rights-of-way.
4. **Size.** Outdoor display areas shall be limited to thirty-five (35) percent of the gross floor area of the primary building or tenant space to which the outdoor display area is an accessory, with the exception of vehicle, trailer and farming equipment dealerships.
5. **Visibility.** Outdoor display areas shall comply with the Vision Clearance requirements of section 10-5-6 of this title.
6. **Maintenance.** All outdoor display areas must be maintained and displayed in a neat, orderly and safe manner at all times.

10-4-16. Temporary Use Standards

A. Accessory Structures, Temporary.

1. Temporary accessory structures shall be allowed for between thirty (30) days and six (6) months as approved through a temporary use permit as specified in **Section ##-###**.
2. If located entirely within the required yard the accessory building or structure shall be located a minimum of five (5) feet from side and rear property lines.
3. Accessory structures shall be located at least ten (10) feet from the principal building, however, accessory structures may be located within ten (10) feet of the principal building.
4. If located entirely within the buildable area of the lot the temporary accessory structure shall not be located between the primary building and the front property line.
5. No temporary accessory structure shall be located within an easement.

6. If located partially in the required rear yard and partially in the buildable area of the lot, the temporary accessory structure shall maintain the required side yard setback for the full length of the property and be a minimum of five (5) feet from the rear property line.
7. **Time of Construction.** No temporary accessory structure with a connected water supply shall be constructed on any zoning lot prior to the start of construction of the principal building to which it is accessory, or as provided in **section 10-3-3** of this title for contiguous parcels.

B. Mobile Food Vendor Vehicles and Retail Vendor Vehicles.

1. **Purpose.** The purpose of this section is to encourage and regulate the operation of mobile food vendor and retail vendor vehicles subject to operational standards, on public and private property within the City. These operational standards and application procedures are intended to recognize the opportunity for unique outdoor portable fare and added convenience to persons living and working within Yorkville, while protecting the health, safety and welfare of the general public.
2. **General Provisions.**
 - a. Mobile food vendor vehicles and mobile retail vendor vehicles shall obtain a certificate of registration from the office of the City Clerk in accordance with **title 3, chapter 5** of this Code.
 - b. Mobile food vendor vehicles and mobile retail vendor vehicles must comply with all federal, state, county, and local business tax, sales tax, and other tax requirements.
 - c. It shall be a violation to operate a mobile food vendor vehicle or mobile retail vendor vehicle at any location except in compliance with the requirements of this section.
 - d. Mobile food vendor vehicles and mobile retail vendor vehicles are permitted in all zoning districts of the City, subject to the location and operational standards established in this title.
 - e. Mobile food vendor vehicles and mobile retail vendor vehicles shall not:
 - (1) obstruct or interfere with the free flow of pedestrian or vehicular traffic, including but not limited to, access to or from any business, public building, or dwelling;;
 - (2) conflict with the vision clearance requirements of section 10-5-6 of this title; or
 - (3) prevent access of emergency vehicles.
 - f. Drive-through vending is prohibited. No vendor shall make sales to any person in a vehicle.
 - g. No amplified music or loudspeakers shall be permitted. Mobile food vendor vehicles and mobile retail vendor vehicles shall comply with the provisions of the performance standards in **section 10-13C-2** of this title. All smoke and odors generated by a mobile food vendor vehicle shall comply with the provisions of the performance standards in sections **10-13C-3 and 10-13C-4** of this title.
 - h. Any exterior lighting provided on the mobile food vendor vehicles or mobile retail vendor vehicles shall comply with the performance standards in **section 10-13C-7** of this title.
 - i. No sales or service of alcohol shall be allowed by mobile food vendor vehicles.
 - j. Mobile food vendor vehicles and mobile retail vendor vehicles shall provide at least one (1) trash receptacle for use by patrons and in a convenient location that does not impede pedestrian or vehicular traffic. All litter or debris generated immediately within the vicinity of the mobile food vendor vehicle or mobile retail vendor vehicle shall be collected and removed by the mobile operator.
3. **Location and Operational Standards.**

a. **Mobile Food Vendor Vehicles and Mobile Retail Vendor Vehicles Operating within the Public Right-of-Way.**

- (1) Mobile food vendor vehicles and mobile retail vendor vehicles shall be legally parked in full compliance with all State and local parking provisions which apply to the location at which it is parked, including any sign prohibiting the parking or standing of a vehicle or indicating a parking time limit.
- (2) Operation of mobile food vendor vehicles and mobile retail vendor vehicles within City parks shall be subject to rules and regulations established by the Park Board.
- (3) No unattended mobile food vendor vehicle or mobile retail vendor vehicle shall be parked or left overnight within a public right-of-way or on any other public property.
- (4) Mobile food vendor vehicles or mobile retail vendor vehicles shall not operate within the public right-of-way within five hundred (500) feet from any K—12 school building, as defined by the State of Illinois, between the hours of 7:00 a.m. and 4:00 p.m. on regular school days, unless as part of a permitted special event or rally.
- (5) Mobile food vendor vehicles or mobile retail vendor vehicles shall not be parked within twenty-five (25) feet from a street intersection with a crosswalk, traffic light, or stop sign, or within twenty-five (25) feet from a railroad crossing.
- (6) Mobile food vendor vehicles or mobile retail vendor vehicle operators shall be responsible for organizing customer queuing in a manner that maintains a clear path along the sidewalk that is at least four (4) feet wide and does not interfere with or obstruct the free passage of pedestrians.
- (7) All sales and service shall be limited solely to that side of the mobile food vendor vehicle or mobile retail vendor vehicle facing away from the public street.
- (8) Mobile food vendor vehicles and mobile retail vendor vehicles shall not encroach onto a public sidewalk with any part of the vehicle, or any other equipment or furniture related to the operation of its business, except for required refuse receptacles.
- (9) Mobile food vendor vehicles greater than thirty-five (35) feet in length, or that occupy more than two (2) on-street parking spaces, are not permitted to operate in the public right-of-way adjacent to residentially zoned properties.
- (10) Mobile food vendor vehicles or mobile retail vendor vehicles shall not block a lawfully placed monument sign of another business.

b. **Mobile Food Vendor Vehicles and Retail Vendor Vehicles Operating on Private Property.**

- (1) Mobile food vendor vehicles and retail vendor vehicles may be permitted to operate on private property as a temporary accessory use in all zoning districts.
- (2) Mobile food vendor vehicles and retail vendor vehicles shall not occupy more than eight (8) of the required parking spaces on an improved lot or exceed the maximum lot coverage for the district in which it is located on an unimproved lot.
- (3) The maximum number of mobile food vendor vehicles and retail vendor vehicles permitted on a site shall be determined as follows:
 - (a) One (1) mobile food vendor vehicle or retail vendor vehicle may operate on the site for every five hundred twenty-five (525) square feet of paved area (at least thirty-five (35) feet by fifteen (15) feet in dimension); except that mobile food vendor vehicles or retail vendor vehicles greater than thirty-five (35) feet in length require a space at least seventy feet (75) by fifteen (15) feet.

- (b) Mobile food vendor vehicle and retail vendor vehicle operations shall occur upon a paved, level parking area or surface.
- (c) Mobile food vendor vehicles and retail vendor vehicles parked within required parking areas shall not impede pedestrian or vehicle ingress or egress through the remainder of the parking area or adjacent public right-of-way.
- (d) Mobile food vendor vehicles and retail vendor vehicles may be permitted to have canopies and outdoor seating areas, provided these additional outdoor accessories may not occupy more than two (2) parking spaces per mobile food vendor vehicle or retail vendor vehicle.

c. Canteen Trucks Operating on Private Property.

- (1) Canteen trucks may operate on an unimproved lot or parcel, only if such lot or parcel or an adjoining lot or parcel is undergoing permitted construction activity.
- (2) Canteen trucks shall not block fire lanes, designated construction traffic lanes for ingress or egress, or access to or from the construction site.
- (3) No unattended canteen truck shall be parked overnight on any property.

d. Private Vendor Service by Mobile Food Vendor Vehicles and Mobile Retail Vendor Vehicles.

- (1) Mobile food vendor vehicles and mobile retail vendor vehicles may provide private sales service within the public right-of-way and on private property in residential districts only.
- (2) Private vendor services by mobile food vendor vehicles and mobile retail vendor vehicles shall be limited to private guests of the event host only. No walk-up customers are permitted.
- (3) Payment shall occur directly between the event host and the mobile food vendor vehicle and retail vendor vehicle. No payment transactions shall occur for individual orders.
- (4) All operational standards for operating a mobile food vendor vehicle and mobile retail vendor vehicle as provided in this section shall apply.

C. Storage of Roadway Construction Materials.

- 1. A temporary use permit and building permit shall be required prior to the establishment of a storage area for roadway construction materials. In addition to all required permit application materials, the following shall be required:
 - a. A site plan depicting the location of proposed construction material storage locations, site ingress and egress, stormwater runoff control measures, other stormwater management practices, and any other information requested by the Zoning Officer shall be required; and
 - b. A traffic plan.
- 2. Roadway construction material storage areas shall be utilized between the hours of 7:00am and 10:00pm only.

D. Portable Outdoor Storage Device. Portable outdoor storage devices are allowed in any district provided they are issued a temporary use permit and meet the following conditions:

- 1. Only one portable outdoor storage device may be located on a lot at a time.
- 2. No portion of any portable outdoor storage device may extend onto the public right-of-way, including but not limited to sidewalks, parkways, streets, or alleys unless otherwise approved through the temporary use permit.

3. The portable outdoor storage device shall not exceed eight (8) feet in width, twelve (12) feet in length and eight (8) feet in height, or 768 cubic feet.
4. The portable outdoor storage device must be located on an impervious surface.
5. Placement of a portable outdoor storage device shall be limited to fourteen (14) days per residential lot, per calendar year.
6. Placement of a portable outdoor storage device shall be limited to thirty (30) days per business, manufacturing, institutional, open space, or agricultural lot, per calendar year.
7. Every portable outdoor storage device must be locked and secured when not being loaded or unloaded.
8. The temporary use permit shall be prominently displayed during the approval period.
9. The **Planning and Zoning Commission** may approve containers that exceed the allowable number, size, surface, or length of time.

E. **Temporary and Seasonal Uses.**

1. **Purpose.** To further encourage the revitalization of the downtown and other areas within the City, these standards are intended to provide a temporary but unique environment for relaxation, social interaction, and food or beverage consumption within public rights-of-way and public sidewalks without impeding the free and safe flow of pedestrian or vehicular traffic.
2. **General Provisions.**
 - a. **Encroachment.** A sidewalk cafe or parklet cafe shall not be considered an "encroachment" so long as all outdoor facilities related thereto are temporary in nature, are not permanently affixed so as to extend below or above the sidewalk or public right-of-way, involve no penetration of the sidewalk surface or public right-of-way, are not attached to any building and are readily removable without damage to the surface of the sidewalk or public right-of-way.
 - b. **Time Period.** Sidewalk cafes and parklet cafes may be permitted from April 1st through October 31st. Time extensions may be granted for sidewalk cafe and parklet cafe operations per the discretion of the **Community Development Director** on a case-by-case basis. Parklet cafes not removed after October 31st and without an approved extension may be removed by the City at the owner's expense.
 - c. **Permit.**
 - (1) Sidewalk cafes and parklet cafes shall require a permit pursuant to the standards established in 10-7-# of this title.
 - (2) Outdoor dining on a public sidewalk or within the right-of-way may occur only pursuant to the issuance of a permit.
 - (3) A sidewalk cafe or parklet cafe permit is non-transferrable.
 - d. **Prohibited Locations.** Outside dining will not be permitted on sidewalks or within the public right-of-way designated by the City Council as shared bicycle and pedestrian trails or paths.
 - e. **Seating.** Seating in the sidewalk cafe or parklet cafe shall not be included to meet the required guest seating capacity for any license classification.
 - f. **Indemnification.** The permittee shall defend, indemnify, and hold the City, and its employees harmless from and against any loss or damage arising from the use or existence of the improvements or encroachment authorized under the sidewalk cafe or parklet cafe permit.

3. **Development and Design Standards.** The following standards, criteria, conditions and restrictions shall apply to all sidewalk cafes and parklet cafes, provided, however, that the **Community Development Director or designee** may impose additional conditions and restrictions to protect and promote the public health, safety, or welfare to prevent a nuisance from developing or continuing, and to comply with all other City ordinances and applicable state and federal laws.

a. **Sidewalk Café.**

(1) **Design Elements.**

- (a) Elements of a typical sidewalk cafe may include, but are not limited to, the following: barriers, planters, tables, chairs, umbrellas, menu display, heat lamps and ingress/egress access point.
- (b) The design, material, and colors used for the furniture and fixtures within the sidewalk cafe shall complement the architectural style and colors of the building facade and public street furniture, if any, and withstand inclement weather.

(2) **Setbacks.**

- (a) No element of the sidewalk cafe, as described above, may obstruct the pedestrian way in a manner which reduces the depth of the pedestrian way to less than five (5) feet. Light poles, tree wells, fire hydrants and other such items may fall within the pedestrian path allowed between the curb and the leading edge of the sidewalk cafe.
- (b) A sidewalk cafe shall not unreasonably obstruct the visibility of neighboring businesses. In such cases a sidewalk cafe operator may be required to adjust the layout of the outdoor dining area per the recommendation of the **Community Development Director or designee**.
- (c) Sidewalk cafes must be located a minimum distance of one hundred (100) feet from the nearest residential zoned district.
- (d) The width of the sidewalk cafe must not extend beyond the frontage of the business establishment unless written notarized consent of the adjacent business and property owner has been provided to the **Community Development Director**.
- (e) Sidewalk cafes located at a street corner must maintain a ten (10) foot setback from the corner of the building along both frontages.
- (f) For sidewalk cafes located adjacent to a driveway or an alley, setback distances will be at the discretion of the **Community Development Director** in locations where unusual circumstances exist or where public safety would be jeopardized.

(3) **Barriers.**

- (a) The perimeter of sidewalk cafes that extend more than three (3) feet into the public right-of-way shall be enclosed by barriers that are durable, removable, and maintained in good condition.
- (b) Sidewalk cafes that extend three (3) feet or less into the public right-of-way and do not serve alcohol are not required to be enclosed by a barrier.
- (c) Sidewalk cafes that serve alcohol must be surrounded by a barrier in all cases. Barrier access point must be controlled by the sidewalk cafe operator/business establishment. Business establishment owners should maintain compliance with Yorkville's Liquor Control Ordinance standards for serving alcohol outside of enclosed businesses.

- (d) Moveable barriers and all furniture shall be removed at the end of each business day unless otherwise approved by the **Community Development Director or designee**. Moveable barriers shall be capable of being removed through the use of recessed sleeves and posts, wheels that can be locked in place, and/or weighted bases. Barrier segment bases should be flat with tapered edges that are between one-fourth (0.25) inch and one-half (0.5) inch thick.
 - (e) The maximum height of any barrier shall not exceed three (3) feet six (6) inches. The lowest point in the barrier should be no more than six (6) inches in height above the ground to comply with ADA detectable warning regulations.
 - (f) Rigid fence sections may be placed end-to-end to create the appearance of a single fence. Sectional fencing shall be composed of metal or wood and shall be painted or finished in a complementary color to the building color or accent materials. Sectional fencing may be constructed from other materials such as but not limited to aircraft cable, fabric, steel or iron elements if approved by the **Community Development Director or designee**.
 - (g) **Planters.**
 - (i) Planters may also be used as a barrier or planter boxes as barrier components.
 - (ii) Planters must be no more than three (3) feet in height and plant materials may be up to three (3) feet tall.
 - (iii) Planters shall be kept in clean condition, contain living plants, and be removed at the end of each business day.
 - (h) Access openings must be kept clear of all materials and should measure no less than forty-four (44) inches wide.
- (4) **Awnings and Umbrellas.**
- (a) The use of awnings over the outdoor dining area or removable table umbrellas may be permitted provided they do not interfere with street trees.
 - (b) No portion of the awning shall be less than eight (8) feet above the sidewalk and no portion of the umbrella shall be less than seven (7) feet above the sidewalk.
 - (c) Awnings may extend up to five (5) feet from the front of the building's facade or cover up to fifty (50) percent of the outdoor dining area, whichever is less.
 - (d) Awnings shall have no support posts located within the public right-of-way.
 - (e) A separate building permit must be obtained prior to the installation of the awning.
 - (f) Notwithstanding any provisions in this Code, signs and logos shall be permitted on umbrellas or awnings in outdoor dining areas.
- (5) **Prohibited Items.**
- (a) Permanently affixed furniture to the public sidewalk is prohibited.
 - (b) Shelves, serving stations, flimsy plastic tables and chairs, unfinished lumber or splintering wooden materials, rusted metal, and loudspeakers, are prohibited.
 - (c) Tying or otherwise securing sidewalk cafe elements to trees, lamp posts, street signs, street lights, and/or hydrants is prohibited.

- (d) Chain link, rope rails, and chain are prohibited as barrier materials.
- (e) Rails, buckets, flag poles, and newspaper stands are prohibited.
- (f) No alterations or coverings should be made to the sidewalks or placed over the sidewalk cafe space. Platforms, artificial turf, paint, or carpet in sidewalk cafe areas is prohibited.
- (g) If wait service is not provided in the sidewalk cafe area, the business establishment is required to supply a waste receptacle. If wait service is provided, the business establishment is prohibited from placing a waste receptacle in the sidewalk cafe.

b. Parklet Café.

- (1) The parklet cafe site shall be located on at least one (1) parking spot within the public way and appurtenances thereof shall be a minimum of two (2) feet from the nearest edge of sidewalk. Parklet cafes are restricted to City of Yorkville public streets and shall not be permitted on any state, county or township roadways.
- (2) Tables, chairs, umbrellas or other fixtures in the parklet cafe:
 - (a) Shall not be placed within five (5) feet of fire hydrants, alleys or bike racks.
 - (b) Shall not be placed within five (5) feet of a pedestrian crosswalk.
 - (c) Shall not block designated ingress, egress, or fire exits from or to the business establishment or any other structures.
 - (d) Shall not be physically attached, chained, or in any manner affixed to any structure, tree, signpost, or light pole.
 - (e) May be removed by the City at owner's expense if not installed per approved plans or installed after permit expiration.
 - (f) Shall be maintained in a clean, sanitary, and safe manner.
 - (g) Shall consist of commercial-grade furniture.
 - (h) Shall not be placed outside or hang over the designated parklet cafe area.
- (3) The parklet cafe shall be located in such a manner that a distance of not less than four (4) feet is maintained at all times as a clear and unobstructed pedestrian path. For the purpose of the minimum clear path, traffic signs, trees, light poles and all similar obstacles shall be considered obstructions.
- (4) The parklet cafe, along with the sidewalk and roadway immediately adjacent to it, shall be maintained in a neat and orderly manner at all times. Debris shall be removed as required during the day and again at the close of each business day. Maintenance details shall include access panels and how drainage will be provided along the existing drainage way.
- (5) Parklet cafe decking must be flush with the curb and may not have more than a one-half (0.5) inch gap from the curb.
- (6) The parklet cafe platform shall allow for access underneath the platform and curbside drainage may not be impeded.
- (7) All rails around the parklet cafe must be capable of withstanding a two hundred (200) pound horizontal force.

- (8) The parklet cafe shall be required to have reflective tape, soft hit posts, wheel stops and, depending on the proposed location, may be required by the **Community Development Director or designee** to have edging such as planters, railing or cables.
 - (a) If cables are used, vertical spacing between cables may not exceed six (6) inches.
 - (9) Umbrellas and other decorative material shall be made of treated wood, canvas, cloth, or similar material that is manufactured to be fire-resistant. No portion of an umbrella shall be less than six (6) feet eight (8) inches above the sidewalk. Umbrellas must be secured.
 - (10) No food preparation, food or beverage storage, refrigeration apparatus or equipment shall be allowed in the parklet cafe unless authorized by the **Community Development Director or designee** as part of a special event.
 - (11) No amplified entertainment shall be allowed in the parklet cafe unless authorized by the **Community Development Director or designee** as part of a special event.
 - (12) Parklet cafes shall meet the vision clearance requirements of section 10-5-6 of this title.
- F. **Tents.** Tents shall not be erected, used, or maintained on any lot, except such small tents as are customarily used for recreational purposes and located in the rear yard on the same lot as a dwelling. Temporary use of tents for religious, amusement and recreation, business or manufacturing purposes shall be allowed when a temporary use permit has been issued for such use by the Zoning Officer.

REVIEW GUIDE

Existing Text

New Text

References to be updated

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10-5-1. Off-Street Parking and Loading

- A. **Purpose.** The purpose of this section is to regulate off-street parking and loading areas on private property outside the public right-of-way. The regulations are intended to achieve the following:

1. Relieve traffic congestion on streets by providing adequate, but not excessive, off-street parking;
2. Encourage the use of alternate forms of transportation including bicycling, transit, walking, and ride sharing services;
3. Avoid unnecessary conflicts between vehicles, bicycles, and pedestrians; and
4. Minimize negative impacts on adjacent properties and the environment.

B. **General Provisions.**

1. **Application.** The off-street parking and loading provisions in this section shall apply to the following:
 - a. **New Development.** All new buildings, structures, and land uses established after the adoption of this title must comply with the parking and loading regulations established in this section.
 - b. **Expansion.** When an existing building or structure increases in intensity or is expanded, the number of parking spaces and/or loading facilities must be modified to meet the parking and loading regulations. The number of parking spaces and/or loading facilities that must be modified will be determined by the unit of measurement specified for that land use in **section 10-5-1(G)**. However, no building or structure lawfully erected or use lawfully established prior to the effective date shall be required to provide additional parking spaces and/or loading facilities unless the aggregate increase in units of measurements is greater than fifteen (15) percent.
 - c. **New Use.** Whenever the existing use of a building or structure is changed to a new use, parking or loading facilities shall be provided as required for such new use, **unless** otherwise approved as an Administrative Exception as detailed in **section 10-#-#**. However, if said building or structure was erected prior to the effective date of this title, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this title.
2. **Existing Parking and Loading Facilities.** Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and were in existence on the effective date of this title shall not be required to

reduce the amount of parking and loading facilities regulated in this title. A change of occupancy is not a change of use unless the new occupant is considered in a different use classification.

3. **Control of Off-Site Parking Facilities.** Where required parking facilities are provided on land other than the zoning lot on which the building or use served by such facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the parking facilities are necessary. No such off-site parking facilities shall be authorized and no zoning certificate shall be issued where the plans call for parking facilities other than on the same zoning lot until and unless approved as an Administrative Exception as detailed in **section 10-#-#**. Prior to approval as an Administrative Exception, the owners of the multiple properties shall provide an agreement in a form approved by the City Administrator with consultation from the City Attorney attesting that the off-site parking facilities will be maintained at all times during the life of the proposed use or building.

C. **Use of Parking Areas.**

1. All required off-street parking areas shall continually be available for the parking of operable vehicles of intended users of the site.
2. No off-street parking area shall be used for storage of equipment or materials except where otherwise approved.

D. Requirements For All Parking.

1. Drive aisles shall be required in the parking areas that have five (5) or more spaces.
2. All required parking lots, by this Code, shall comply with the accessibility requirements of the State of Illinois Accessibility Code and the ADA.

E. Parking Stall and Aisle Dimensions.

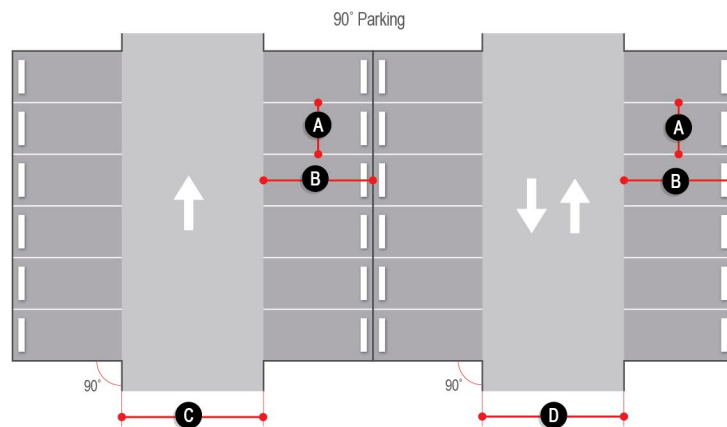
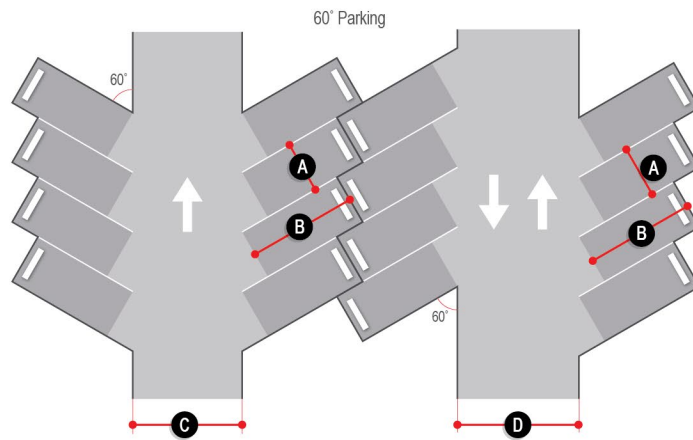
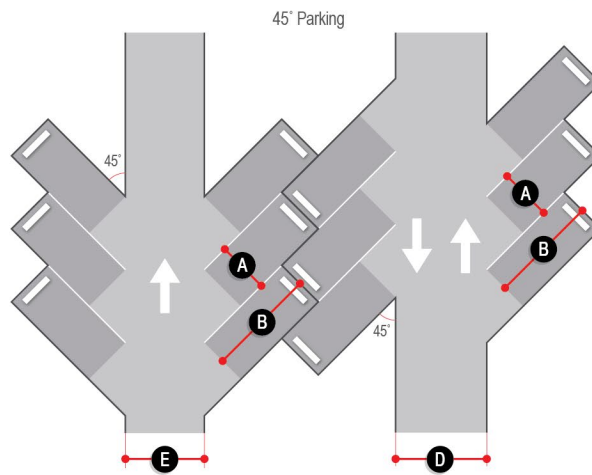
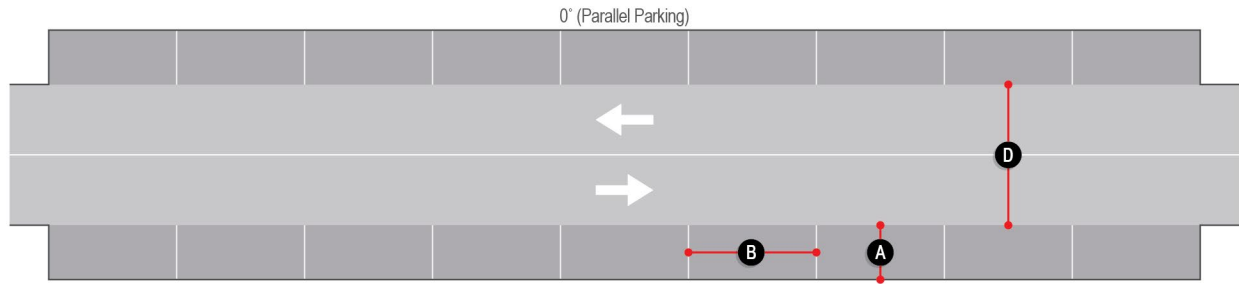
1. **Standard Parking Stall and Aisle Dimensions.** Standard parking spaces, including interlocking standard parking spaces, shall comply with the minimum dimensional and layout requirements specified in **Table 10-5-1(D)(1)** and as generally illustrated in **Figure 5.1**.

Table 10-5-1(D)(1) Standard Parking Stall and Aisle Dimensional Requirements						
Parking Angle (degrees)	<i>Figure Reference</i>					
	A	B	C	D	E	F
	Space Width	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang
0	9'	20'	24'	12'	n/a	n/a
45	9'	18'	24'	12'	28.25'	2'
60	9'	18'	24'	18'	32'	2'
90	9'	18'	24'	24'	36'	2'

2. Compact Parking and Motorcycle Stall and Aisle Dimensions.

- a. Compact parking stalls and aisles shall comply with the minimum dimensional and layout requirements specified in Table 10-5-1(D)(2).
- b. In parking areas containing more than ten (10) spaces, up to **five (5)** percent of the spaces exceeding the first ten (10) spaces may be designed for compact vehicles.
- c. Compact parking spaces shall be labeled for such purposes.

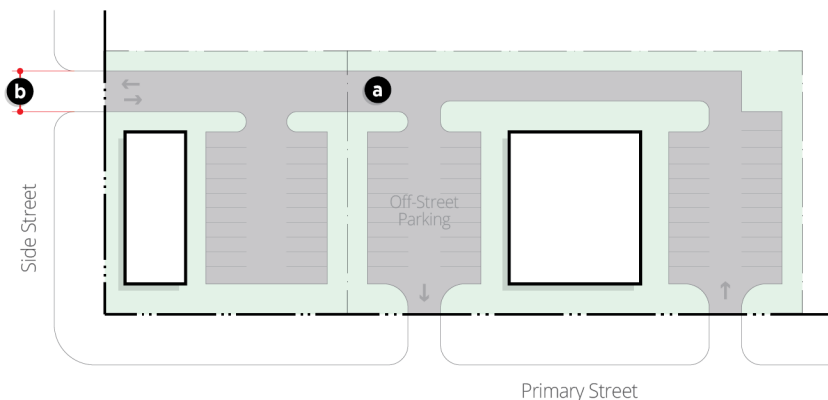
Table 10-5-1(D)(2) Compact Parking Space Dimensional Requirements						
Parking Angle (degrees)	<i>Figure Reference</i>					
	A	B	C	D	E	F
	Space Width	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang
0	7.5'	18'	18'	12'	n/a	n/a
45	7.5'	15.5'	18'	12'	28.25'	1.5'
60	7.5'	16.25'	18'	16'	32'	1.5'
90	7.5'	15.5'	24'	24'	36'	n/a



**EXAMPLE
GRAPHIC ONLY**

F. Access and Cross Access.

1. **Access.** To ensure safe and efficient means of automobile access for all parking spaces, each required off-street parking space shall open directly upon an aisle or driveway. unless the facility is serviced by a parking attendant.
2. **Cross Access.** To facilitate vehicular access between adjoining developments, encourage shared vehicle parking, and minimize access points along streets, new multifamily, nonresidential, and mixed-use development or redevelopment shall comply with the following standards:
 - a. Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's vehicle parking facilities and vehicle parking facilities in an adjoining multifamily, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow multifamily, nonresidential, or mixed-use development.
 - b. Required vehicular cross access between the adjoining lots shall be provided through the use of a frontage or service street (if the lots front on a major thoroughfare right-of-way), a single two-way maneuvering lane, or two one-way maneuvering lanes that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
 - c. The **Zoning Administrator** may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or there exists an inability to connect to adjacent property. City Council shall have the authority to waive or modify vehicular cross access requirements for all public review processes involving review by City Council.
 - d. Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Register of Deeds for the county in which the properties are located before issuance of a Building Permit for the development.



**EXAMPLE
GRAPHIC ONLY**

3. **Surfacing.** All open off-street parking areas shall be surfaced with a material and at a thickness per use type as specified in the City of Yorkville Standard Specifications Driveway and Parking Lot Paving Standards.
- G. Location.** Off-street parking spaces may be located in any yard defined by this title. The location of off-street parking spaces in relation to the use served shall be as prescribed below. All distances specified shall be property line to parking space and a main entrance to the use served.
1. **Residence Districts.** Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Spaces accessory to uses other than dwellings may be located on a lot adjacent to, or directly across a street or alley from the lot occupied by the use served, but in no case at a distance in excess of three hundred (300) feet from such use.

2. **Business and Manufacturing Districts.** All required parking spaces shall be within one thousand (1,000) feet of the use served, except for spaces accessory to dwelling units (except those located in a hotel) which shall be within three hundred (300) feet of the use served. However, no parking spaces accessory to a use in a business or manufacturing district shall be located in a residence district unless authorized by the Planning and Zoning Commission in accordance with this title.

H. Off-Street Parking Requirements.

1. **Minimum Requirements.** Except as otherwise expressly stated, off-street parking spaces shall be provided in accordance with the parking ratio requirements established in **Table 10-5-1(H) Minimum Parking Requirements**. Parking spaces reserved for specific user groups, other than ADA compliant spaces and spaces with electric vehicle charging stations, shall not count towards the minimum requirement.
2. **Maximum Requirements.** To minimize excessive areas of pavement, no off-street parking area for nonresidential or multifamily uses shall exceed the required minimum number of parking spaces by more than twenty (20) percent, except as approved by the **Zoning Administrator**. In approving additional spaces, the **Zoning Administrator** shall determine that the parking is needed based on documented evidence of actual use and demand provided by the applicant.
3. **Parking in the B-2 District.** Nonresidential uses in the B-2 Mixed Use District shall be exempted from providing off-street parking as required in the form-based code.
4. **Calculations.** The following rules shall apply when calculating the required minimum number of parking spaces.
 - a. **Fractions.** When measurements of the number of required spaces result in a fractional number, the fraction shall be rounded up to the next highest whole number.
 - b. **Area Measurements.** Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed on the basis of net floor area (NFA) as defined in **Section ## ###** of this ordinance.
5. **Unlisted Uses.** In the case of uses not listed in **Table 10-5-1(H)(1) Minimum Parking Requirements**, the number of spaces for a similar use, as determined by the **Zoning Administrator**, shall apply.

Table 10-5-1(H)(5) Minimum Parking Requirements

Use	Minimum Parking Requirement, first 8,000 sq ft	Minimum Parking Requirement, sq ft beyond first 8,000
<i>Agricultural Uses</i>		
Agricultural uses		
Apiaries	n/a	n/a
Campground	1/campsite	1/campsite
Commercial feeding of fish, poultry, livestock		
Cultivation of nonfood crops and seeds used of cellulosic biofuels production		
Farming/Cultivation		
Forestation		
Grain elevators and storage	n/a	n/a
Nursery/greenhouses	1/1,000 sqft	0.5/1,000 sqft
Recreational camp - private	1/campsite	1/campsite
Riding academies with stables	1/6 stalls	1/6 stalls

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Roadside stand	1/200 sqft	1/200 sqft
Stables or paddocks	n/a	n/a
<i>Residential Uses</i>		
Dwelling, duplex		
Dwelling, multi-unit		
Dwelling, single-unit		
Dwelling, accessory		
Dwelling, townhouse	1/unit	1/unit
Senior housing, dependent	0.25/unit	0.25/unit
Senior housing, independent	0.5/unit	0.5/unit
<i>Lodging Uses</i>		
Bed and breakfast inn		
Hotel		
Motel		
Short-term rental	1/lodging unit	0.5/lodging unit
<i>Commercial Retail Uses</i>		
Adult uses		
Building material sales		
Liquor store		
Pawnbrokers/pawnshops		
Retail store, general - less than one (1) acre		
Retail store, general greater than one (1) acre	3/1,000 sqft	2/1,000 sqft
<i>Commercial Service Uses</i>		
Adult daycare facility		
Animal hospital		
Art galleries/art studio		
Auction house		
Bank		
Commercial laboratory		
Commercial/trade school		
Daycare facility and preschools		
Dry cleaning establishment		
Funeral home/mortuary		
Health and fitness club/center		
Indoor shooting gallery/range		
Kennel, commercial or private dog kennels		
Massage establishment		
Off track betting (OTB) establishments		
Post office/retail mail or package service	3/1,000 sqft	2/1,000 sqft
Professional services/offices	2/1,000 sqft	1/1,000 sqft
Public storage facilities/mini warehouse storage, enclosed	3/10 storage units	3/12 storage units
Public storage facilities/mini warehouse storage, unenclosed	1/45 storage units	1/55 storage units
Radio and television studios		
Tattoo and body piercing establishment	3/1,000 sqft	2/1,000 sqft

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Veterinary clinic		
<i>Commercial Entertainment Uses</i>		
Amusement park	As deemed appropriate by the City Engineer.	As deemed appropriate by the City Engineer.
Commercial entertainment, indoor		
Commercial entertainment, outdoor		
Community / Recreation center		
Golf course, miniature		
Golf course		
Golf driving range		
Indoor Event/Recreation Conversion		
Outdoor music venues		
Skating rink		
Stadium		
Swimming pool - indoor		
Theater, live performance		
Theater, motion picture		
<i>Eating and Drinking Uses</i>		
Brewery/Winery/Distillery tasting room		
Microbrewery/brewpub, microdistillery and microwinery		
Restaurant		
Tavern - nightclub or lounge		
Prepared Food Service Establishment		
	3/1,000 sqft	2/1,000 sqft
<i>Medical Uses</i>		
Hospital		
Medical clinic / office		
Treatment center		
	1/300 sqft	1/300 sqft
<i>Vehicle Related Uses</i>		
Automobile parts/accessories sales		
Automobile rental		
Automobile repair		
	1/1,000 sqft	0.5/1,000 sqft
Automobile sales enclosed and service/open sales lot	1/200 sqft	1/200 sqft
Boat sales and rental		
Boat storage		
	1/1,000 sqft	0.5/1,000 sqft
Car wash without mechanical repair	1/car wash bay	1/car wash bay
Gasoline service station	1/gas pump and 1/300 sqft accessory retail space	1/gas pump and 1/300 sqft accessory retail space
Heavy machinery and equipment rental		
Recreational vehicle sales and service		
	1/1,000 sqft	1.5/1,000 sqft
Semi-truck repair	1/service bay	1/service bay
Truck and trailer rental	1/1,000 sqft	0.5/1,000 sqft
Truck, truck-tractor, truck trailer, car trailer or bus storage yard - not include motor freight terminal	n/a	n/a
<i>Industrial Uses</i>		
Aggregate materials extraction, processing and site reclamation (stone and gravel quarries)	0.5/1,000 sqft	0.3/1,000 sqft

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Artisan manufacturing		
Assembly, production, manufacturing, testing, repairing, or processing		
Bakery (wholesale - retail component special use)		
Blacksmith or welding shop		
Brewery/winery/distillery		
Contractor facilities with outdoor storage		
Contractor offices		
Data Center		
Dry cleaning plant		
Manufacturer of firearms and ammunition		
Newspaper publishing		
Research laboratories		
Wholesaling and warehousing - local cartage express facilities - not including motor freight terminal		
<i>Transportation Uses</i>		
Airport		
Bus or truck garage or streetcar house		
Bus or truck storage yard		
Motor freight terminals		
Railroad passenger station		
Railroad repair shops, maintenance buildings and switching yards	As determined by parking demand study (1)	As determined by parking demand study (1)
<i>Alternative Energy Uses</i>		
Solar farm	2	n/a
Building mounted solar energy systems		
Freestanding solar energy systems - accessory use	n/a	n/a
Freestanding solar energy systems - principal use		
Wind farm	max of 2	n/a
Wind energy system, building-mounted		
Wind energy system, freestanding - accessory use	n/a	n/a
Wind energy system freestanding - principal use	max of 2	n/a
<i>Medical and Adult Cannabis Uses</i>		
Cannabis Craft Grower	n/a	n/a
Cannabis Cultivation Center	1/1,000 sq ft	0.5/1,000 sq ft
Cannabis Dispensing Organization	3/1,000 sq ft	2/1,000 sq ft
Cannabis Infuser Organization		
Cannabis Processing Organization	0.5/1,000 sqft	0.3/1,000 sqft
Cannabis Transporting Organization	As determined by parking demand study (1)	As determined by parking demand study (1)
<i>Institutional, Public, and Utility Uses</i>		
Cemetery		
College, university or junior college		
Communications use		
Electric substation	As determined by parking demand study (1)	As determined by parking demand study (1)

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Filtration plant		
Fire station		
Library		
Other public utility facilities		
Parks		
Place of worship/assembly	1/6 seats	0.5/6 seats
Playground	As determined by parking demand study (1)	As determined by parking demand study (1)
Police station		
Public utility - electric substations and distribution centers, gas regulation centers and underground gas holder stations		
Radio and television towers - commercial		
Sanitary landfill		
School, public or private		
Sewage treatment plant		
Solid waste disposal site		
Utility company maintenance yard		
Utility service yard or garage		
(1) The applicant shall propose an appropriate parking requirement specific to their proposal, which shall be supported by a parking study, and shall be approved by the City Engineer.		

I. Reserved Parking Spaces.

1. Curb-Side Pickup.

- a. A maximum of five (5) percent of required parking spaces specified in **Table 10-5-1** may be reserved for curb-side pickup patrons.
- b. Parking spaces reserved for curb-side pickup patrons shall be located either to the side of the principal building, in the rear of the parking lot, away from main building entrances so as not to inhibit pedestrian travel between the principal building entrance and off-street parking areas, near employee exits or in another location approved by the Zoning Officer.
- c. The Zoning Administrator may reduce the minimum number of parking spots required by **one** (1) space per parking spot reserved for curbside pickup patrons.

2. Ride Share Pickup and Drop Off.

- a. A maximum of five (5) percent of required parking spaces may be reserved for ride share pick up and drop off.
- b. Parking spaces reserved for ride share pick up and drop off shall be located either to the side of the principal building, in the rear of the parking lot, away from main building entrances, or in another location approved by the Zoning Officer.
- c. The Zoning Administrator may reduce the minimum number of parking spots required by space per parking spot reserved for ride share pick up and drop off.

J. Electric Vehicle Charging Stations. Any parking structure, parking area serving a multifamily use, or any parking area with fifty (50) or more parking spaces, shall install the infrastructure required to accommodate a minimum of one (1) electric vehicle charging station per every fifty (50) parking spaces.

- K. **Allowed Reductions to Required Parking.** Table 10-5-1(K) establishes reductions to required parking that may be approved by the Zoning Administrator.

Table 10-5-1(K) Allowed Reductions to Required Parking		
Adjustment Type	Criteria	Adjustment Amount
<i>Pedestrian Access</i>	Nonresidential use is located where residents of all residential and mixed-use areas within 1,320 feet of the subject property can walk to and from the nonresidential use on a continuous sidewalk system (ignoring intervening streets).	10% reduction
<i>Public Parking Lots</i>	Nonresidential use is located within 900 feet of a parking lot that is available for use by the public without charge (either directly or through a validation program in which the subject use participates).	10% reduction
<i>On-Street Parking</i>	Single-family or duplex residential is located along one or more public street frontages where public parking is permitted.	One legal on-street parking space (to a maximum of two parking spaces) can be substituted for every required off-street parking space provided the on-street space is located on a public right-of-way immediately abutting the property or tenant space seeking the parking adjustment. Where a partial space straddles an extension of a side property line, the space may be counted by the abutting property owner in front of whose property 50% or more of the space is located.
	Multifamily residential or nonresidential use located along one or more public street frontages where public parking is permitted.	One legal on-street parking space can be substituted for 0.5 of every required off-street parking space provided the on-street space is located on a public right-of-way immediately abutting the property or tenant space seeking the parking adjustment.
<i>Curbside Parking</i>	Commercial retail or eating and drinking use offering an online curbside pickup option.	One curbside parking space can be substituted for every required off-street parking space to a maximum 5% reduction of the total number of off-street parking spaces.

L. Shared Parking.

1. **Purpose.** Shared parking is the use of a parking space by vehicles generated by two (2) or more individual land uses without conflict or encroachment. Shared parking for multiple uses creates better pedestrian connections and reduces reliance on private vehicles because multiple trips may be taken by walking. Shared parking is encouraged for the benefits it provides as long as the use follows the conditions and standards listed below.
2. The ability to share spaces is the result of two (2) conditions:
 - a. Vehicles accumulate at different times; either by hours, days, or seasons.
 - b. Relationship of the uses allows for multiple visits in one (1) auto trip.
3. **Shared Parking Uses.** The uses listed in **Table 10.16.04** of this section are uses that are generally considered prime candidates for shared parking. While these are considered the main uses to have shared parking, the **Zoning Administrator** has the final authority on what uses may or may not share parking regardless of if the use is listed in **Table 10.16.04** of this section or not.
 - a. For purposes of this Section, the following uses are considered daytime uses:
 - (1) Office Uses,
 - (2) Commercial Service Uses,
 - (3) Commercial Retail Uses,
 - (4) Industrial Uses, and
 - (5) Other similar primarily daytime uses, as determined by the City Council.
 - b. For purposes of this Section, the following uses are considered evening or weekend uses:
 - (1) Physical Health and Entertainment Uses,
 - (2) Public/Semi-Public Uses,
 - (3) Eating and Drinking Uses, and
 - (4) Other similar primarily nighttime or weekend uses, as determined by the City Council.

4. **Standards.**

- a. The applicant must demonstrate that the shared parking area has a sufficient amount of spaces for the uses they intend to share the area with. The **Zoning Administrator** may require the applicant to provide data to support the sufficient parking claim.
- b. The nearest parking space shall be no farther than one thousand (1,000) feet from the principal buildings, structures, or uses. The path from the parking space to the principal building should consider:
 - (1) Adequate lighting.
 - (2) Separation from the right-of-way.
 - (3) Legal crosswalks for right-of-way crossing.
 - (4) Asphalt, concrete, or similar surface material.
- c. A legal document between the property owners that guarantees access to the shared parking must be submitted to the **Zoning Administrator**. The document will be approved by the City before being recorded. The termination of the agreement must be approved by the City and the owners must provide proof that each establishment meets the criteria within this title.

M. **Pedestrian Circulation Standards.**

1. Off-street parking areas shall include on-site pedestrian circulation systems to ensure the safety of pedestrians, bicyclists, and motorists.
2. The on-site pedestrian circulation system shall comply with all ADA standards.
3. The on-site pedestrian circulation system shall be marked and must connect all buildings on the site to one another and provide connections to the required vehicle and bicycle parking spaces.
4. The on-site pedestrian circulation system must connect building entrances to adjacent public rights-of-way along direct routes that do not require significant out-of-direction travel.
5. The on-site pedestrian circulation system shall provide at least one (1) connection to adjacent properties along a shared street frontage. Connections must provide access to existing walkways on adjacent properties, or to the likely future location of walkways on those properties. The **Zoning Administrator** may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.
6. Connections to existing and future planned trails shall be provided.

N. **Bicycle Parking.** The purpose of this section is to provide sufficient, safe, and convenient bicycle parking to encourage bicycling as a form of transportation, reducing traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.

1. **Types of Parking.** The following types of bicycle parking shall be allowed:
 - a. **Short-Term Parking.**
 - (1) **Bicycle Rack.** A bicycle rack is a device that is capable of supporting a bicycle in a stable position that secures the bicycle with at least two (2) points of contact. A single rack provides two (2) parking spots. The rack shall be no taller than three (3) feet tall and no less than eighteen (18) inches in length.

- (2) **Bicycle Shelter.** A bicycle shelter is a covered parking area and provides all weather protection. The shelter should be designed to hold many bicycles. It is preferred that the shelter be close to other forms of transportation to encourage bicycle riding throughout the City.
- b. **Long-Term Parking.**
 - (1) **Bicycle Locker.** A bicycle locker provides an all-weather, high security, and long-term parking solution. The enclosure should be made out of durable material that will keep the bicycle safe from weather or vandalism. The locker must be able to be locked to prevent theft and it must be able to be unlocked by the user for easy access. It is preferred that bicycle lockers are placed near other forms of transportation to encourage bicycle riding throughout the City.
 - (2) **Bicycle Station.** A bicycle station provides the highest level of service for long term parking. The station is intended to be a regional hub for bicycles in the area and it is expected for the station to provide services to cyclists. These services may include, but are not limited to, repair, lockers, showers, food and beverages, rental, and other storage facilities.
2. **Off-Street Parking Reduction For Bicycle Parking.**
 - a. A reduction in the number of off-street vehicle parking spaces required shall be permitted for the provision of bicycle parking provided that:
 - (1) No fee is required for using the bicycle parking made available;
 - (2) When calculation of the maximum number of reduced parking spaces results in a fraction, the resulting number shall be rounded to the next highest integer.
 - b. The reduction in the number of vehicle parking spaces shall be reduced by no more than one (1) space for every two (2) bicycle parking spaces, but no more than five (5) percent of the total required spaces.
 - c. This provision is applicable to all land uses except single-unit residential and two-unit residential.
- O. **Land Banked Parking Facilities.** Land banking allows for the designation of a portion of land on a site that would be required for parking to be held and preserved as open space, rather than constructed as parking. This reduces the amount of impervious surface on a site for developments which otherwise would not have enough parked vehicles to fill the minimum required parking stalls, or "bank" the spaces until such time capacity warrants their construction.
 1. **Standards.** The Planning and Zoning Commission may permit land banking of up to twenty-five (25) percent of the required parking spaces through the variance process, subject to the following:
 - a. Sufficient evidence is provided by the applicant that supports the reduced parking needs.
 - b. Approval of a land bank parking plan which illustrates the area proposed for land banking of parking spaces in an area suitable for parking at a future time.
 - c. Landscaping of the land banked area must be in full compliance with this title and, at a minimum, landscaped with turf. As a result of the site plan review process, the Planning and Zoning Commission may require additional landscaping of the land banked area.
 - d. The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.
 - e. As part of the variance process, the applicant must show the area to be banked on the overall site plan and marked as "Land Banked Future Parking".
 2. **Land Bank Plans Required.** The owner of the property making a land bank request shall submit a detailed land banked parking plan for review and approval by the Planning and Zoning Commission. The land banked parking plan

shall show both full compliance with the parking regulations of this chapter and the land bank area showing the reduced number of parking spaces.

3. Termination of Land Bank.

- a. The City Council shall have the right in its discretion to require the property owner or successor, to construct all or a portion of the land banked parking facilities. Instances for termination, shall include, but not be limited to:
 - (1) The intensity of the use is increased,
 - (2) The type of use changes,
 - (3) There is an addition to the property or building.
- b. The Zoning Administrator will provide notice to the owner that the land banked parking facilities must be constructed and completed within one (1) year from the date of the notice.

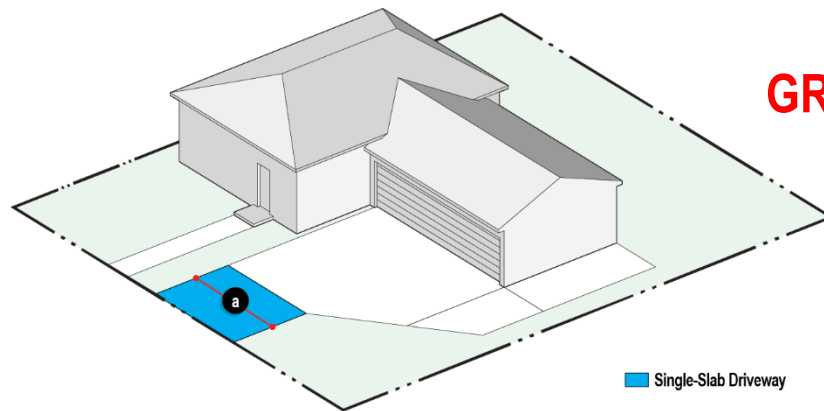
P. Off-Street Loading Regulations and Requirements.

1. **Location.** All loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons of capacity shall be closer than fifty (50) feet to any property zoned or used for residential purposes unless all loading and unloading activities are located completely within the building, screened by the requirements for Transition Area D as detailed in [Section 10-5-3](#). No permitted or required loading berth that is open to the sky shall be located within any front or corner side yard and shall not be located within fifty (50) feet of the nearest point of intersection of any two (2) streets.
2. **Size.** Required size shall be determine on a case-by-case basis depending on the narrative provided by the petitioner or traffic study and shall be as approved by the Zoning Administrator.
3. **Surfacing.** All open off-street loading berths shall be improved with a compacted aggregate base not less than twelve (12) inches and surfaced with not less than four (4) inches of bituminous concrete or six (6) inches of concrete or some comparable all weather dustless material. The exact design to be determined based on projected use of the loading berth.
4. **Repair and Service.** No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any district.
5. **Loading Spaces Not to be Used for Parking Requirements.** Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
6. **Special Uses.** For special uses other than prescribed hereinafter, loading berths adequate in number and size to serve such [use](#), as determined by the Zoning Administrator, shall be provided.
7. **Required Off-Street Loading Spaces.** The number of loading spaces provided shall be determined on a case-by-case basis as approved by the Zoning Administrator and based on a narrative provided by the petitioner or traffic study. These spaces shall be provided in a manner that does not interfere with internal site circulation, ingress or egress to the site, access to or use of required off-street parking areas and pedestrian circulation areas, and with the public use of streets or alleys.

10-5-2. Driveways

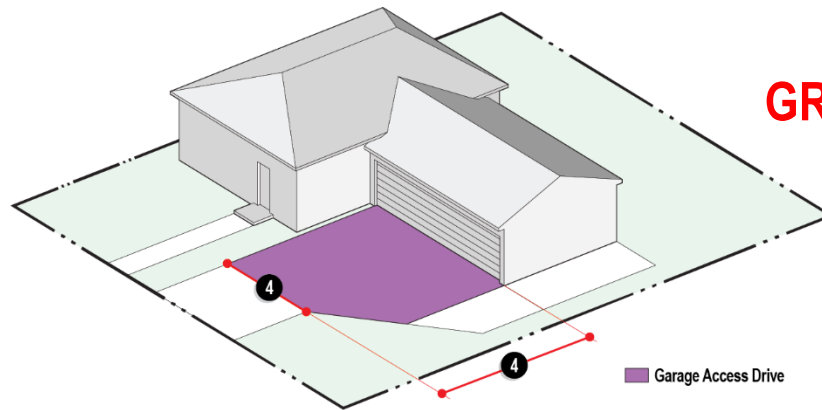
- A. **General Driveway Standards.** All driveways shall comply with the City of Yorkville's surfacing requirements as established in the City's Standard Specifications.
- B. **Single-Unit Driveway Standards.** A single slab driveway from the property line to legal, on-site parking shall be provided and shall be in conformance with the following criteria.

1. **Limit of One.** One (1) single slab driveway and one (1) curb cut shall be permitted per every seventy-five (75) feet of frontage of a single-unit residential lot. New residential parcels taking access from collector or arterial streets, shall share driveways in order to protect public safety by limiting curb cuts.
2. **Single-Slab Driveway Design Standards.**
 - a. Single-slab driveways shall not exceed twenty-five (25) feet in width at the property line.
 - b. **Surfacing.** Single-slab driveways shall be surfaced as specified in the City of Yorkville's City Standard Specifications as follows.
 - (1) **Asphalt.** With two-inch I-11 bituminous concrete surface, over eight-inches (minimum) of compacted CA6 limestone or crushed gravel.
 - (2) **Concrete.** Six-inch Class X, over six-inches (minimum) of compacted CA6 limestone or crushed gravel.
 - (3) **Paving Brick.** Paving brick over one inch of sand and eight inches of compacted CA6 limestone or crushed gravel.



**EXAMPLE
GRAPHIC ONLY**

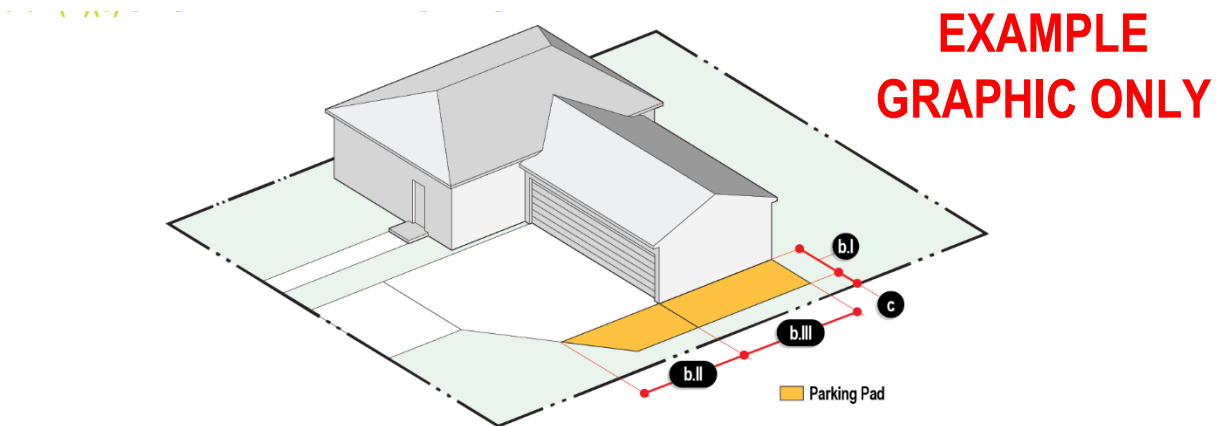
3. **Garage Access Drive.** A garage access drive, the width of the garage, as measured from the garage door(s) plus an additional one (1) foot on either side of the garage door(s), is permitted to extend for a distance of sixteen (16) feet from the garage doors before tapering, within five (5) feet, back to the maximum driveway width.



**EXAMPLE
GRAPHIC ONLY**

4. Parking Pad.

- a. **Limit of One.** A single-unit driveway may be extended to include one (1) parking pad.
- b. **Configuration.**
 - (1) A parking pad shall be a maximum of ten (10) feet in width.
 - (2) The portion of the parking pad adjacent to the driveway shall have a maximum length of twenty (20) feet, as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty (20) foot maximum.
 - (3) The portion of the parking pad adjacent to the garage shall have a maximum length equal to the depth of the garage, as measured from the front façade line of the garage.
- c. **Location.** The parking pad shall be set back a minimum of five (5) feet from any side property line and shall be outside of all easements.
- d. **Surfacing.** Parking pads shall be surfaced with material and at a thickness as specified in the City of Yorkville's City Standard Specifications as follows.
 - (1) **Asphalt.** With two-inch I-11 bituminous concrete surface, over eight-inches (minimum) of compacted CA6 limestone or crushed gravel.
 - (2) **Concrete.** Six-inch Class X, over six-inches (minimum) of compacted CA6 limestone or crushed gravel.
 - (3) **Paving Brick.** Paving brick over one inch of sand and eight inches of compacted CA6 limestone or crushed gravel.
- e. **Screening.** All parking pads located within a required side yard shall be screened from on three sides with material at least fifty (50) percent opacity and at a minimum height of five (5) feet.
- f. **Covered Structures.** Covered structures located over parking pads shall not be allowed.
- g. **Vehicle Parking.** No vehicle over ten (10) feet in height may be parked on a parking pad.
- h. **Corner Lots.** Parking pads shall not be allowed on corner lots.

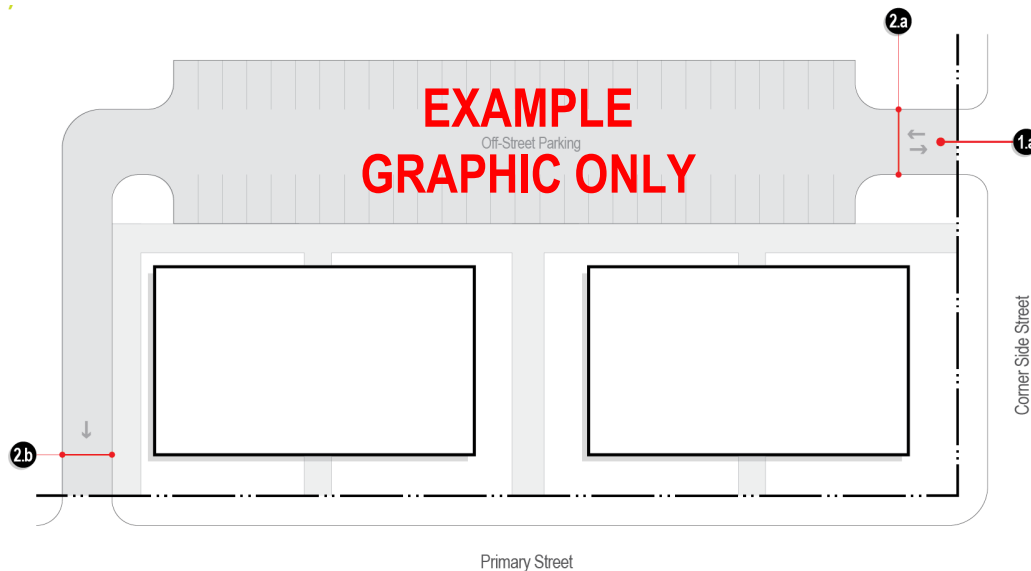


D. Multiunit and Nonresidential Driveway Standards.**1. Location.**

- a. Where an off-street parking area of a corner lot abuts an alley or a corner side street, access to the off-street parking area shall be obtained from a driveway off the alley or corner side street.
- b. No lot can have multiple driveways for purposes of vehicular ingress and egress without a minimum three hundred (300) foot separation between such curb cuts along a street.

2. Driveway Design Standards.

- a. Two-way driveways for multifamily and nonresidential uses shall be a minimum of twenty-five (25) feet and a maximum of thirty-six (36) feet at the property line.
- b. One-way driveways for multifamily and nonresidential uses shall be a minimum of sixteen (16) feet and a maximum of twenty (20) feet at the property line.
- c. Driveways for multifamily and nonresidential uses shall be surfaced with an asphaltic concrete or portland cement pavement.



- E. Vehicle Stacking For Drive Throughs.** Vehicle stacking spaces for drive through uses shall be provided as specified in Section 10-4-15(C).

10-5-3. Landscape

Landscape improvements required by this section shall apply to all nonresidential, mixed use, and multifamily development and consist of living vegetation in a combination of plants, trees, shrubs, native grasses, perennials, and/or groundcover. Unless otherwise stated in this section, all size specifications for plant materials shall be based upon the time of planting. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured at average breast height. Any plant materials used to meet the requirements of this section shall not include any plant material identified as an invasive species by the Illinois Department of Natural Resources.

A. Planting Types.

1. **Canopy Trees.** A woody plant (deciduous or evergreen) having not less than a two and one-half (2.5) inch caliper with single central axis which typically reaches a mature height of not less than forty (40) feet and a mature spread of not less than fifteen (15) feet.
2. **Understory Trees.** A woody plant having not less than a one and one-half (1.5) inch caliper, or six (6) feet tall for multiple stem species, that normally attains a mature height of at least fifteen (15) feet.
3. **Evergreen Trees.** A tree having foliage that persists and remains green throughout the year and has a height of not less than six (6) feet at installation and maturing to a height of not less than twenty (20) feet.
4. **Shrubs.** A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and having a height of not less than two (2) feet, unless classified as a shrub by the State of Illinois.
5. **Native Grasses.** Grasses that are native to the State of Illinois, not including noxious weeds.
6. **Herbaceous Perennials.** Plants with non-woody stems whose above-ground growth largely or totally dies back during winter months but whose underground plant parts (roots, bulbs, etc.) survive.
7. **Groundcover.** Spreading herbaceous plants, other than turf grass, prostrate shrubs, or woody vines normally reaching an average maximum height of eighteen (18) inches at maturity.

[INSERT PLANTING TYPES GRAPHIC]

- B. **Required Landscape Zones.** Figure 6.3 illustrates the location of the required landscape zones as detailed in the following sections. The Zoning Administrator may approve exceptions to the required landscape zone as an administrative exception specified in Section ##.

[INSERT LANDSCAPE ZONES GRAPHIC]

- C. **Building Foundation Landscape Zone.** All nonresidential, mixed-use, and multifamily development where a front yard setback is required, with the exception of food processing facilities regulated by the FDA, shall include landscape located at the building foundation as required by this section. Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide a softening effect at the base of buildings.

1. Applicable development is required to maintain a building foundation area at front and exterior side yards extending at least seven (7) feet from the building foundation.
2. Foundation plantings shall be designed to supplement buffer yard plantings to frame important views, while visually softening long expanses of walls.
3. Foundation plantings shall be installed in a manner that complements the architecture of the building, as approved by the Zoning Administrator, depending on site conditions and the location of walkways and driveways.
4. Foundation plantings shall be installed in groupings of individual plants in a manner that enhances the site's appearances as approved by the Zoning Administrator.

5. Foundation plantings may include a mixture of the planting types specified in [Section 10-5-3\(A\)](#).
6. Where the area between the building and parking lot or street curb is entirely paved for pedestrian use, landscaping may consist of canopy trees planted in structural soils beneath tree grates or permeable pavement, at the rate of one (1) tree per fifty (50) linear feet of building facade. Minimum structural soil volume shall be six-hundred (600) cubic feet per tree.
7. Above-ground stormwater planter boxes installed on-site may be substituted for foundation plantings as deemed appropriate by the Zoning Administrator.

[INSERT BUILDING FOUNDATION LANDSCAPE GRAPHIC]

D. **Parking Area Perimeter Landscape Zone.** Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide screening between off-street parking areas and rights-of-way, and to provide for the integration of stormwater management with required landscaping.

1. **Location.** All off-street parking areas which abut a public or private right-of-way, excluding alleys, shall include landscape and trees as required by this section located between the back of curb of the off-street parking area and the right-of-way.
2. **Applicability.** The parking lot perimeter landscape regulations of this section apply to the following:
 - a. The construction or installation of any new off-street parking area; and
 - b. The expansion of any existing off-street parking area, in which case the requirements of this section apply only to the expanded area.
3. **Requirements.** Perimeter landscape shall be established along the edge of the off-street parking area and have a minimum width of seven (7) feet as measured from the back of curb of the off-street parking area, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.
 - a. One (1) shrub or native grasses shall be planted for every three (3) feet of landscape area length.
 - b. Landscaped areas outside of shrubs/native grasses and tree masses shall be planted in live groundcover.
 - c. A low masonry wall or fence the height of which provides effective screening to a maximum height of three (3) feet may be used in conjunction with required landscaping as detailed above. Plant materials shall be installed between the sidewalk and the fence or wall to provide a softening effect.

[INSERT PARKING PERIMETER LANDSCAPE GRAPHIC]

E. **Parking Area Interior Landscape Zone.** All off-street parking areas shall include landscape and trees located within the off-street parking area as required by this section. Trees and landscape required by this section shall be in addition to trees and landscape required under other sections of this title. It is the objective of this section to provide shade within parking areas, break up large expanses of parking area pavement, support stormwater management where appropriate, improve the appearance of parking lots as viewed from rights-of-way, and provide a safe pedestrian environment.

1. **Applicability.** The parking area interior landscape zone regulations of this section apply to the following:
 - a. The construction or installation of any new off-street parking lot containing ten (10) or more parking spaces; and
 - b. The expansion of any existing off-street parking area if the expansion would result in ten (10) or more new parking spaces, in which case the requirements of this section apply only to the expanded area.
2. **Requirements.** For off-street parking areas consisting of ten (10) or more continuous spaces, interior parking area landscape as described in this section shall be required. Off-street parking areas consisting of fewer than ten (10) continuous spaces that are located in front or to the side of the principal building shall be required to terminate all rows

of parking with a parking area end cap meeting the standards of subsection 4 below. Off-street parking areas consisting of fewer than ten (10) continuous spaces that are located to the rear of the principal building shall be exempt from parking area interior landscape zone requirements.

3. **Amount.** The amount of required parking area interior landscape shall be determined by the location of the off-street parking area in relation to the primary building as detailed below.

- a. **Off-Street Parking Areas in Front or Side of Primary Building.**

- (1) **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
- (2) **Parking Area Median Amount Requirement.** Parking area medians shall be placed between every third bay of parking.
- (3) **Parking Area Island Amount Requirement.** Parking area islands shall be located on parking bays which are not required to have parking area medians. Parking area islands shall be spaced not more than fifteen (15) continuous spaces apart.

[INSERT INTERIOR PARKING LOT LANDSCAPE ZONE FRONT/SIDE REQUIREMENTS LANDSCAPE GRAPHIC]

- b. **Off-Street Parking Areas in Rear of Primary Building.**

- (1) **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
- (2) **Parking Area Median or Parking Area Island Amount Requirement.** The developer may choose to install either parking area medians or parking area islands. If the developer chooses to install parking area medians, they shall be placed between every third bay of parking. If the developer chooses to install parking area islands, they shall be spaced not more than one-hundred eighty (180) feet or more than twenty (20) continuous spaces apart.

[INSERT INTERIOR PARKING LOT LANDSCAPE ZONE REAR REQUIREMENTS LANDSCAPE GRAPHIC]

4. **Parking Area End Cap Standards.**

- a. **Size.** Parking area end caps shall be a minimum of ten (10) feet wide by eighteen (18) feet long as measured from the back of the curb to back of the curb and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area end caps opposite one another to form a continuous single end cap.
- b. **Planting.** A minimum of one (1) canopy tree and three (3) native grasses shall be provided for every parking area end cap. If the end cap extends the width of a double bay, then two (2) canopy trees shall be provided. The mature height of the shrubs or native grasses shall not exceed thirty-six (36) inches and all canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.
- c. **Design.** Parking area end caps shall be protected with concrete curbing or other suitable barriers approved by the **Zoning Administrator**. Such end caps shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function

[INSERT PARKING AREA END CAP GRAPHIC]

5. **Parking Area Median Standards.**

- a. **Size.** Parking area medians shall have a minimum width of ten (10) feet and minimum soil depth of thirty-six (36) inches.

- b. **Planting.** A minimum of one (1) canopy tree and fifteen (15) shrubs or native grasses shall be planted for each fifty (50) linear feet of parking area median. The mature height of the shrubs or native grasses shall not exceed thirty-six (36) inches and all canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.
- c. **Design.** Parking area medians shall be protected with concrete curbing unless the parking area median is designed to be utilized for stormwater management in which case the perimeter shall be protect by wheel stops, or other suitable barriers approved by the **Zoning Administrator**. Such medians shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

[INSERT PARKING AREA MEDIAN GRAPHIC]

6. Parking Area Island Standards.

- a. **Requirements.** Parking area islands shall only be required for parking areas with fifteen (15) or more contiguous spaces in a row.
- b. **Size.** Parking area islands shall be a minimum ten (10) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area islands opposite one another to form continuous single islands.
- c. **Planting.** A minimum of one (1) understory tree shall be provided for every parking area island. If the island extends the width of a double bay, then two (2) understory trees shall be provided. Understory trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.
- d. **Design.** Parking area islands shall be protected with concrete curbing or other suitable barriers approved by the **Zoning Administrator**. Such islands shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

[INSERT PARKING AREA ISLAND GRAPHIC]

- 7. **Pedestrian Circulation Systems.** Pedestrian circulation systems, as required in the interior of off-street parking areas in **section 10-5-1(J)** shall be located along parking area medians. The **Zoning Administrator** may waive or modify this requirement on determining that locating pedestrian circulation systems along parking area medians is impractical due to site conditions or undesirable because it would create unsafe conditions.
- 8. **Pedestrian-Scale Lighting.** Pedestrian-scale lighting of an adequate height and design is encouraged to be provided at adequate intervals to illuminate the pedestrian circulation systems.
- 9. **Type of Landscape Material.** Except where areas are designed as vegetated stormwater management areas, canopy trees shall be the primary plant materials used in parking area islands and canopy trees and shrubs or native grasses shall be the primary plant materials used in parking area medians. Understory trees, **perennials**, groundcover, and other plant materials may be used to supplement the required plantings but shall not create visibility concerns for automobiles and pedestrians. If medians or islands are designed as stormwater management areas, deviations from required plantings may be approved by the **Zoning Administrator**.
- 10. **Groundcover.** The surface area of every parking area island and median shall be planted with a mix of rocks, plant material, or other materials approved by the **Zoning Administrator**.

F. Transition Zone Landscape Requirements. Transition zone landscape shall be required along interior side and rear property lines of all nonresidential, mixed use, and multifamily development. It is not expected that the transition area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics. Landscape required by this section shall be in addition to landscape required under other sections of this title.

- 1. **Applicability.** Transition zone landscaping is required as follows:

- a. The construction or installation of any new primary building or primary use; and
 - b. The expansion of any existing primary building or primary use that results in an increase in gross floor area by more than five (5) percent or one thousand (1,000) square feet, whichever is greater. In the case of expansions that trigger compliance with transition zone requirements, transition zone landscaping is required only in proportion to the degree of expansion. The Zoning Administrator is authorized to allow the transition zone to be established adjacent to the area of expansion or to disperse transition zone landscaping along the entire site transition zone.
2. **Application of Transition Zone Types.** Transition zones shall be provided based on [Table 10-5-3\(F\)\(3\)](#), except where adjacent uses are of a similar nature, scale, and intensity as determined by the [Zoning Administrator](#). As per [Table 10-5-3\(F\)\(3\)](#), the type of required transition zone is dependent upon the land use type of the subject lot and the land use type of the adjacent lot(s).

Table 10-5-3(F)(3) Application of Transition Zone Types											
Subject Lot Land Use	Adjacent Lot Land Use										
	Agricultural	Single-Unit Residential	All Other Residential	Public/Institutional	Retail	Service/Medical/Office	Lodging	Eating/Drinking	Entertainment	Vehicle Related	Industrial/Transportation
Agricultural	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Single-Unit Residential	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
All Other Residential	n/a	C	A	B	B	B	B	B	B	C	D
Public/Institutional	n/a	C	B	A	B	B	B	B	B	C	D
Retail	n/a	C	B	B	A	A	A	A	A	B	C
Service/Medical/Office	n/a	C	B	B	A	A	A	A	A	B	C
Lodging	n/a	C	B	B	A	A	A	A	A	B	C
Eating/Drinking	n/a	C	B	B	A	A	A	A	A	B	C
Entertainment	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Vehicle Related	n/a	C	B	B	A	A	A	A	A	B	C
Industrial/Transportation	n/a	D	D	D	D	D	D	D	D	D	D

3. **Transition Zone Types.** Four (4) transition zone types are established in recognition of the different contexts that may exist, as shown in [Table 10-5-3\(F\)\(2\)](#). Transition zones may include a combination of elements including setback distances for separation, planting types, solid fencing, green walls, vegetated stormwater management areas, living groundcover, or turf.

Table 10-5-3(F)(2) Transition Zone Types

Specification		Type A (3)	Type B (3)	Type C (3)	Type D (3)
(a)	Minimum Zone Width (1)	8 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height (2)	optional	optional	6 feet	6 feet
<i>Minimum Number of Landscape Elements per 100 Linear Feet</i>					
(c)	Understory Tree	optional	3	4	5
(d)	Canopy/Evergreen Tree	4	3	4	5
(e)	Shurbs/Native Grasses	optional	15	25	35
Notes:					
(1) Required yard setbacks may be utilized for transition zone landscape.					
(2) Fence or wall requirements may be satisfied by a solid evergreen hedge with a maximum height of six (6) feet, as approved by the Zoning Administrator.					
(3) Landscaping elements can be arranged to match to natural topography or natural features of the site and may be arranged in groupings to enhance site aesthetics as approved by the Zoning Administrator.					


 INSERT TRANSITION ZONE TYPE GRAPHICS]

- G. **Species Diversity Requirements.** The following species diversity requirements shall be required for all developments, unless otherwise approved by the **Zoning Administrator** in conjunction with approval of vegetated stormwater management areas
1. **Site** landscape elements, excluding turf, shall not be comprised of more than thirty (30) percent of any single species or fifty (50) percent of any genus on a parcel that is between one-half (0.5) and five (5) acres.
 2. **Total** landscape elements, excluding turf, shall not be comprised of more than twenty (20) percent of any single species or twenty-five (25) percent of any genus on a parcel that is greater than five (5) acres.
- H. **Tree Preservation and Removal.** No live tree(s) with a four (4) inch diameter at breast height may be removed without first applying for tree removal and receiving approval from the City as specified in **Section ###**.
1. **Tree preservation and removal guidelines.** Every reasonable effort shall be made to retain existing trees shown in the tree survey prepared by a registered landscape architect through the integration of those trees into the site and landscape plan for a proposed development.
 - a. Critical areas such as floodplains, steep slopes, and wetlands, should be left in their natural condition or only partially cleared.
 - b. Roadways, storage areas, and parking lots should be located away from valuable tree stands.
 - c. Cutting and filling in the vicinity of valuable trees should be minimal.
 - d. **Site** more than one-third of the tree's root zone is to be affected by construction, the tree should be part of the removal plan and replaced with the appropriate number of trees.

2. **Tree Replacement Standards.**

- a. Any tree approved for removal shall be replaced with new trees in accordance with the following schedule:

Table 10-5-3(H)(2)(a) Tree Replacement Standards	
<i>Caliper (Inches) of tree to be removed</i>	<i>Number of Replacement Trees</i>
30 or greater	6
13-29	5
8-12	4
4-7	2

- b. In the event that a tree identified to be preserved is removed or damaged, such tree shall be replaced as follows:

Table 10-5-3(H)(2)(a) Tree Replacement Standards	
<i>Caliper (Inches) of tree to be removed</i>	<i>Number of Replacement Trees</i>
30 or greater	12
13-29	10
8-12	8
4-7	4

- c. All replacement trees shall have a minimum caliper of two and one-half (2 ½) inches and shall consist of canopy and understory trees as deemed appropriate by Zoning Administrator.
- d. If the tree(s) approved for removal is (are) dead from natural causes prior to the date of the tree removal permit, then no replacement tree(s) are required for them.

3. **Preservation of Existing Trees.** Preservation of existing high-quality trees within a new development or redevelopment site is highly encouraged. Preserved trees may fulfill a portion of the landscape requirements established in this section. Should the applicant propose to maintain existing high-quality trees to count toward satisfying certain landscape requirements of this title, the **Zoning Administrator** may, upon receipt of a tree preservation plan, waive certain landscape requirements if mature, high-quality trees on a lot are proposed to be preserved. If, upon inspection at the conclusion of the project, trees identified for preservation have been removed, damaged, or are otherwise in declining condition, all waived required landscape shall be installed.
4. **Fee in lieu.** A fee may be provided in lieu of the replacement of trees or preservation of existing trees as established by the City of Yorkville's fee schedule.
5. **Tree Preservation Plan.** Development on all parcels five (5) acres or greater in area shall require the submittal and approval of a tree removal plan as specified in **Section ## ###**.


I. **Installation and Maintenance of Landscape Areas.**

1. Immediately upon planting, all landscape shall conform to the American Standard for Nurserymen, published by the American Association of Nurserymen, Inc., as revised from time to time.
2. The ground surface of landscape areas shall be covered with either turf and/or other types of pervious groundcover or mulch.

10-5-4. **Screening**

- A. **Used Trash and Recycling Receptacles.** The following regulations shall apply to all nonresidential, mixed use, and multifamily development.
1. Used trash and recycling receptacles shall be screened on three (3) sides with a solid, opaque material with a minimum height of six (6) feet and a maximum height of eight (8) feet.
 2. Materials used for screening shall complement the exterior building cladding materials of the primary building.
 3. Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.
 4. If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
 5. **Shrubs** shall be installed every five (5) feet along the exterior of the enclosure, with the exception of enclosure openings, to provide a softening effect.
 6. Enclosure openings shall be gated with an opaque material.
 7. Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
 8. Property owners shall be responsible for ensuring that used grease traps, trash, and recycling receptacles be placed in the enclosure at all times other than when it is being accessed.
 9. Access drives shall be constructed of materials and to a thickness which accommodates truck loading. Year-round access to the enclosure area for service trucks shall be maintained by the property owner or tenant.
 10. Enclosures shall be of an adequate size to accommodate expected containers.
 11. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, or other similar means.
 12. Trash and recycling receptacle enclosures shall not occupy areas used for required parking spaces.

[INSERT GRAPHIC]

- B. **Ground/Wall Mounted Mechanical Units.** The following regulations shall apply to all ground/wall-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment. Tanks and / or silos accessory to a brewery, winery, and/or distillery are exempt from these requirements.
1. Locating mechanical units within the primary building is strongly encouraged in order to minimize exterior visual impacts. Ground mounted mechanical units are prohibited within the front yard, regardless of whether screening is provided.
 2. Ground/wall mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view.
 3.  Materials used for screening shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen. Evergreen hedges or non-transparent walls such as stone masonry shall be allowed.
 4. Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

[INSERT GRAPHIC]

- C. **Roof Mounted Mechanical Units.** The following regulations shall apply to all roof mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment which service multifamily, non-residential, or mixed use developments.
1. Locating mechanical units within the primary building is strongly encouraged in order to minimize exterior visual impacts.
 2. Roof mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be completely screened from public view.
 3. Materials used for screening shall be architecturally integrated with the building and shall be continuous and permanent.
 4. Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not mandate the screening requirements.
 5. Additional screening may be required due to topographic differences in the adjoining properties.

[INSERT GRAPHIC]

10-5-5. Fences

A. **Regulations for All Zoning Districts.**

1. Fences thirty-six (36) inches or more in height require a building permit.
2. All fences must be erected so that the finished side of the fence faces outward or away from the lot on which the fence is erected.
3. No more than two (2) different types of fencing material are permitted per lot.
4. **Materials.** The materials listed below are acceptable for a fence in any district unless specific districts are specified in this subsection. These materials are an example of acceptable fencing. The Zoning Administrator has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.

- a. Stone,
- b. Brick,
- c. Natural rot resistant wood (cedar, cyprus, redwood),
- d. Cast or wrought iron,
- e. Plastic,
- f. Aluminum,
- g. Composite wood and plastic,
- h. Vinyl coated chainlink (rear and side yard only on properties in nonresidential districts).
- i. Galvanized chainlink (only on M-1 or M-2 properties adjacent to other M-1 or M-2 property)

B. Placement.

1. Fences may be built up to the property line but shall not extend beyond the front plane of the primary building facade in residential and business districts, and must be located entirely on the property of the owner constructing it.
2. Fences may be constructed within an easement, though future work within the easement may result in the removal of the fence. Fences are not allowed in some types of restricted easements, such as those dedicated for landscape, sidewalks, trails, access or where otherwise limited by an easement document.
3. The property owner is responsible for locating property lines, prior to the installation of the fence.
4. Fences, walls, or hedges shall not encroach on any public right-of-way.
5. It shall be the responsibility of the property owner to ensure that a fence does not block or obstruct the flow of stormwater.
6. All solid fences, walls, hedges, or shrubberies which exceed three (3) feet above the street grade shall comply with the vision clearance standards of **section 10-5-6** of this title.

C. Prohibited Fences.

1. Fences or enclosures charged with or designed to be charged with electrical current are prohibited, except for underground dog fences.
2. Any fence made of, in whole or in part, cloth, canvas or other like material is prohibited.
3. No fence shall be constructed of used or discarded materials in disrepair, including, but not limited to, pallets, tree trunks, trash, tires, junk, or other similar items as determined by the **Zoning Administrator**.

- D. Height.** Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in **Table 10-5-5(E)** of this section.

Table 10-5-5(E) Fence Height Standards

District/Use	Maximum Height per Yard			
	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
Residential Districts	3 feet ¹	6 feet	6 feet ²	6 feet ²
Business Districts	3 feet ¹	6 feet	6 feet ²	6 feet ²
Manufacturing District	8 feet	8 feet	8 feet	8 feet
Public Uses and Utilities	8 feet	8 feet	8 feet	8 feet
Notes:				
1. Fence may be a maximum of four (4) feet in height if opacity does not exceed fifty (50) percent.				
2. Fence may be a maximum of eight (8) feet in height if in a residential district and adjacent to a nonresidential use or in a business district and adjacent to a residential use.				

10-5-6. Vision Clearance

Clear sight distance shall be required at the intersection of a driveway and any right-of-way or at the intersection of two (2) or more streets. No building or structure shall be permitted that creates a visual obstruction taller than three (3) feet in the area measured extending twenty (20) feet from the curb at the intersection of the driveway and street, or from the curb at the intersection of two (2) or more streets.

[INSERT GRAPHIC]

10-5-7. Outdoor Lighting

- A. **Applicability.** This section shall apply to the replacement of existing lighting units and fixtures and any lighting units or fixtures proposed to be added to a site with multifamily and nonresidential uses only.
- B. **Exceptions.** Temporary holiday lighting installed between November 25th and January 10th annually shall be exempt from the standards of this sections.
- C. **Fixture Classification.** All outdoor lighting fixtures, with the exception of wall mounted accent lighting and outdoor lighting in the A-1 District, shall either have a fixture cutoff classification of "Full Cutoff" or be fully shielded, unless otherwise expressly permitted in this UDO.
- D. **LED Fixtures.** Non light-emitting diode fixtures shall be allowed for building mounted or ornamental lights or holiday lighting. Lighting fixtures for parking lots shall utilize a light-emitting diode (LED) fixtures.
- E. **Pole Mounted Outdoor Lighting.**
 1. **Pole Placement.** Pole-mounted outdoor lighting shall be located outside of utility easements, designed in coordination with required landscape zones (Section 10-5-3).
 2. **Maximum Pole Height.**

Table 10-5-7 Outdoor Lighting Height Standards

Districts	Maximum Height
Residential Districts	20 feet
Institutional and Open Space Districts	20 feet
B-2 Mixed Use District	25 feet
Other Business and Manufacturing Districts	35 feet

- F. **Wall Mounted Accent Lighting.** Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.
- G. **Maximum Light Level at Property Line.** All outdoor lighting fixtures, including lights from signage, shall be designed and located so that the maximum light level shall be zero (0) maintained foot candles at any property line.
- H. **Fixtures.** All outdoor lighting must employ full cut-off or fully shielded fixtures.
- I. **Light Level Measurement.**
 - 1. **Location.** Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the sensor in the horizontal position and not mounted more than six (6) inches above ground level, and with the light-registering portion of the meter held parallel to the ground and pointing upward.
 - 2. **Light Meter Specifications.** Light levels shall be measured in foot candles with a direct-reading portable light meter as measured by the City. The meter shall:
 - a. Have cosine and color correction,
 - b. Have an accuracy tolerance of no greater than plus or minus five (5) percent, and
 - c. Have been calibrated within the last two (2) years.
- J. **Automatic Lighting Controls.** All outdoor lighting on non-residential lots must be controlled by a photo sensor, occupancy sensor, or timer to automatically reduce outdoor lighting when sufficient daylight is available, and to automatically extinguish lights no more than one hour following the close of business, excluding security lighting.
- K. **Photometric Plan.** A photometric plan as specified in **Section XX** shall be required.



MEMORANDUM

Date: June 2, 2022 SENT VIA EMAIL

To: Krysti Barksdale-Noble, AICP
Community Development Director
United City of Yorkville, IL

From: Houseal Lavigne Associates
Jackie Wells, AICP
Ruben Shell, Lead Support

Re: **Accessory Commercial Units
Unified Development Ordinance Update**

This memorandum details the zoning standards used throughout the United States for accessory commercial units ("ACUs"), which allow small-scale businesses on lots with principal residential uses. The businesses allowed are subordinate to the principal within the lot that the ACU is located on. These examples, shown in the table below, can serve as a basis for the City of Yorkville to craft regulations for ACU use types.

Accessory Commercial Units

The table below compared the permit procedures and use-specific standards for accessory commercial uses in Raleigh, North Carolina, Stevens Point, Wisconsin, and Portland, Oregon. Please note that ACU regulations for both Raleigh, North Carolina and Stevens Point, Wisconsin are pending and in the process of being passed by City Council.

Regulation	Raleigh, North Carolina	Stevens Point, Wisconsin	Portland, Oregon
Definition	An Accessory Commercial Unit ("ACU") is a business located on the same property as a residence. Unlike a standalone operation, the business must be clearly secondary and subordinate to the residential structure and use on the site.	An Accessory Commercial Unit ("ACU") is a small detached commercial unit that is accessory to the principal residential use on the site.	Accessory Commercial Units ("ACUs") are activities accessory to uses in the Household Living category. They have special regulations that apply to ensure that home occupations will not be a detriment to the character and livability of the surrounding neighborhood. The regulations ensure that the accessory home occupation remains subordinate to the residential use, and that the residential viability of the dwelling is maintained.
Permit Process	The Text Change for ACUs is still pending. The framework of the text change is to remove the special use permit requirement for Live-Work units. In a Residential District, a special use permit will be required for an ACU.	ACUs require a conditional use permit (Based on Chapter 23.17 Conditional Uses). The permit process is as follows: <ul style="list-style-type: none"> Application Plan Commission Review Hearing and Final Determination If those restrictions are met, the permit must be granted no matter the neighborhood. ACUs shall be a permitted use in residential zoning districts.	Applicants interested in constructing an ACU must follow the process as followed: <ul style="list-style-type: none"> Notice content: Applicant must complete a notice which describes the type of business activities to take place at the site, the hours of operation, and either the nonresident employee or the expected number of customers daily. Notice recipients: All recognized organizations whose boundaries include the site must receive the notice. In addition, all owners of the property abutting or across the street from the site must receive the notice.
Residential Districts Allowed	Residential Districts.	"R-LD" Low Density Residential District "R-1" Suburban Single Family Residential "R-2" Single Family Residence District "R-3" Single and Two Family Residence District	"RM3" Residential Multi-Dwelling 3 "RM4" Residential Multi-Dwelling 4 "RH" High Density Residential "RX" Central Residential

HOUSEAL LAVIGNE
ASSOCIATES, LLC
CHICAGO, IL
188 West Randolph Street, Suite 200
Chicago, Illinois 60601
(312) 372-1008

		"R-4" Multiple Family I Residence District "R-5" Multiple Family II Residence District	
Number of ACUs on a lot	One ACU is allowed per lot.	One ACU is allowed per lot.	--
Setback Requirements	--	ACUs shall meet the minimum setback requirements for accessory structures of the zoning district or overlay zoning district for which it is located.	<p>The maximum an ACU can be set back from a street lot line is at least 10 feet from a street lot line or no closer to a street line than the closest primary building, whichever distance is greater.</p> <p>If more than one structure is within the setback, the combined length of all structures in the setback adjacent to each property line is no more than 24 feet.</p> <p>The portion of the ACU within the setback must be screened from adjoining lots by a fence or landscaping.</p> <p>Walls located within the setback may not have doors or windows facing the adjacent lot line.</p>
Height	--	ACUs shall not exceed 20 feet in height, not including the height of roof gables.	<p>The height standard of the zoning district applies to the ACU. The maximum height allowed is 20 feet.</p> <p>An ACU may not have a rooftop deck.</p>
Building Coverage	An ACU cannot exceed 1,000 square feet or 40% of the floor area of the residential structure, whichever is less.	<p>An ACU can be up to 1,800 square feet and is subject to conditional use restrictions.</p> <p>ACU square footage calculations are exempt the square footage calculations outlined in Chapter 30 for detached accessory structures.</p>	<p>The combined building coverage of all ACUs may not exceed 15 percent of the total area of the site.</p> <p>The building coverage of an ACU may not be greater than the building coverage of the primary structure.</p>
Lot Size	--	ACUs shall be allowed only on a lot after meeting the minimum lot area requirements for single family use within the zoning district for which the property is located.	ACU's dimensions must not exceed 24 feet by 24 feet, excluding eaves.
Hours of Operation	7 AM to 8 PM.	--	7 AM to 9 PM.
Vehicle Regulations	No vehicular parking is required. Two (2) short term bicycle parking spaces are required.	--	No more than one vehicle may be used in association with the ACU. The maximum size of the vehicle used in association with the ACU is a pickup truck in the medium truck category.
Other Standards	<p>Direct pedestrian access shall be provided from a public sidewalk to the primary entrance of the ACU. If no public sidewalk exists on the lot, direct pedestrian access shall be provided from the public right-of-way. Where a pedestrian entrance faces a side lot line, the portion of the façade containing the entrance shall meet the side setback of the base district.</p> <p>Outdoor seating associated with the ACU is prohibited.</p> <p>Drive-thrus are prohibited.</p> <p>Outdoor display areas shall be prohibited</p>	<p>The owner of the property in which the ACU is created must continue to occupy the principal residential use on the site as their primary residence.</p> <p>The number of occupants allowed in an ACU shall not exceed the maximum defined within the Home Occupancy regulations of this chapter.</p>	<p>The ACU must remain residential in appearance.</p> <p>Only eight customers or clients may visit the site in a day.</p> <p>ACUs may not serve as headquarters or dispatch centers where employees come to the site and are dispatched to other locations.</p> <p>The maximum noise level for an ACU is 50 dBA. Noise level measurements are taken at the property line. Home occupations that propose to use power tools must document in advance that the home occupation will meet the 50 dBA standard.</p>
Link to the Zoning Ordinance and Other Materials	Draft Ordinance No. 2022 – XX TC XX Informational page Text change presentation (November 2021)	Ordinance Amending the Revised Municipal Code of the City of Stevens Point, Wisconsin	Title 33.203 Accessory Home Occupations Better Housing by Design: An Update to Portland's Multi-Dwelling Zoning Code

Recommendations

The City of Yorkville should consider establishing regulations for Accessory Commercial Units. The research in the table above indicates that the City should consider permitting ACUs through a special use process in a variety of residential districts, including single-family and multi-family districts. Use-specific standards could include limits on the number of ACUs allowed per lot, restrictions on the hours of operation, limits on the size of a given lot to accommodate an ACU, and limits on the size and portion of a given lot that can be covered by and ACU.

Publications or Research for Other Sources

April 2021, Center for New Urbanism - ["Accessory Commercial Units: Reintroducing retail to neighborhoods,"](#)

July 2020, Planetizen - ["'Accessory Commercial Units' for a 15-Minute City,"](#)

August 2020, Strong Towns - ["Want more local businesses in your neighborhood? Then legalize 'Accessory Commercial Units.'"](#)

March 2022, Governing - ["The Case for More Backyard Bodegas and Sidewalk Salons."](#)

Term	Draft Definition
Accessory Building	A subordinate building attached to or detached from but located on the same lot as a principal building or use. Accessory buildings shall have a permanent foundation and include garages, pools, and large storage sheds.
Accessory Structure, Permanent	A subordinate structure located on the same lot as a principal building or use and intended to be permanently affixed to the ground on the property. Permanent accessory structures shall not have permanent foundations and include decks, pools, gazebos, and typical sheds.
Accessory Structure, Temporary	A subordinate structure located on the same lot as a principal building or use and not intended to be permanently affixed to the ground on the property. Temporary accessory structures shall not have permanent foundations and shall include structures used for construction purposes, roadside stands, and other accessory structures established for a limited duration.
Commercial Entertainment, Indoor	Commercial indoor recreation facilities are conducted entirely indoors for commercial purposes, with or without seating for spectators, and providing accommodations for a variety of individual, organized, or franchised sports, including wrestling, basketball, soccer, tennis, volleyball, racquetball, handball, bowling, indoor golf driving ranges, skating, and ice skating.
Commercial Entertainment, Outdoor	Commercial outdoor recreation facilities are conducted entirely outdoor for commercial purposes, with or without seating for spectators, and providing accommodations for a variety of individual, organized, or franchised sports, including wrestling, basketball, soccer, tennis, volleyball, racquetball, handball, outdoor golf driving ranges, skating, and ice skating.
Floor Area, Gross	The sum of the gross horizontal areas of the all building floors, including the basement floor, measured from the exterior faces of the exterior walls or from the centerlines of walls separating two (2) buildings. The floor area shall also include the horizontal areas on each floor devoted to: (1) Elevator shafts and stairwells. (2) Mechanical equipment, except if located on the roof, when either open or enclosed, i.e., bulkheads, water tanks, and cooling towers. (3) habitable attic space as permitted by the building code (4) Interior balconies and mezzanines. (5) Enclosed porches (6) Accessory uses (7) The floor area of structures used for bulk storage of materials i.e., grain elevators and petroleum tanks, shall also be included in the floor area and such floor area shall be determined on the basis of the height of such structures with one (1) floor for each ten feet (10') of structure height and if such structure measures less than ten feet (10') but not less than five feet (5') over such floor height intervals, it shall be construed to have an additional floor. The horizontal area in each floor of a building devoted to off-street parking and off-street loading facilities shall not be included in the "floor area". (8) Floor area when prescribed as the basis of measurement for off-street parking spaces and off-street loading spaces for any use shall be the sum of the gross horizontal area of the several floors of the building, excluding areas used for accessory off-street parking facilities and the horizontal areas to the basement floors that are devoted exclusively to uses accessory to the operation of the entire building. All horizontal dimensions shall be taken from the exterior of the walls.
Floor Area, Net	The sum of the gross horizontal areas of the all building floors, including the basement floor, measured from the exterior faces of the exterior walls or from the centerlines of walls separating two (2) buildings. The "floor area" shall not include the horizontal areas on each floor devoted to: (1) Elevator shafts and stairwells. (2) Mechanical equipment, except if located on the roof, when either open or enclosed, i.e., bulkheads, water tanks and cooling towers. (3) Habitable attic space as permitted by the building code. (4) Interior balconies and mezzanines. (5) Enclosed porches. (6) Accessory uses. (7) The floor area of structures used for bulk storage of materials, i.e., grain elevators and petroleum tanks, shall also be included in the floor area and such floor area shall be determined on the basis of the height of such structures with one (1) floor for each ten feet (10') of structure height and if such structure measures less than ten feet (10') but not less than five feet (5') over such floor height intervals, it shall be construed to have an additional floor. The horizontal area in each floor of a building devoted to off-street parking and off-street loading facilities shall not be included in the "floor area". (8) Floor area when prescribed as the basis of measurement for off-street parking spaces and off-street loading spaces for any use shall be the sum of the gross horizontal area of the several floors of the building, excluding areas used for accessory off-street parking facilities and the horizontal areas to the basement floors that are devoted exclusively to uses accessory to the operation of the entire building. All horizontal dimensions shall be taken from the exterior of the walls.
Interlocking Standard Parking Spaces	A configuration of off-street parking in columns in which the parking spaces in each individual column are angled so as to create an interlocking pattern with the angled off-street parking spaces in the adjoining column.
Pole Sign	A sign affixed to or supported by a single stationary pole.
Post Sign	A sign affixed to or supported by a single stationary post.
Prepared Food Service Establishment	An establishment that makes prepared food available for sale to the general public for immediate consumption on or off the premises.
Solar Energy System, Building Mounted	A solar energy collection system that is structurally attached to the roof of a principal building or other permitted building, including limited accessory equipment associated with system which may be ground mounted. It is installed parallel to the roof with a few inches gap.
Solar Energy System, Freestanding - Accessory Use	A solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems, constructed as the accessory use on a parcel, and not intended for the distribution and sale off-site.
Solar Energy System, Freestanding - Principal Use	A solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems, constructed as the principal use on a parcel, but not intended for the distribution and sale off-site.
Solar Farm	An installation that includes a large number of solar panels arranged contiguously on a parcel for the collection of solar energy and sale of electricity to customers located off-site.
Tent	A structure, enclosure, or shelter constructed of fabric or other pliable material supported by any manner except by air or the contents protected by the material. The horizontal area covered by the fabric or other pliable material shall be considered building floor area. Tents shall be considered detached accessory structures.
Theater, Live Performance	A building used for dramatic, operatic, music, or other live performance purposes for which attendees are charged admission an admission fee to view.
Theater, Motion Picture	A building used for the display of motion pictures for which attendees are charged an admission fee to the public view.
Underground Dog Fences	A fence constructed beneath the subject site's natural grade constructed solely to prevent household pets from leaving the property.

Wind Energy System, Building Mounted	A wind turbine that is structurally mounted to the roof of a principal building, including limited accessory equipment associated with the system which may be ground mounted.
Wind Energy System, Freestanding - Accessory Use	A wind turbine that is that is affixed to or placed upon the ground on a parcel with an existing principal use, to which the wind energy system is accessory and provides electricity to and not intended for the sale and distribution off-site.
Wind Energy System, Freestanding - Principal Use	A wind turbine that is that is affixed to or placed upon the ground on a parcel as the parcel's principal use but which does not distribute and sell energy to customers off-site.
Wind Farm	An installation including a cluster of wind turbines on one parcel for the collection of wind energy and sale of electricity to customers located off-site.

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DRAFT FOR REVIEW

Chapter 3. District Standards

REVIEW GUIDE

Existing Text

New Text

Deleted or Moved Text

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10-3-1. Establishment of District

For the purpose and provisions of this title herein, Yorkville is hereby organized into ~~twelve (12)~~ fifteen (15) districts. The minimum area that may constitute a separate or detached part of any zoning district shall be as follows:

A. Residential Districts.

~~1. E-1 Estate Residence~~

~~2.1. R-1 Single-Family-Unit~~ Suburban Residence District

~~3.2. R-2 Single-Family-Unit~~ Traditional Residence District

~~4.3. R-2D Duplex, Two-Family-Unit~~ Attached Residence District

~~5.4. R-3 Multi-Family-Unit~~ Attached Residence District

~~6.5. R-4 General Multi-Family-Unit~~ Residence District

B. Business and Manufacturing Districts.

1. B-1 Local Business District

2. B-2 ~~Retail-Commerce-Business~~ Mixed Use District

3. B-3 General Business District

~~4. B-4 Service-Business-District~~

~~5.4. M-1 Limited~~ Manufacturing District

~~6. M-2 General Manufacturing-District~~

C. Institutional and Open Space Districts.

1. PI Public Institutional District

4.2. A-1 Agricultural District

2.3. OS Open Space District

D. Overlay Districts.

1. D-O Downtown Overlay District

3.2. PD-O Planned Development Overlay District

10-3-2. District Map and Boundaries

- A. **Zoning Map.** The boundaries of the zoning districts designated in section 10-53-1 of this chapter are hereby established as shown on the latest edition of the map entitled "Zoning Map: The United City Of Yorkville", which said map shall have the same force and effect as if the zoning map, together with all notations, references and other information shown ~~thereon~~ the zoning map, were fully set forth and described ~~herein~~ in this title.
- B. **District Boundaries.** When uncertainty exists with respect to the boundaries of the various districts shown on the zoning map, the following rules shall apply:
1. District boundary lines are either the centerlines of railroads, highways, streets, alleys or easements or the boundary lines of sections, quarter sections, divisions of sections, tracts or lots, or such lines extended or otherwise indicated.
 2. In areas not subdivided into lots and blocks, wherever a district is indicated as a strip adjacent to and paralleling a street or highway, the depth of such strips shall be in accordance with the dimensions shown on the map measured at right angles from the centerline of the street or highway, and the length of frontage shall be in accordance with dimensions shown on the map from section, quarter sections or division lines, or centerlines of streets, highways or railroad rights of way unless otherwise indicated.
 3. Where a lot held under single ownership and of record on the effective date hereof is divided by a district boundary line, the entire lot shall be construed to be within the less restricted district; provided, that this construction shall not apply if it increases the ~~less-restricted-frontage~~ lot width of the lot by more than twenty five (25) feet.

10-3-3. Zoning of Streets, Alleys, Public Ways, Waterways, and Railroad Rights-of-Way

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

10-3-4. Zoning of Annexed Land

Any territory or land ~~hereafter~~ annexed to the city after the adoption of this title shall automatically, upon such annexation, be classified within the R-1 residential district and be subject to all conditions and regulations applicable to land in such district until such land is subsequently rezoned; ~~or the owner or owners of the territory or land to be annexed voluntarily enter into an annexation agreement which specific zoning classification and other restrictions affecting said territory or land concurrently with the petition for annexation and pursuant to section 10-4-11 of this title. The plan commission shall make findings of fact with respect to the appropriate zoning classification or classifications of the annexed land and forward its recommendation to the city council.~~

10-3-5. Purpose of Residential Districts

A. General Purpose of Residential Districts. Residential zoning districts are established, designed, and intended to provide a comfortable, healthy, safe, and pleasant environment in which to live and shall:

1. Provide appropriately located areas for residential development that are consistent with the Comprehensive Plan, as amended;
2. Ensure adequate light, air, privacy, and open space for residents;
3. Provide for a variety of neighborhoods with a range of housing types with varying characters and patterns of development;
4. Protect neighborhoods from the harmful effects of excessive noise, traffic congestion, and other potential adverse impacts; and
5. Provide amenities while protecting residents from incompatible uses and activities.

A.B. R-1 Single-Unit Suburban Residence District. The R-1, single-family-unit suburban residence zoning designation is intended to create a spacious suburban residential neighborhood environment on parcels of at least eighteen thousand (18,000) square feet. To protect the character of the district, permitted uses are limited to single-family-unit detached housing yet accommodate other compatible and complementary cultural, religious, educational, and public uses.

B.C. R-2 Single-Unit Traditional Residence District. The R-2, single-family-unit traditional residence zoning designation is intended to accommodate smaller, more conventional suburban residential neighborhoods, on lots of at least twelve thousand (12,000) square feet. The district's moderately low density allows for flexibility in site design and creates a transitional land use between rural and suburban residential settings. The primary permitted uses are single-family-unit detached housing in addition to compatible and complementary cultural, religious, educational, and public uses.

C.D. R-2D Duplex, Two-Unit Attached Residence District. The R-2D, duplex, two-family-unit attached residence zoning designation is intended for moderate density duplex dwelling structures on lots of at least fifteen thousand (15,000) square feet. This district is primarily located off of a major thoroughfare or as a transitional land use adjacent to single-family-unit residences. Therefore, the R-2D, duplex district is intended to accommodate single-family-unit attached dwelling structures of a size and character that are compatible with the surrounding single-family-unit detached residential districts and adjacent to commercial, office and retail space.

D.E. R-3 Multi-Unit Attached Residence District. The R-3, multi-family-unit attached residence zoning designation is intended for moderate density residential developments near commercial areas and transportation corridors, and to promote economically mixed housing developments and the provision of a range housing types including dwelling multi-unit buildings such as duplexes or townhomes, structures on lots of at least nine thousand (9,000) square feet and a maximum density of five (5) units per acre or six (6) units per building. This district also accommodates a roadway wide enough to park on both sides of the street.

E.F. R-4 General Multi-Unit Residence District. The R-4, general multi-family-unit residence zoning designation is intended for moderate to high density dwelling structures on lots of at least fifteen thousand (15,000) square feet and a maximum density of eight (8) units per acre. This district is suitable for creating a transition between the business/commercial uses and the surrounding lower density residence uses multi-unit buildings and complexes. This district may accommodate other compatible and complementary cultural, religious, educational, and public uses.

10-3-6. Purpose of Business and Manufacturing Districts

A. General Purpose of Business and Manufacturing Districts. Business and Manufacturing Districts are established, designed, and intended to provide a comfortable, healthy, safe, and pleasant environment in which to work, shop, dine, recreate, and shall:

1. Accommodate retail, commercial, service, and mixed uses needed by Yorkville residents, businesses, visitors, and workers;
2. Maintain and enhance the City's economic base and provide employment opportunities, shopping, entertainment, restaurant, service and other nonresidential uses close to where people live and work;
3. Create suitable environments for various types of business and manufacturing uses and protect them from the adverse effects of incompatible uses;
4. Allow flexibility to encourage redevelopment and positive improvements to existing uses; and
5. Help ensure that the appearance and operational impacts of business and manufacturing developments do not adversely affect the character of the areas in which they are located.

A.B. B-1 Local Business District. The B-1, local business district zoning designation is intended for the location of commercial and professional facilities that are especially useful in close proximity to residential areas. The district is designed to provide convenient shopping and services that meet the needs and enhance the quality of life for surrounding residential neighborhoods. This district also encourages dwelling units located above the first floor of a permitted use to create mixed use buildings.

B.C. B-2 Mixed-Use Business District. The B-2, mixed-use business zoning designation is intended to accommodate pedestrian oriented mixed-use corridors and districts with a range of business, service, office, and residential uses including the Downtown. The B-2, retail commerce-business district zoning designation is intended for the location of retail shops and stores offering goods to the population. Buildings in this district are allowed to build on a majority of the lot with diminished setbacks. This allows shops and stores to maximize retail space while supporting a pedestrian friendly environment in retail shopping areas. This district also encourages dwelling units located above the first floor of a permitted use to create mixed use buildings.

C.D. B-3 General Business District. The B-3, general business district zoning designation is intended for the location of a broad range of commercial uses, including small scale and large scale businesses. These uses are usually oriented toward automobile access and visibility; therefore, they are typically set along major arterial roads. The businesses in this district are meant to serve regional as well as local customers. This district also encourages dwelling units located above the first floor of a permitted use to create mixed use buildings.

D.E. M Manufacturing District. The M-1, limited manufacturing district zoning designation is intended to provide for the location of a broad range of warehousing, manufacturing, and industrial uses of minimal environmental impact. The intensity and impact of uses shall be controlled through the special use permitting process to ensure compatibility with adjacent land uses through the minimization of off-site impacts, and rRelated uses such as indoor event or recreation conversions or employee supporting restaurants and retail of a limited nature in size that will not have a harmful environmental effect on surrounding areas may also be appropriate. Industries within this district are expected to follow the performance standards in accordance with the performance standards of this chapter. These standards will produce an environment suitable for industrial activities that will be pleasant and compatible with adjacent residential and business uses. The M-2, general manufacturing district zoning designation is intended to provide for the location of manufacturing, industrial and related uses in a less restrictive nature than the M-1, limited manufacturing district. The district is designed to accommodate industrial activities that have moderate environmental effects but are located in relatively remote areas as to not conflict with residential and business uses. Industries within this district are expected to follow the performance standards in accordance with the performance standards of this chapter. Following these standards will create fewer problems of compatibility with adjacent properties.

10-3-7. Purpose of Open Space and Institutional Districts

- A. **A-1 Agricultural District.** ~~The A-1, Agricultural district zoning designation is intended to accommodate areas where the conditions are best suited for agricultural pursuits or where essential community facilities or utilities do not yet or are not reasonably expected to serve the property. The regulations for the agricultural district are govern the use of the land and building and structures for agricultural purposes after the annexation of land into the city for so long as the owner or owners thereof shall desire to continue to devote said land to agricultural purposes. These regulations are also intended to provide for the protection, conservation and utilization of natural resources; to preserve the value of existing and future open space and recreational facilities; and to allow for interim adaptive reuse of marginal agricultural and/or pasture lands pending the orderly redevelopment of the real estate for all other uses permitted under the various use districts under this title.~~
- B. **OS Open Space District.** ~~The land use regulations established for the OS-1, open space district are designation is intended to govern the use of city owned ~~passive~~ green space and park land in the city of Yorkville. This zoning district shall apply to all existing and newly annexed land currently used or intended for use as open space, ~~passive~~ recreational areas, and parks identified in Yorkville's park and recreation master plan. These regulations are also intended to provide for the protection, conservation and utilization of high quality natural resources; preservation of wildlife habitats; creation of scenic vistas; provision of public gathering areas or facilities for safe and accessible outdoor space; connectivity between other green infrastructure via bike and hiking trails and paths; and to maintain or establish appropriate buffers between differing land use types or intensities. The land use regulations established for the OS-2, open space district are intended to govern the use of city owned recreational areas and park land in the city of Yorkville. This zoning district shall apply to all existing and newly annexed land currently used or intended for use as active recreational areas, public gathering areas or facilities and parks identified in Yorkville's park and recreation master plan. These regulations are also intended to provide safe and accessible indoor and outdoor leisure and entertainment space for the general public while maintaining or establishing an appropriate buffer between differing land use types or intensities.~~
- C. **PI Public Institutional District.** ~~The PI, Public Institutional district zoning designation is intended to provide for the location of properties used or operated by a public entity or private institution. The purpose of the PI District is to recognize that public and institutional facilities provide necessary services to the community.~~

10-3-8. Overlay Districts

- A. ~~All provisions of this title, to the extent that they do not conflict with the standards delineated in this section, shall remain in full force and effect for all properties subject to the provisions of this section.~~
- B. ~~The standards found in this section shall be used by property owners, developers, City staff members, the Planning and Zoning Commission and the City Council during the design and review of development and redevelopment proposals within the overlay districts. These standards and criteria complement and add to those contained within the City's Comprehensive Plan, as amended, Yorkville Downtown Overlay District Form-Based Code, this title and other land use regulations.~~
- C. **D-O Downtown Overlay District.** ~~The D-O, Downtown Overlay district designation is intended to guide the development of a mix of uses and a pedestrian oriented environment, to provide for a mix of housing types for people of all ages and lifestyles, and to achieve development that is appropriate in scale and intensity for the overlay district and adjacent neighborhoods.~~
- A.D. **PD-O Planned Development Overlay District.** ~~The purpose of the PD-O, Planned Development Overlay District is to visually represent areas of the community that are governed by Planned Development Ordinances as detailed in Chapter # of this title.~~

10-3-9. Bulk and Dimensional Standards

The following table of **Table 10-3-9 Bulk and Dimensional Standards** addresses establishes the requirements applicable to the development or use of a lot in a given district.

Zone	Min. Lot Size	Min. Lot Size per DU	Min. Lot Width	Max. Lot Coverage	Setbacks			Building Height	Unit Max. Height
					Min. Front	Min. Side*	Min. Rear		
A-1	-	-	-	-	100' ¹	50'	-	80' (100' for silos)	30'
R-1	12,000 sq. ft.	-	80'	50%	40'	15' (40')	50'	30'	30'
R-2	8,000 sq. ft.	-	70'	45%	25'	10' (30')	30'	30'	30'
R-2D	15,000 sq. ft.	9,000 sq. ft.	100'	50%	30'	10' (30')	30'	30'	30'
R-3	9,000 sq. ft.	7,000 sq. ft.	70' (90' for attached units)	70%	30'	10' (20')	30'	80'	30'
R-4	15,000 sq. ft.	5,000 sq. ft.	70' (90' for attached units)	70%	30'	12' or 60% of building height (20')	40'	80'	40'
B-1	-	-	-	80%	30'	20'	20'	80'	-
B-2	-	-	-	85%	0'	-	20'	80'	-
B-3	-	-	-	80%	50'	20' (30') ⁷	20'	80'	-
M	-	-	-	85%	25'	Min. 10% of lot and max. 20'	-	-	-
PI	-	-	-	85%	25'	20' (25')	20'	80'	-
OS	-	-	-	-	30'	10'	20'	80'	-
Notes:									
* Dimensions within () = requirement for side yards adjoining a street.									

[INSERT GRAPHIC]

10-3-10. Calculating Bulk and Dimensional Standards

A. Lot Width. Minimum lot width shall be measured at the required front yard setback line.

[INSERT GRAPHIC]

B. Setbacks. A required setback shall be measured by the shortest distance between the applicable lot line and nearest point of the principal use or building or any required yards or fences, except any building features specified in section 10-3-11, which shall not be subject to required setbacks.

[INSERT GRAPHIC]

C. Height. Building and dwelling unit height shall be the vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the:

1. Flat Roof: highest point of the roof,

2. Mansard Roof: deck line of roof, or

4.3 Gable, Hip, or Gambrel Roof: mean height level between eaves and ridge.

[INSERT GRAPHIC]

G.D. Lot Coverage. Lot coverage shall be that portion of the lot occupied by the principal building or buildings, accessory buildings, and all other impervious areas such as driveways, roads, sidewalks, parking lots and structures, and any area of concrete asphalt.

[INSERT GRAPHIC]

Commented [JW1]: New Section – not included in 3/18/2020 draft

Commented [JW2]: Existing language from Chapter 2 definitions

10-3-11. Permitted Yard Setback Obstructions

Every part of a required yard setback shall be open and unobstructed from finished grade upward, except as specified in Table 10-3-11 below or as allowed for accessory buildings and structures as detailed in [Section 10-4-15\(A\)](#).

Commented [JW3]: New Section – not included in 3/18/2020 draft

Table from 10-3-12

Table 10-3-11 Permitted Yard Setback Obstructions				
Permitted Obstruction	Required Yards			
	All	Front	Side	Rear
Open terraces and decks ¹	P	P	P	P
Awnings and canopies ²	P	P	P	P
Steps ³	P	P	P	P
Chimneys ⁴	P	P	P	P
Arbors and trellises	P	P	P	P
Landscaping	P	P	P	P
Flagpoles	P	P	P	P
One-story bay windows ⁵	P	P	P	P
Ornamental light standards	-	P	P	-
Overhanging eaves and gutters ⁵	-	P	P ⁶	P
Enclosed, attached or detached off-street parking	-	-	-	P
Balconies, breezeways, and open porches ⁵	-	-	-	P
Recreational equipment	-	-	-	P
Air conditioning units ⁷	-	-	P	P
Notes:				
1. Not over 4 feet above the average level of the adjoining ground but not including a permanently roofed over terrace or porch.				
2. Adjoining a principal structure not exceeding 3 feet or less into required yard.				
3. 4 feet or less above grade which are necessary for access to zoning lot from a street or alley.				
4. Projecting 18 inches or less into the yard.				
5. Projecting 3 feet or less into the yard.				
6. Projecting into a required yard for a distance not exceeding 40 percent of the required yard width, but in no case exceeding 30 inches.				
7. For a distance not exceeding 10 percent of the required yard width, but in no case exceeding 12 inches.				

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10-3-12. Permitted and Special Uses

A. The following key shall be used in the interpretation of Table 10-3-12(B) Permitted and Special Uses below.

- 1. Permitted Uses.** Uses which are marked as "P" in the tables shall be allowed subject to all applicable regulations of this title.
- 2. Special Uses.** Uses which are marked as "S" in the tables shall be allowed upon the approval of a special use permit, as detailed in section 10-#-## of this title.
- 3. Temporary Uses.** Uses which are marked as "T" in the tables shall be allowed upon the approval of a temporary use permit, as detailed in section 10-#-## of this title.
- 4. Prohibited Uses.** Uses which are marked as "-" shall be prohibited in the respective district unless it is otherwise expressly allowed by other regulations of this title.
- 5. Uses Not Listed.** If a proposed use is not listed in the tables, the Zoning Administrator, through the administrative interpretation process detailed in section 10-#-##, shall determine if the use is substantially similar to a use listed in the tables. If it is, the use shall be treated in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.
- 6. Additional Regulation.** If a use has use specific standards, they are referenced in this column. Use specific standards shall apply to permitted and special uses.

Commented [JW4]: New Section – not included in 3/18/2020 draft

A-B. Table 10-3-12(B) Permitted and Special Uses establishes the allowed uses in the City's zoning districts.

Commented [JW5]: Table consolidated and updated since 3/18/2020 draft

Accessory uses and temporary uses are new sections added to table.

Table 10-3-11(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts											
		Ag	Open Space	Residential					Business			Mfg.	Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M	PI
Agricultural Uses													
Agricultural uses		P	S	-	-	-	-	-	-	-	-	-	P
Apiaries		P	-	-	-	-	-	-	-	-	-	-	P
Commercial feeding of fish, poultry, livestock		S	-	-	-	-	-	-	-	-	-	-	-
Cultivation of nonfood crops and seeds used of cellulosic biofuels production		P	-	-	-	-	-	-	-	-	-	-	-
Farming /Cultivation		P	T	-	-	-	-	-	-	-	-	-	-
Forestation		P	-	-	-	-	-	-	-	-	-	-	-
Grain elevators and storage		P	-	-	-	-	-	-	-	-	-	-	-
Nursery/greenhouses		S	-	-	-	-	-	-	-	-	P	P	P
Recreational camp - private		S	S	-	-	-	-	-	-	-	-	-	-
Riding academies with stables		S	-	-	-	-	-	-	-	-	-	-	-
Roadside stand		P	-	-	-	-	-	-	-	-	-	-	-
Stables or paddocks		P	-	-	-	-	-	-	-	-	-	-	-
Residential Uses													
Dwelling, duplex	10-4-2(A)	-	-	-	-	P	P	P	-	-	-	-	-
Dwelling, multi-unit	10-4-2(B)	-	-	-	-	-	P	P	P	S	S	S	-
Dwelling, single-unit		P	-	P	P	P	P	P	-	-	-	-	-
Dwelling, townhouse	10-4-2(D)	-	-	-	-	-	P	P	-	-	-	-	-
Senior housing, dependent		S	-	S	S	S	S	S	P	P	-	-	P
Senior housing, independent		S	-	S	S	S	S	S	P	P	-	-	P

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Table 10-3-11(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential						Business			Mfg.	Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M	PI	
Lodging Uses														
Bed and breakfast inn		S	-	S	-	-	-	-	S	P	S	-	-	
Hotel/Motel		-	-	-	-	-	-	-	-	P	P	-	-	
Short-term rental	10-4-3(A)	-	-	P	P	P	P	P	-	-	-	-	-	
Commercial Retail Uses														
Adult uses	10-4-4(A)	-	-	-	-	-	-	-	-	-	-	S	S	
Building material sales		-	-	-	-	-	-	-	-	P	P	P	-	
Liquor store		-	-	-	-	-	-	-	P	P	P	-	-	
Pawnbrokers/pawnshops		-	-	-	-	-	-	-	P	P	P	-	-	
Retail store, general - less than one (1) acre		-	-	-	-	-	-	-	P	P	P	S	-	
Retail store, general greater than one (1) acre		-	-	-	-	-	-	-	-	-	P	-	-	
Commercial Service Uses														
Adult daycare facility		-	-	S	S	S	S	-	P	P	P	S	S	
Animal hospital		S	-	-	-	-	-	-	-	-	P	S	-	
Art galleries/art studio		-	-	-	-	-	-	-	-	P	P	P	P	
Auction house		P	-	-	-	-	-	-	-	-	-	-	-	
Campground		S	S	-	-	-	-	-	-	S	S	-	-	
Commercial laboratory		-	-	-	-	-	-	-	P	P	P	P	-	
Commercial/trade school		-	-	-	-	-	-	-	P	P	P	S	-	
Daycare facility and preschools		-	-	S	S	S	S	-	P	P	P	S	S	
Entertainment production studios		-	-	-	-	-	-	-	P	P	P	P	-	
Financial institutions and services		-	-	-	-	-	-	-	P	P	P	-	-	
Funeral home/mortuary		-	-	-	-	-	-	-	P	P	P	-	-	
Health and fitness club/center		-	-	-	-	-	-	-	-	P	P	P	-	
Indoor shooting gallery/range	10-4-5(A)	-	-	-	-	-	-	-	S	S	S	S	-	
Kennel, commercial or private dog kennels		S	-	-	-	-	-	-	-	-	P	-	-	
Massage establishment	3-9	-	-	-	-	-	-	-	P	P	P	-	-	
Off track betting (OTB) establishments		-	-	-	-	-	-	-	-	S	S	-	-	
Professional services/offices		-	-	-	-	-	-	-	P	P	P	-	-	
Public storage facilities/mini warehouse storage	10-4-5(B)	-	-	-	-	-	-	-	-	P	P	P	-	
Tattoo and body piercing establishment	3-10	-	-	-	-	-	-	-	P	P	P	P	-	
Veterinary clinic		-	-	-	-	-	-	-	-	-	P	-	-	
Commercial Entertainment Uses														
Amusement park		S	S	-	-	-	-	-	-	-	S	S	S	
Commercial entertainment, indoor		-	-	-	-	-	-	-	T	P	P	S	P	
Commercial entertainment, outdoor		-	-	-	-	-	-	-	S	S	S	S	P	
Community / Recreation center		-	-	-	S	S	S	S	P	P	P	S	P	
Golf course, miniature		S	-	-	-	-	-	-	-	-	P	-	-	

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Table 10-3-11(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential						Business			Mfg.	Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M	PI	
Golf course	10-4-6(A)	S	-	P	P	P	P	P	-	-	-	-	-	
Golf driving range		S	-	-	-	-	-	-	-	P	P	S	-	
Indoor Event/Recreation Conversion		-	-	-	-	-	-	-	-	-	P	P	-	
Outdoor music venues		-	-	-	-	-	-	-	S	S	S	S	S	
Skating rink		-	-	-	-	-	-	-	-	P	P	S	-	
Stadium		-	-	-	-	-	-	-	-	-	S	S	P	
Swimming pool - indoor		-	P	-	-	-	-	-	P	P	P	S	P	
Theater		-	-	-	-	-	-	-	P	P	P	-	-	
Eating and Drinking Uses														
Brewery/Winery/Distillery tasting room		-	-	-	-	-	-	-	P	P	P	P	-	
Microbrewery/brewpub, microdistillery and microwinery	10-4-7(A)	-	-	-	-	-	-	-	P	P	P	P	-	
Restaurant		-	-	-	-	-	-	-	P	P	P	-	-	
Tavern - nightclub or lounge		-	-	-	-	-	-	-	P	P	P	-	-	
Prepared Food Service Establishment		-	-	-	-	-	-	-	P	P	P	-	-	
Medical Uses														
Hospital		S	-	S	S	S	S	S	P	P	P	-	P	
Medical clinic / office		-	-	-	-	-	-	-	P	P	P	-	-	
Treatment center		-	-	-	-	-	-	-	P	P	P	-	-	
Vehicle Related Uses														
Automobile parts/accessories sales		-	-	-	-	-	-	-	-	P	P	-	-	
Automobile rental	10-4-9(A)	-	-	-	-	-	-	-	-	P	P	-	-	
Automobile repair		-	-	-	-	-	-	-	-	-	P	P	-	
Automobile sales and service/open sales lot	10-4-9(A)	-	-	-	-	-	-	-	-	-	P	S	-	
Boat sales and rental	10-4-9(A)	-	S	-	-	-	-	-	P	P	P	-	P	
Boat storage		-	S	-	-	-	-	-	S	S	S	S	P	
Car wash		-	-	-	-	-	-	-	-	-	P	P	-	
Gasoline service station		-	-	-	-	-	-	-	-	S	S	S	-	
Heavy machinery and equipment rental		-	-	-	-	-	-	-	-	P	P	P	-	
Recreational vehicle sales and service	10-4-9(A)	-	-	-	-	-	-	-	-	-	P	-	-	
Semi-truck repair		-	-	-	-	-	-	-	-	-	P	P	-	
Truck and trailer rental	10-4-9(A)	-	-	-	-	-	-	-	-	-	P	P	-	
Truck, truck-tractor, truck trailer, car trailer or bus storage yard - not include motor freight terminal		-	-	-	-	-	-	-	-	-	-	P	-	
Industrial Uses														
Aggregate materials extraction, processing and site reclamation (stone and gravel quarries)		-	-	-	-	-	-	-	-	-	-	S	-	
Artisan manufacturing	10-4-10(A)	-	-	-	-	-	-	-	P	P	P	-	-	
Assembly, production, manufacturing, testing, repairing, or processing	10-4-10(B)	-	-	-	-	-	-	-	-	-	-	P	-	

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Table 10-3-11(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential						Business			Mfg.	Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M	PI	
Bakery (wholesale)		-	-	-	-	-	-	-	-	-	-	P	-	
Blacksmith or welding shop		S	-	-	-	-	-	-	-	-	P	P	-	
Brewery/winery/distillery		-	-	-	-	-	-	-	S	S	S	P	-	
Contractor facilities with outdoor storage		-	-	-	-	-	-	-	-	-	S	P	-	
Data Center												P	P	
Dry cleaning plant		-	-	-	-	-	-	-	-	-	-	S	-	
Manufacturer / sales of firearms and ammunition		-	-	-	-	-	-	-	-	-	-	P	-	
Newspaper publishing		-	-	-	-	-	-	-	-	P	P	P	P	
Research laboratories		-	-			-	-		-	-	-	P	-	
Wholesaling and warehousing - local cartage express facilities - not including motor freight terminal		-	-			-	-					P	-	
Transportation Uses														
Airport		S	-	-	-	-	-	-	-	-	-	S	S	
Bus or truck garage		-	-	-	-	-	-	-	-	-	-	P	-	
Bus or truck storage yard		-	-	-	-	-	-	-	-	-	-	P	-	
Motor freight terminals		-	-	-	-	-	-	-	-	-	-	S	S	
Railroad passenger station		S	-	S	S	S	S	S	S	S	S	S	S	
Railroad repair shops, maintenance buildings and switching yards		S	-	S	S	S	S	S	S	S	S	S	S	
Alternative Energy Uses														
Solar farm	10-4-12(B)	S	S	-	-	-	-	-	-	-	-	S	S	
Building mounted solar energy systems	10-4-12(C)	P	-	P	P	P	P	P	P	P	P	P	P	
Freestanding solar energy systems - accessory use	10-4-12(D)	P	P	P	P	P	P	P	P	P	P	P		
Freestanding solar energy systems - principal use	10-4-12(E)	S	S	S	S	S	S	S	S	S	S	S	S	
Wind farm	10-4-12(F)	S	-	-	-	-	-	-	-	-	-	S	S	
Building mounted wind energy system	10-4-12(G)	P	P	P	P	P	P	P	P	P	P	P	P	
Freestanding wind energy system - accessory use	10-4-12(H)	P	P	P	P	S	S	S	S	P	P	P	P	
Freestanding wind energy system - principal use	10-4-12(I)	S	S	S	S	-	-	-	-	-	-	S	S	
Medical and Adult Use Cannabis Uses														
Cannabis Craft Grower	10-4-13(B)	S	-	-	-	-	-	-	-	-	-	S	-	
Cannabis Cultivation Center	10-4-13(C)	S	-	-	-	-	-	-	-	-	-	S	-	
Cannabis Dispensing Organization	10-4-13(D)	-	-	-	-	-	-	-	-	-	S	S	-	
Cannabis Infuser Organization	10-4-13(E)	-	-	-	-	-	-	-	-	-	S	S	-	
Cannabis Processing Organization	10-4-13(F)	-	-	-	-	-	-	-	-	-	-	S	-	
Cannabis Transporting Organization	10-4-13(G)	-	-	-	-	-	-	-	-	-	-	S	-	
Institutional, Public, and Utility Uses														
Cemetery		S	S	S	S	S	S	S	-	-	-	-	P	

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Table 10-3-11(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential						Business			Mfg.	Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M	PI	
College, university or junior college		S	-	S	S	S	S	S	P	P	P	-	P	
Communications use		S	-	-	-	-	-	-	-	-	-	-	P	
Electric substation		S	S	S	S	S	S	S	P	P	P	P	P	
Filtration plant		S	-	S	S	S	S	S	-	-	-	P	P	
Fire station		P	-	P	P	P	P	P	P	P	P	P	P	
Library		-	-	P	P	P	P	P	P	P	P	-	P	
Other public utility facilities		S	-	P	P	P	P	P	-	-	-	P	P	
Parks		P	P	P	P	P	P	P	P	P	P	P	P	
Place of worship/assembly		S	-	S	S	S	S	S	P	P	P	S	P	
Playground		-	P	P	P	P	P	P	P	P	P	-	P	
Police station		S	-	P	P	P	P	P	P	P	P	P	P	
Public utility - electric substations and distribution centers, gas regulation centers and underground gas holder stations		S	S	-	-	-	-	-	-	-	-	P	P	
Radio and television towers - commercial		P	P	P	P	P	P	P	P	P	P	P	P	
Sanitary landfill		S	-	-	-	-	-	-	-	-	-	S	S	
School, public or private		-	-	P	P	P	P	P	-	-	-	-	P	
Sewage treatment plant		-	-	S	S	S	S	S	-	-	-	P	P	
Solid waste disposal site		-	-	-	-	-	-	-	S	S	S	P	P	
Utility company maintenance yard		-	-	-	-	-	-	-	-	-	-	P	P	
Utility service yard or garage		-	-	-	-	-	-	-	-	-	-	P	P	
Accessory Uses														
Accessory buildings and structures	10-4-15(A)	P	P	P	P	P	P	P	P	P	P	P	P	
Community Garden		P	P	P	P	P	P	P	P	P	P	P	P	
Dwelling, accessory	10-4-2(B)	P	-	P	S	-	-	-	-	-	-	-	-	
Recreational vehicle, trailer, and boat parking	10-4-15(C)	P	P	P	P	P	P	P	-	-	-	-	-	
Home occupations	10-4-15(D)	P	P	P	P	P	P	P	-	-	-	-	-	
Outdoor displays	10-4-15(E)	-	-	-	-	-	-	-	P	P	P	-	-	
Temporary Uses														
Mobile food vendor vehicles and retail vendor vehicles	10-4-16(A)	T	T	T	T	T	T	T	T	T	T	T	T	
Storage of roadway construction materials and equipment	10-4-16(B)	T	T	T	T	T	T	T	T	T	T	T	T	
Temporary and seasonal uses	10-4-16(C)	-	-	-	-	-	-	-	T	T	T	-	-	
Tents	10-4-16(D)	T	T	T	T	T	T	T	T	T	T	T	T	

REVIEW GUIDE

Existing Text

New Text

Deleted or Moved Text

References to be updated

Direction from City needed

Chapter 4. Use Standards

10-4-1. Agricultural Use Standards	1
10-4-2. Residential Use Standards	1
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10-4-4. Commercial Retail Use Standards	3
10-4-5. Commercial Service Use Standards	4
10-4-6. Commercial Entertainment Use Standards	4
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10-4-9. Vehicle Related Use Standards	5
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10-4-1. Agricultural Use Standards

RESERVE

10-4-2. Residential Use Standards

A. Dwelling, Duplex

1. The main entrances to a duplex shall face the primary street.
2. A minimum of one (1) of the parking spaces, as required in Section 10-5-# of this Title, shall be provided in an attached or detached garage.
3. Attached garages are encouraged to be located on rear or side façades. If attached garages are located on the primary façade they shall:
 - a. Not exceed forty-five (45) percent of the width of the façade of a duplex unit.
 - b. Be setback a minimum of twenty-five (25) feet from the street right-of-way or the required front yard setback, whichever is greater, and
 - a-c. Be recessed from the primary front façade (excluding porches) of the duplex / townhome a minimum of one (1) foot.

Commented [JW1]: Discussion point for committee – should similar standards apply to SFD?

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[INSERT GRAPHIC]

B. Dwelling, Multi-Unit.

1. The main entrance to a multi-unit dwelling shall face the primary street, unless otherwise allowed in subsection 7 below.
2. All off-street parking shall be located to the side or rear of the primary building. Off-street parking located to the side of the primary building shall be set back a minimum of one (1) foot from the front elevation of the primary building.
3. A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise recommended by the Public Works Director and approved by the Planning and Zoning Commission.
4. Service areas, dumpsters, utilities and the required nonvegetative screening thereof shall not be visible from rights-of-way.
5. **Multi-Building Developments.** Developments with multiple multi-unit dwelling buildings shall meet the following additional standards.
 - a. The primary façade shall include the primary building entrance and shall be oriented towards the following (listed in priority order). Primary façades shall not be oriented towards off-street parking lots, garages, or carports.
 - (1) Perimeter Streets.
 - (2) Primary Internal Streets.
 - (3) Parks or other common open space, or
 - (4) Secondary internal streets.
 - b. Parking shall be integrated into the overall site design to minimize visual impact, reduce the loss of trees, and be visually concealed from public rights-of-way.
 - c. Buildings shall be arranged, and site circulation shall be designed to create a sense of a public realm by framing and defining open spaces, street frontages, and amenities.
 - b.d. Buildings and other site improvements shall be clustered to maximize contiguous areas that can be dedicated to stormwater management.

[INSERT GRAPHIC]

C. Dwelling, Townhouse.

1. The main entrance to a townhouse shall face the primary public street unless otherwise approved.
2. A minimum of one (1) of the parking spaces, as required in Section 10-5-# of this UDO, shall be provided in an attached or detached garage.
3. Attached garages shall be located on rear or side façades unless otherwise approved.
4. A maximum of six (6) townhouse units may be clustered together.
- 2-5. The siting of the townhouse units in a cluster shall be staggered in order to define street edges, entry points, and public gathering spaces.

[INSERT GRAPHIC]

10-4-3. Lodging Use Standards

A. Short-Term Rental

1. A residential building/unit shall only be utilized for short-term rental if it is the primary residence of the owner of the property.
2. The short-term rental period shall be a minimum of three (3) days.
3. A residential building/unit may be utilized for short term rental for a maximum of thirty (30) days per calendar year.

Commented [JW2]: Keep in as discussion point – will likely be eliminated

Clarify that hotel tax would still apply

10-4-4. Commercial Retail Use Standards

A. Adult Uses

1. **Limitations on Adult Uses.** ~~Adult uses shall be permitted as special uses in the M-1, limited manufacturing and M-2, general manufacturing districts and are further subject to the following restrictions:~~
 - a. *Distance from another existing adult use:* An adult use shall not be allowed within five hundred (500) feet (500') of another preexisting adult use.
 - b. *Distance from zoning districts:* An adult use shall not be located within seven hundred (700) feet (700') of any zoning district which is zoned for single-family suburban residence district (R-1), single-family-unit traditional residence district (R-2), duplex, two-unit family attached residence district (R-2D), multi-unit family attached residence district (R-3), general multi-unit family residence district (R-4), office district (O), local business district (B-1), retail-commerce-business mixed use district (B-2), general business district (B-3), service-business district (B-4), agricultural district (A-1).
 - c. *Distance from school or place of worship:* An adult use shall not be located within five hundred (500) feet (500') of a preexisting school or place of worship.
 - d. *Distance from business selling alcoholic beverages and cannabis dispensaries:* An adult use shall not be located in a building ~~structure~~ which contains another business that sells or dispenses in some manner alcoholic beverages or adult use or medical cannabis.
 - e. *Arterial roadways:* Adult uses which are located next to an arterial roadway, as defined in the City's comprehensive plan, must provide a twenty five (25) foot (20') setback from ~~the any~~ property line.
 - f. *Nonarterial roadways:* Adult uses which are located next to a nonarterial roadway, as defined in the City's comprehensive plan, must provide a ten (10) foot (40') setback from the side and rear property lines and shall provide a twenty five (25) foot setback from the front property line.
 - g. *Traffic study:* A ~~T~~ traffic study may be required as part of the special use permit approval process.
2. **Measurement of Distance.** For the purposes of this ~~chapter~~ Section, measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the lot or parcel containing the adult use to the property line of the lot or parcel containing the nearest adult use, school, place of worship, cannabis dispensary, or district zone for residential use.
3. **Exterior Signage and Display.** No adult use shall be conducted in any manner that permits the observation of any material, depicting, describing, or relating to "specified sexual activities", "specified anatomical areas" or otherwise deemed to be obscene by display, decoration, sign, show window, or other opening from any public way or from any property not licensed as an adult use.
4. **Display of License and Permit.** Every licensee (per Section 10-7-#) shall display a valid license in a conspicuous place within the adult use business so that same may be readily seen by persons entering the premises.

Commented [JW3]: Existing language from Chapter 14

10-14-1-2 are proposed to be moved to Chapter 2: Definitions

10-14-5-8 are proposed to be moved to Chapter 7: Administration and Enforcement

Commented [JW4]: Minimum front yard setback in M District

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5. **Employment of Persons Under the Age of Eighteen (18) Prohibited.** It shall be unlawful for any adult use licensee or ~~his~~their manager or employee to employ in any capacity within the adult business any person who is not at least eighteen (18) years of age.

6. ~~Illegal Activities on Premises. No licensee or any officer, associate, member, representative, agent or employee of such licensee shall engage in any activity or conduct or permit any other person to engage in any activity or conduct in or about the licensed premises which is prohibited by an ordinance of the City or law of the state or of the United States.~~

Commented [JW5]: Unnecessary language – illegal activities are prohibited on all premises

7. **Hours of Operation.** All areas within the premises of an adult ~~oriented~~ use business shall be cleared of customers and secured from customers and the public in general during the time when not permitted open for operation, and no person, other than the licensee or ~~his~~her/their employees or agents, shall be permitted within the area of such premises during such hours as listed below:

a. Monday through ~~Thursday~~Saturday: 7:00am to 1:00am the next day

b. ~~Friday and Saturday: 7:00am to 1:00am the next day~~

c. ~~Sunday~~: 11:00am to 1:00am the next day

8. **Violation and Penalty.** Each day of violation of the requirements of this Section shall constitute a separate and punishable offense.

10-4-5. Commercial Service Use Standards

A. Indoor Shooting Gallery/Gun Range.

Commented [JW6]: Existing language from 10-6-1(D)

- When located in a multiple-tenant building, shall only be located in an end unit and with the gallery/range not adjacent to an adjoining unit.
- The minimum building setback for indoor shooting gallery/gun range facilities shall be fifty (50) feet ~~(50')~~ from any property line that abuts a residentially zoned property.
- The retail operations of any indoor shooting gallery/gun ranges shall occupy not more than twenty-five (25) percent ~~(25%)~~ of the total floor area.

B. Public Storage Facilities/Mini Warehouse Storage.

Commented [JW7]: Existing language from 10-6-1(J)

- All storage facilities shall be in completely enclosed buildings or structures.
- ~~If the facility is within one hundred fifty feet (150') of a residential district, all storage shall be in completely enclosed buildings or structures, and storage located elsewhere in this district may be open to the sky, but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least eight feet (8') high, but in no case lower in height than the enclosed storage buildings and suitably landscaped consistent with the City's landscape ordinance.~~
- ~~A minimum of three (3) parking spaces shall be provided.~~
- There shall be a minimum of twenty (20) feet (20') between buildings.
- Truck and storage pod rentals are permitted accessory uses.

10-4-6. Commercial Entertainment Use Standards

A. Golf Course.

Commented [JW8]: Existing language from 10-6-1(C) and 10-9-3

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1. Regulation size golf courses are permitted provided that no clubhouse or accessory building shall be nearer than five hundred ~~(500) feet (500)~~ to any dwelling on an adjacent zoning lot, with the exception of golf courses in the A-1 District where the minimum separation requirement shall be three hundred (300) feet.

10-4-7. Eating and Drinking Use Standards

A. Microbrewery/Brew Pub, Micro Distillery and Microwinery.

Commented [JW9]: Existing language from 10-6-1(G-H)

1. **Microbreweries/Brew Pubs.**
 - a. Microbreweries/brewpubs, where if off-premises consumption is allowed, all sales must be in a hand capped, sealed container with a total maximum production of one hundred fifty-five thousand (155,000) gallons per calendar year inclusive of on-premises and off-premises sales.
 - b. Microbrewery/brewpub operations will be ancillary to a restaurant or eating establishment, and the brewing component of the facility shall be no more than twenty-five (25) percent ~~(25%)~~ of the total floor area.
2. **Microdistilleries and Microwineries.**
 - a. Outdoor storage of equipment, production waste or product for microdistilleries and microwineries is strictly prohibited when located in a business district. However, outdoor storage of spent grains or grapes may be permitted to be stored outdoors in appropriate silos or containers in the manufacturing districts, provided the storage is screened from public view. Screening may be with fencing, landscaping or a combination of both.
 - b. ~~All microdistilleries and microwineries are subject to chapter 13, article C, "Performance Standards", of this title with regards to foul odors, fire and explosive hazards and smoke.~~
 - c. All microdistilleries and microwineries located in business districts must have off-street or rear accessible loading and unloading facilities.
 - d. Microdistilleries or microwineries located in business districts must include an ancillary tasting room with a minimum of one hundred fifty (150) square feet. Retail sales of the product from a microdistillery or microwinery are permitted on-site and shall be consistent with state and City laws.

Commented [JW10]: Performance standards proposed to be applicable to all uses.

10-4-8. Medical Use Standards

RESERVE

10-4-9. Vehicle Related Use Standards

A. Automobile Rental; Automobile Sales and Service/Open Sales Lot; Boat Sales and Rental; Recreational Vehicle Sales and Rental; and Truck and Trailer Rental.

1. Open sales and rental lots shall be exempt from the landscape spacing requirements for the parking area perimeter zone and instead may cluster required landscape elements in order to preserve views to goods offered for sale.

10-4-10. Industrial Use Standards

A. Artisan Manufacturing.

1. Gross floor area shall not exceed ten thousand (10,000) square feet.
2. Outdoor storage and/or outdoor operations or activities shall be prohibited.
3. Retail sales of goods manufactured on-site shall be permitted but shall be limited to twenty-five (25) percent of the total area of the building.

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4. A maximum of one (1) residential unit shall be permitted but shall be limited to twenty-five (25) percent of the total area of the building.

A.B. Manufacturing Uses Assembly, Production, Manufacturing, Testing, Repairing, or Processing.

1. All ~~business, production, servicing and processing~~related activity shall take place within completely enclosed buildings unless otherwise specified.
2. Within one hundred fifty (150) feet ~~(150') of a residence district~~a residentially zoned property or a property in the B-1, B-2, or PI Districts, all storage shall be in completely enclosed buildings or structures, and
3. ~~sStorage not located elsewhere in the manufacturing districts~~within one hundred (150) feet of a residentially zoned property or a property in the B-1, B-2, or PI Districts, may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) ~~at least with a minimum height of eight (8) feet (8') high, but in no case shall the solid walls or fences be lower in height than the enclosed storage, and suitably landscaped.~~
4. ~~Solid fences or walls enclosing storage shall be meet the building foundation landscape requirements per Section 10-5. However, open off-street loading facilities and open off-street parking of motor vehicles under one and one-half (1½) tons' capacity may be unenclosed throughout the manufacturing districts, except for such screening of parking and loading facilities as may be required under provisions of chapter 16 of this title.~~

10-4-11. Transportation Use Standards

RESERVE

10-4-12. Alternative Energy Use Standards

A. General Requirements for all Alternative Energy Uses.

1. **Applicability.** The provisions of this ~~chapter~~Section are to establish zoning parameters by which solar and wind energy systems may be installed in the City. Additional renewable energy solutions not mentioned herein may be authorized subject to compliance with the applicable codes and standards of the City.
2. **Use.** Alternative energy systems shall be an accessory to the principal permitted use of a site.
3. **Abandoned Systems.** All alternative energy systems inactive or inoperable for twelve (12) continuous months shall be deemed abandoned. If the system is deemed abandoned, the owner is required to repair or remove the system from the property at the owner's expense within ninety (90) days after notice from the City. If the owner does not comply with said notice, the Building Code Official shall enforce this as a violation of the Yorkville Zoning Ordinance.
4. **Signage.** No attention getting device is permitted on any alternative energy system. One (1) sign shall be permitted to indicate the emergency contact information of the property owner or operator. Said sign shall not exceed two (2) square feet in size. Graphics, colors, corporate logos, and text on wind energy systems located within business or manufacturing zoned properties are permitted, subject to the discretion of the City Council.
5. ~~Utility Service Provider. Evidence that the electric utility service provider that serves the proposed site has been notified of the owner's intent to install an interconnected customer-owned electricity generator.~~
6. ~~5. Safety.~~ All wind energy systems shall be equipped with manual and/or automatic controls and mechanical brakes to limit rotation of blades to prevent uncontrolled rotation.
7. ~~6. Lighting.~~ Alternative energy systems shall not be illuminated, except as required by the FAA or those used in commercial applications such as streetlights.
8. ~~7. Shadow Flicker. Defined as the on and off strobe light effect caused by the shadow of moving turbine blades cast by the sun passing through the rotating turbine. No habitable portion of an existing adjacent structure shall be subject to~~

Commented [JW11]: Existing language from Chapter 19

10-19-3: Definitions proposed to be moved to Chapter 2: Definitions

10-19-9: Permitting Fees proposed to be moved to Chapter 7: Administration and Enforcement

Commented [JW12]: Proposed to move this language to Chapter 2: Definitions

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shadow flicker from a wind turbine. Shadow flicker onto an adjacent roof and/or exterior wall which does not contain any windows, doors, and like openings shall be acceptable. If shadow flicker occurs, the operation of the wind turbine shall cease during those times which cause the shadow flicker.

9-8. Screening. There shall be no required mechanical screening for alternative energy systems.

40-9. Design. Wind energy systems and associated tower shall be a nonreflective color. The City Council may impose such conditions as are necessary to eliminate, if at all possible, any adverse ~~affects-effects~~ such system may have on surrounding properties.

44-10. Compliance. Wind energy systems shall meet or exceed current standards of the international building code and Federal Aviation Administration (FAA) requirements, any other agency of the state or federal government with the authority to regulate wind energy systems, and all City codes.

42-11. Building Code/Safety Standards. Any owner or operator of an alternative energy system shall maintain said system in compliance with the standards contained in the current and applicable state or local building codes and any applicable standards for said energy systems that are published by the International Building Code, as amended from time to time. If, upon inspection, the United City of Yorkville concludes that an alternative energy system fails to comply with such codes and standards and constitutes a danger to persons or property, the City Code Official shall require immediate removal of the system at the owner's expense.

B. Solar Farm.

1. No solar farm shall be erected on any lot less than four (4) acres in size.
2. A certified professional engineer shall certify that the foundation and design on the solar panels are within accepted professional standards, given local soil and climate conditions.
3. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground.
4. Systems, equipment, and structures shall not exceed thirty feet (30) in height when ground mounted.
5. Ground mounted solar energy collection systems as part of a solar farm shall have a minimum setback for all equipment, excluding fences, of:
 - a. Front and Corner Yards: one hundred (100) feet.
 - b. Side and Rear Yards: fifty (50) feet from nonresidential property lines and one hundred (100) feet from residential property lines.
6. Systems equipment and structures shall be fully enclosed and secured by a fence or wall with a height of eight (8) feet. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
 - a. Warnings.
 - (1) Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.
 - (2) The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the Zoning Officer monthly. The recorded calls shall be maintained for at least twelve (12) months.

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7. **Outdoor Storage.** Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the wind farm shall be allowed except for outdoor storage that is expressly allowed in the zoning district specified elsewhere in this title.
8. **Materials Handling, Storage, and Disposal.**
 - a. All solid wastes related to the construction, operation, and maintenance of the solar farm shall be removed from the site promptly and disposed of in accordance with all federal, state, and local laws.
 - b. A list of hazardous fluids that may be used on site shall be provided. All hazardous materials related to the construction, operation, and maintenance of the solar farm shall be handled, stored, transported, and disposed of in accordance with all applicable local, state and federal laws.
9. **Decommissioning Plan.** Prior to receiving approval, the applicant shall submit a decommissioning plan to ensure that the solar farm project is properly decommissioned, which shall include:
 - a. Provisions describing the triggering events for decommissioning the solar farm project. Any nonfunctioning solar panel/array of the project shall be decommissioned within thirty (30) days unless the operator has shown to the Zoning Administrator that it is diligently repairing such solar panel/array or component.
 - b. Procedures for the removal of structures, debris, and cabling, including those below the soil surface.
 - c. Provisions for the restoration of the natural soil and vegetation.
 - d. An estimate of the decommissioning costs certified by a professional engineer, to be updated every three (3) years or as determined necessary by the Zoning Administrator. The Zoning Administrator may request an independent third-party verification of the decommissioning costs at any time. The costs for this verification shall be reimbursed by the applicant and/or operator.
 - e. Financial assurance, secured by the owner or operator, for the purpose of performing the decommissioning, in an amount equal to the professional engineer's certified estimate of the decommissioning cost.
 - f. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of his successors, assigns, or heirs.
- 10.

B.C. Building-Mounted Solar Energy Systems.

1. **Location.** Please refer to section 10-6-0, Table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district. Building-mounted solar energy systems are allowed on the principal and accessory structures, any roof face and side and rear building facades. The systems are allowed on the front or exterior side building facades if the following conditions are met:
 - a. Solar access is optimized on the front and exterior side facades.
 - b. Systems are simultaneously used to shade the structure's doors or windows. See Figure 10-19-8C of this section.
2. **Height.** Systems shall not extend beyond three (3) feet (3') parallel to the roof surface of a pitched roof. Nor shall the system extend beyond four (4) feet (4') parallel to the roof surface of a flat roof unless completely concealed or equal to the height of the parapet wall, whichever is greater. If the system is flush-mounted, the system must be less than eight (8) inches (8") from the roof surface. Refer to Figure 10-19-8A of this sectionSection.
3. **Quantity.** The total square footage may not exceed the total area of the roof surface of the structure to which the system is attached.

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4. **Projection.** The system may project up to four ~~(4)~~ feet ~~(4)~~ from a building facade or roof edge. The system may project into an interior side or interior rear setback but shall be no closer than five ~~(5)~~ feet ~~(5)~~ to the interior side or interior rear property line. Refer to **Figure 10-19-8B** of this section.

[INSERT GRAPHIC]

C.D. Freestanding Solar Energy Systems – Accessory Use.

- ~~1. **Location.** Please refer to section 10-6-0, Table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district.~~
- ~~2.1. **Setbacks.** All parts of any freestanding solar energy system shall be set back eight ~~(8)~~ feet ~~(8)~~ from the interior side and interior rear property lines.~~
- ~~3.2. **Permitted Yard Locations.** Freestanding solar energy systems shall not be located within the required front yard or corner side yard. They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding solar energy system shall be prohibited.~~
- ~~4. **Clearance.** Minimum clearance between the lowest point of the system and the surface on which the system is mounted is ten feet (10'). Refer to **Figure 10-19-7A** of this section.~~
- ~~5.3. **Solar Glare.** Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.~~
- ~~6.4. **Maximum Height.** Maximum height of freestanding solar energy systems shall be ~~subject to special use conditions~~ fifteen (15) feet unless otherwise approved.~~

[INSERT GRAPHIC]

E. Freestanding Solar Energy Systems – Principal Use.

- ~~1. **Setbacks.** All parts of any freestanding solar energy system shall meet the setbacks established for the district in which the system is located.~~
- ~~2. **Permitted Yard Locations.** Freestanding solar energy systems shall not be located closer to the public right-of-way than the front facade of the principal building on the adjacent lot(s). They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding solar energy system shall be prohibited.~~
- ~~3. **Clearance.** Minimum clearance between the lowest point of the system and the surface on which the system is mounted is ten (10) feet. Refer to **Figure 10-19-7A** of this Section.~~
- ~~4. **Solar Glare.** Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.~~
- ~~7.5. **Maximum Height.** Maximum height of freestanding solar energy systems shall be fifteen (15) feet unless otherwise approved.~~

[INSERT GRAPHIC]

D.F. Wind Farm.

- ~~1. No wind farm shall be erected on any lot less than four (4) acres in size.~~
- ~~2. **Design and Installation.**~~
 - ~~a. **Safety Certification.**~~

Commented [JW13]: Language derived from standards from LaSalle, Kankakee, and Livingston Counties

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- (1) Wind farm systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (UL), Det Norske Veritas (DNV), Germanischer Lloyd Wind Energic (GL), or an equivalent third party prior to plan approval.
- (2) Following plan approval, a professional engineer shall certify, as part of the building permit application, that the foundation and tower design of the wind farm system is within accepted professional standards, given local soil and climate conditions.
- b. **Controls and Brakes.** All wind farm systems shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
- c. **Electrical Components.** All electrical components of the wind farm systems shall conform to applicable local, state, and national codes, and relevant national and international standards (e.g., ANSI and international electrical commission). Utility lines connecting the towers, substations, etc., shall be placed underground where practical.
- d. **Turbine Consistency.** To the extent feasible, the project shall consist of turbines of similar design and size, including tower height. Further, all turbines shall rotate in the same direction.
- e. **Warnings.**
 - (1) A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
 - (2) Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.
 - (3) Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.
 - (4) The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the Zoning Officer monthly. The recorded calls shall be maintained for at least twelve (12) months.
- f. **Climb Prevention.** All wind farm towers must be unclimbable by design or protected by anti-climbing devices such as:
 - (1) Fences with locking portals at least six (6) feet high, or
 - (2) Anti-climbing devices twelve (12) feet vertically from the base of the wind farm tower.
- g. **Setbacks.** Wind farm towers and appurtenant structures shall meet the following minimum setbacks.
 - (1) Wind farm towers shall be six (6) times the height of the wind farm tower or at least three thousand, two hundred fifty (3,250) feet, whichever is greater, from any principal structure or use on the subject or neighboring property.
 - (2) Wind farm towers shall be one and one-tenth (1.10) times the wind farm tower height from public roads, third party transmission lines, and communication towers.

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- (3) Wind farm towers shall be one thousand six hundred forty (1,640) feet from adjacent property lines, as measured from the center of the wind farm tower foundation.
- (4) No part of a wind farm tower or foundation shall encroach on a public or private sewage disposal (septic) system
- (5) Above ground transmission facilities and poles shall be set back one-hundred fifty (150) feet from any portion any principal structure or use on the subject or neighboring property.
- h. **Use of Public Roads.** An applicant, owner, or operator proposing to use any City or County Road for the purpose of transporting and installation of wind farm or substation parts and/or equipment for construction, operation, or maintenance of the wind farm or substations, shall:
 - (1) Identify all such public roads, and
 - (2) Obtain applicable weight and size permits from relevant government agencies prior to construction.
 - (3) To the extent an applicant, owner, or operator must obtain a weight or size permit from the City, County, or State, the applicant shall provide:
 - (a) Financial assurance, in a reasonable amount agreed to by the relevant parties, for the purpose of repairing any damage to public roads caused by constructing, operating or maintaining the wind farm prior to the issuance of building permits.
 - (b) A signed copy of any agreements pertaining to the use of public roads prior to the issuance of building permits.
- i. **Outdoor Storage.** Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the wind farm shall be allowed except for outdoor storage that is expressly allowed in the zoning district specified elsewhere in this title.

3. Operation.

a. Maintenance.

- (1) The owner or operator of the wind farm must submit, upon request a summary of the operation and maintenance reports to the county. In addition to the annual summary mentioned in this subsection, the owner or operator must furnish such operation and maintenance reports as the City reasonably requests.
- (2) Any replacement of equipment that is not a like-kind replacement using the same equipment in plan as approved shall require that an amendment to the special use.

b. Materials Handling, Storage, and Disposal.

- (1) All solid wastes related to the construction, operation, and maintenance of the wind farm shall be removed from the site promptly and disposed of in accordance with all federal, state, and local laws.
- (2) A list of hazardous fluids that may be used on site shall be provided. All hazardous materials related to the construction, operation, and maintenance of the wind farm shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

c. Decommissioning Plan. Prior to receiving approval, the applicant shall submit a decommissioning plan to ensure that the wind farm project is properly decommissioned, which shall include:

- (1) Provisions describing the triggering events for decommissioning the wind farm project. Any nonfunctioning wind turbine of the project shall be decommissioned within thirty (30) days unless the operator has shown to the Zoning Administrator that it is diligently repairing such wind turbine or component.

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- (2) Procedures for the removal of structures, debris, and cabling, including those below the soil surface.
- (3) Provisions for the restoration of the natural soil and vegetation.
- (4) An estimate of the decommissioning costs certified by a professional engineer, to be updated every three (3) years or as determined necessary by the Zoning Administrator. The Zoning Administrator may request an independent third-party verification of the decommissioning costs at any time. The costs for this verification shall be reimbursed by the applicant and/or operator.
- (5) Financial assurance, secured by the owner or operator, for the purpose of performing the decommissioning, in an amount equal to the professional engineer's certified estimate of the decommissioning cost.
- (1)(6) A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of his successors, assigns, or heirs.

E.G. Building-Mounted Wind Energy Systems.

1. Location. Please refer to section 10-6-0, Table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district. Building-mounted wind energy systems are allowed on all principal and accessory structures and shall be affixed to the roof deck of a flat roof or to the ridge or slope of a pitched roof and may not be affixed to the parapet or chimney of any structure.
- 1.2. Setback. The systems must be set back a minimum of five (5) feet (5') from the edge or eave of the roof.
- 2.3. Quantity. One (1) turbine is allowed for every five hundred (500) square feet of the combined roof area. For a pitched roof, each surface of the roof shall be included in the roof area calculation.
- 3.4. Noise. Building-mounted wind energy systems shall not exceed the following:
 - a. Fifty-five (55) dBA when in or adjacent to all residential districts.
 - b. Sixty (60) dBA when in or adjacent to all nonresidential districts.
5. Height. The maximum height for a building-mounted wind energy system is fifteen (15) feet (45'). The system is measured from the roof surface on which the system is mounted to the highest edge of the system with the exception of any roof pitches ten to twelve (10:12) or greater. The system shall not exceed fifteen (15) feet (45') above the maximum permitted height of the zoning district. Refer to Figure 10-19-6A of this sectionSection.
6. Warnings.
 - a. A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
 - b. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.
 - c. Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.
 - e.d. The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the Zoning Officer monthly. The recorded calls shall be maintained for at least twelve (12) months.

[INSERT GRAPHIC]

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F.H. Freestanding Wind Energy Systems – Accessory Use.

1. **Location.** Please refer to section 10-6-0, Table 10.06.07 of this title for placement of alternative energy systems within each specified zoning district.
- 2.1. **Clearance.** In all zoning districts, the minimum clearance between the lowest tip of the rotor or blade and the ground is fifteen (15) feet (15). See Figure 10-19-5A of this Section.
- 3.2. **Permitted Yard Locations.** Freestanding wind energy systems shall not be located within the required front yard or corner side yard. They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding wind energy system shall be prohibited.
- 4.3. **Height.** The maximum height for a freestanding wind energy system shall be one hundred seventy-five (175) feet (175) measured from the base to the highest edge of the system.
- 5.4. **Setbacks.** The base of the system shall be set back 1.1 times (110 percent) the height of the highest edge of the system from all property lines, overhead utility line poles, communication towers, public sidewalks or trails, public rights-of-way, and other freestanding wind energy systems. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zoning district.
- 6.5. **Access.** Freestanding wind energy systems and all components shall be protected against unauthorized access by the public. Climbing access to the tower shall not start until twelve (12) feet (12) above grade.
- 7.6. **Noise.** Freestanding wind energy systems shall not exceed the following:
 - a. Fifty five (55) dBA when in or adjacent to all residential districts.
 - b. Sixty (60) dBA when in or adjacent to all nonresidential districts.

[INSERT GRAPHIC]

I. Freestanding Wind Energy Systems – Principal Use.

1. **Clearance.** In all zoning districts, the minimum clearance between the lowest tip of the rotor or blade and the ground is fifteen (15) feet. See Figure 10-19-5A of this Section.
2. **Permitted Yard Locations.** All parts of any freestanding wind energy system shall meet the setbacks established for the district in which the system is located.
3. **Height.** The maximum height for a freestanding wind energy system shall be one hundred seventy-five (175) feet measured from the base to the highest edge of the system.
4. **Setbacks.** The base of the system shall be set back 1.1 times (110 percent) the height of the highest edge of the system from all property lines, overhead utility line poles, communication towers, public sidewalks or trails, public rights-of-way, and other freestanding wind energy systems. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zoning district.
5. **Access.** Freestanding wind energy systems and all components shall be protected against unauthorized access by the public. Climbing access to the tower shall not start until twelve (12) feet above grade.
6. **Noise.** Freestanding wind energy systems shall not exceed the following:
 - a. Fifty five (55) dBA when in or adjacent to all residential districts.
 - b. Sixty (60) dBA when in or adjacent to all nonresidential districts.
7. **Warnings.**

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- a. A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
- b. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.
- c. Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.
- e. The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the Zoning Officer monthly. The recorded calls shall be maintained for at least twelve (12) months.

[INSERT GRAPHIC]

10-4-13. Medical and Adult Use Cannabis Use Standards

A. General Requirements for all Cannabis Uses.

1. **Business Hours.** Business hours for all cannabis businesses shall be from 10:00 a.m. to 8:00 p.m. Monday through Saturday and 12:00 p.m. to 5:00 p.m. on Sundays.
2. **On-Premises Consumption.** On-premises consumption of cannabis products in all cannabis businesses operations is prohibited.
3. **Signage.**
 - a. Recreational cannabis dispensaries shall be limited to one (1) wall-mounted sign per business.
 - b. All cannabis establishments shall be prohibited from having electronic message board signs.
 - c. Signage for cannabis establishments shall not contain cannabis imagery such as leaves, plants, smoke, paraphernalia, or cartoonish imageries.

B. **Cannabis Craft Grower.**

1. Facility may not be located within five hundred ~~(500)~~ feet ~~(500')~~ of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, ~~public parks~~ or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located within two hundred fifty ~~(250)~~ feet ~~(250')~~ of the property line of a pre-existing property zoned or used for residential purposes, unless in the A-1 zoning district where the residential use is owned by the same owner as the adult-use cannabis craft grower, regardless of corporate boundary.
3. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.
4. Cannabis craft growers may co-locate with a dispensing organization or a cannabis infuser organization, or both, only on properties zoned within the M-1 or M-2 districts.
5. ~~For purposes of determining required parking, cannabis craft grower shall be classified as "industrial uses" per section 10-16-3 Off-Street Parking Requirements, provided, however, that the City may require that additional parking as part of the special use conditions.~~

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10-6-1(L)(1): Definitions proposed to be moved to Chapter 2: Definitions

10-6-1(L)(6): Special Use Application Requirements and 10-6-1(L)(7): Standards for Special Use for Cannabis Business proposed to be moved to Chapter 7: Administration and Enforcement

Commented [JW15]: Use specific off-street parking requirements proposed to be established.

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~~6.5.~~ Cannabis craft grower shall be limited to one (1) facility within the boundaries of the City.

C. Cannabis Cultivation Center.

1. Facility may not be located within five hundred ~~(500)~~ feet ~~(500')~~ of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, ~~public parks~~ or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this ~~s~~Section.
2. Facility may not be located within two hundred fifty ~~(250)~~ feet ~~(250')~~ of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.
4. ~~For purposes of determining required parking, adult-use cannabis craft growers shall be classified as "industrial uses" per section 10-16-3 Off-Street Parking Requirements, provided, however, that the City may require that additional parking as part of the special use conditions.~~

~~5.4.~~ Cannabis cultivation center shall be limited to one (1) facility within the boundaries of the City.

D. Cannabis Dispensing Organization.

1. Facility may not be located within five hundred ~~(500)~~ feet ~~(500')~~ of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, ~~public parks~~ or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located in a dwelling unit or within two hundred fifty ~~(250)~~ feet ~~(250')~~ of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. Facility shall have a maximum gross floor area of five thousand (5,000) square feet, of which at least seventy-five ~~(75)~~ percent ~~(75%)~~ of the floor area occupied by a dispensing organization shall be devoted solely to the activities the dispensing cannabis or cannabis products as authorized by the Act, and shall not sell food or alcohol for consumption on the premises.
4. Drive-through facilities are prohibited.
5. E-commerce delivery service platforms are prohibited.
6. ~~The facility shall be classified as "commercial uses" per section 10-16-3 Off-Street Parking Requirements, provided, however, that the City may require that additional parking as part of the special use conditions.~~

~~7.6.~~ Cannabis dispensing organizations shall be limited to one (1) facility within the boundaries of the City.

E. Cannabis Infuser Organization.

1. Facility may not be located within five hundred ~~(500)~~ feet ~~(500')~~ of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, ~~public parks~~ or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located in a dwelling unit or within two hundred fifty ~~(250)~~ feet ~~(250')~~ of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. Infuser organizations may co-locate with a dispensing organization or a cannabis craft grower organizations, or both, only on properties zoned within the M ~~-1 or M-2~~ districts. In such instances, the maximum gross floor area dedicated to

Commented [JW16]: Use specific off-street parking requirements proposed to be established.

Commented [JW17]: Use specific off-street parking requirements proposed to be established.

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the dispensing organization shall be five thousand (5,000) square feet of which seventy-five (75) percent ~~(75%)~~ of the floor area must be devoted to the activities authorized by the Act.

4. ~~For purposes of determining required parking, said facilities shall be classified as "industrial uses" per section 10-16-3 Off-Street Parking Requirements, provided, however, that the City may require that additional parking as part of the special use conditions.~~

5.4. Cannabis infuser organizations shall be limited to one (1) facility within the boundaries of the City.

F. Cannabis Processing Organization.

1. Facility may not be located within five hundred (500) feet ~~(500')~~ of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, ~~public parks~~ or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet ~~(250')~~ of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. At least seventy-five (75) percent ~~(75%)~~ of the floor area occupied by a dispensing organization shall be devoted solely to the activities the dispensing cannabis or cannabis products as authorized by the Act, and shall not sell food or alcohol for consumption on the premises.
4. ~~For purposes of determining required parking, said facilities shall be classified as "industrial uses" per section 10-16-3 Off-Street Parking Requirements, provided, however, that the City may require that additional parking as part of the special use conditions.~~

5.4. Cannabis processing organizations shall be limited to one (1) facility within the boundaries of the City.

G. Cannabis Transporting Organization.

1. Facility may not be located within five hundred (500) feet ~~(500')~~ of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, ~~public parks~~ or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet ~~(250')~~ of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.
3. The transporting organization shall be the sole use of the space in which it is located. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.
4. ~~For purposes of determining required parking, said facilities shall be classified as "industrial uses" per section 10-16-3 Off-Street Parking Requirements, provided, however, that the City may require that additional parking as part of the special use conditions.~~

5.4. Cannabis transporting organization shall be limited to one (1) within the boundaries of the City.

10-4-14. Institutional, Public, and Utility Use Standards

RESERVE

10-4-15. Accessory Use Standards

A. Accessory Buildings and Structures.

Commented [JW18]: Use specific off-street parking requirements proposed to be established.

Commented [JW19]: Use specific off-street parking requirements proposed to be established.

Commented [JW20]: Use specific off-street parking requirements proposed to be established.

Commented [JW21]: Existing language from 10-3-5 and 10-3-12

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1. **Enumeration.** Permitted accessory buildings and structures shall include: sheds; toolrooms; similar buildings or structures for domestic or agricultural storage; gazebos; greenhouses; playground equipment; pools; recreational courts; playhouses; stables; garages and parking structures. Refer to section 10-3-12, Table 10.03.01, "Permitted Accessory Buildings, Structures and Obstructions", of this chapter. **Location.** No part of any accessory building or structure shall be located closer than five feet (5') from any side or rear property line of a zoning lot. No accessory building or structure shall be closer than ten feet (10') to any main building or closer to the public way than the principal building on any zoning lot. Accessory buildings or structures shall be located a minimum of ten (10) feet from the primary building and per the following:

- a. If located entirely within the required rear yard the accessory building or structure shall be located a minimum of five (5) feet from side and rear property lines.
- b. If located entirely within the buildable area of the lot the accessory building or structure shall not be located between the primary building and the front property line, or
- c. If located partially in the required rear yard and partially in the buildable area of the lot the accessory building or structure shall maintain the required side yard setback for the full length of the property and be a minimum of five (5) feet from the rear property line.

[INSERT GRAPHIC]

1. **Location on Reversed Corner Lots.** On a reversed corner lot in a residence district and within fifteen (15) feet of any adjacent property to the rear in a residence district, no accessory building or structure or portion thereof ~~located in a required rear yard~~ shall be closer to the side lot line abutting the street than a distance equal to sixty (60) percent (60%) of the ~~least minimum~~ depth ~~which would be required under this title in Table 10-3-9~~ for the front yard on such adjacent property to the rear. Further, in the above instance, no such accessory building or structure shall be located within five (5) feet (5') of any part of a rear lot line which coincides with a side lot line or portion thereof of property in a residence district.

[INSERT GRAPHIC]

2. **Time of Construction.** No accessory building or structure with a connected water supply shall be constructed on any zoning lot prior to the start of construction of the principal building to which it is accessory, or as provided in **section 10-3-3** of this title for contiguous parcels.
3. **Height of Accessory Buildings or Structures in Required Rear Yards.** No accessory building or structure or portion thereof ~~located in a required rear yard~~ shall exceed fifteen (15) feet (15') in height.

B. Dwelling, Accessory.

1. One (1) secondary dwelling unit shall be permitted per lot.
2. Detached secondary dwelling units shall not exceed nine hundred (900) square feet or ten (10) percent of size of the lot, whichever is less.
3. Internal or attached secondary dwelling units shall not exceed nine hundred (900) square feet or thirty (30) percent of the size of the principal building, whichever is less.
4. Detached and attached secondary dwelling units shall be located to the rear of the primary building.
5. Only one (1) entrance shall be located on the front façade of the primary building. Entrances to secondary dwelling units must be located on the side or rear façade.
6. Both the primary structure and the secondary dwelling unit shall be served by one (1) common driveway connecting the secondary dwelling unit to a public or private road.

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7. Parking for the secondary dwelling unit shall be in addition to the parking space(s) required for the primary building. The parking for the secondary dwelling unit shall not be located in the required front yard setback. A tandem parking space, where one (1) car is parked behind another within the driveway, with the spaces required for the primary building shall be prohibited.

8. Secondary dwelling units shall be similar in character to the primary building and to abutting properties including roof pitch, eaves, exterior building cladding materials, windows, trim, color, and landscaping.

C. Recreational Vehicle, Trailer, and Boat Parking.

1. Permanently Affixed to Ground Prohibited. Recreational vehicles, trailers, and other recreational equipment shall not be permanently affixed to the ground as principal or accessory structures on a lot in any district.

2. Improved Hard Surface. Recreational vehicles, trailers, boats, and other recreational equipment shall be parking on an improved hard surface, as approved by the City Engineer, only.

3. Number. A maximum of one (1) recreational vehicle, trailer, boat, or other recreational equipment shall be parked on a lot any given time.

4. Location. Recreational vehicles, trailers, boats, and other recreational equipment shall be located per the following:

a. If located on a driveway, the recreational vehicle, trailer, boat, or other recreational equipment shall be located no closer to the front property line than the front elevation of the primary building.

b. If located entirely within the required rear yard the recreational vehicle, trailer, boat, or other recreational equipment shall be located a minimum of five (5) feet from side and rear property lines.

c. If located entirely within the buildable area of the lot the recreational vehicle, trailer, boat, or other recreational equipment shall not be located between the primary building and the front property line, or

d. If located partially in the required rear yard and partially in the buildable area of the lot the recreational vehicle, trailer, boat, or other recreational equipment shall maintain the required side yard setback for the full length of the property and be a minimum of five (5) feet from the rear property line.

5. Screening. If a recreational vehicle, trailer, boat, or other recreational equipment is parked on a driveway located within the required side yard setback it shall be screened from the adjacent property with an opaque fence with a height of six (6) feet.

D. Home Occupations. The standards for home occupations are intended to ensure compatibility with other permitted uses and maintain the residential character of the surrounding residential uses. Any gainful activity which is not a permitted home occupation as defined in this zoning ordinance title shall be considered a business use and is prohibited in a residence district. Any such use existing on the effective date of this zoning ordinance title shall be subject to provisions of chapter 15 of this title for the elimination of a nonconforming use.

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

a. It is conducted entirely within the dwelling by the residents of the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes.

b. It is not conducted from a detached or attached accessory building.

c. It does not require internal or external alteration.

d. It does not involve construction features or use of equipment not customary in a dwelling.

e. and the entrance to the space devoted to such occupation shall be from within the dwelling.

Commented [JW22]: Existing language on Trailers, Tents, and Boats from 10-3-7 proposed to be replaced

Commented [JW23]: Existing language from 10-3-9

Commented [JW24]: Would the City like to consider allowing Accessory Commercial Uses (ACU)? Two articles are linked below that detail the benefits ACUs.

<https://www.cnu.org/publicsquare/2021/04/28/accessory-commercial-units-reintroducing-retail-neighborhoods>

<https://www.strongtowns.org/journal/2020/8/15/accessory-commercial-units>

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~~b.f. and n.~~ Not more than twenty-five (25) percent (25%) of the floor area, including the lookout basement, of the dwelling shall be devoted to such home occupation. If more than one (1) home occupation is operated in a residence, the combined total square footage devoted to all such home occupations shall not exceed twenty-five (25) percent (25%) of the floor area of the dwelling.:-

~~e.g.~~ There is no display or activity that will indicate from the exterior of the dwelling that it is being used in part for any use other than a dwelling, ~~except one (1) nameplate, no more than one (1) square foot in area, which contains only the name of the occupant of the dwelling and the home occupation conducted therein and is attached to the dwelling and not illuminated.~~

~~d.h.~~ It is conducted only by the residents of the dwelling, plus only one (1) additional person not living on the premises.:-

~~e.i.~~ No electrical or mechanical equipment is used, except such as is customarily used for purely domestic or household purposes.:-

~~f.i.~~ The home occupation shall not generate traffic or deliveries beyond what is normally expected in the zoning district in which it is located and ~~off-street parking for the occupational use shall be provided~~ in accordance with the provisions of chapter 16, "Off-Street Parking and Loading" ~~section 10-5-1~~, of this title.:-

~~g.k.~~ Limited amounts of goods, commodities or stock in trade shall be received, retained, used, or stored on, or physically transferred from the premises.:- ~~Jobbing, wholesale or retail businesses, unless conducted entirely by mail, electronically or telephone, is prohibited.~~

~~h.~~ Teaching of musical instruments and dancing shall be conducted only in a single-family detached dwelling and then to not more than two (2) pupils at one (1) time, and academic or religious instructions may be given to not more than six (6) pupils at one (1) time in a single-family detached dwelling, and not more than one (1) pupil at one (1) time in any other type dwelling unit.

~~i.l.~~ No permitted home occupation(s) shall ~~it does not~~ interfere with the reasonable use and enjoyment of adjacent residential properties, such as, but not limited to, those home occupations that create any form of electromagnetic interference or cause fluctuation in line voltage outside of the dwelling in which the home occupation is conducted.:-

~~j.m.~~ The home occupation ~~it~~ does not generate any solid waste or sewage discharge in a volume or type which is not normally associated with a residential use in the zoning district.:- ~~and~~

~~k.~~ The home occupation does not involve any illegal activity.

~~l.n.~~ In home daycare/childcare services ~~are permitted as home occupations subject to meet~~ the following provisions:

- (1) Any person operating an in home daycare/childcare service ~~is required to~~ shall obtain a license from the Illinois Department of Children and Family Services before commencing the operation of such service.
- (2) Any person operating an in home daycare/childcare service ~~is also required to~~ shall obtain an operational permit from the Bristol Kendall Fire District.
- (3) In home daycare/childcare services are limited to no more than twelve (12) children under the age of twelve (12) at any one (1) time, ~~or obtain unless approved through a~~ special use permit ~~approval for additional children~~ pursuant to ~~chapter 6~~ of this title.

~~2.~~ Any home occupation requiring a local, state, or federal license shall be obtained.

~~5.3.~~ The following home occupations are prohibited:

~~a.~~ Selling or manufacturing of firearms;

~~b.~~ Jobbing, wholesale, or retail businesses, unless conducted entirely by mail, electronically, or telephone;

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- a-c. Manufacturing business;
- b-d. Medical clinic or hospital;
- e-e. Animal hospital or kennel (animal grooming services are permitted);
- d-f. Restaurant;
- e-g. Mortuary and funeral parlors; and
- f-h. Any activity that produces noxious matter or employs or produces flammable matter or is in violation of section 10-3-10 of this ~~chapter~~ title.

B.E. Outdoor Displays. ~~Supplemental standards for outdoor displays as accessory uses in the business and manufacturing districts outdoor displays are permitted accessory uses provided that the following provisions are met. However, nothing in this section shall waive the prohibition of outdoor storage as defined and regulated in this title.~~

Commented [JW25]: Existing language from 10-3-11

1. **Accessory Use.** Outdoor displays shall be permitted only as an accessory use on the same lot as a permitted or special use of the business or operation located there and shall not operate as a separate enterprise.
2. **Nature of Merchandise.** The goods, merchandise, or products offered for sale in an outdoor display area must be of such a nature that they are not typically located within a permanent building or structure, such as vehicles, trailers, farming equipment, landscape supplies, propane or other material contained in a pressurized tank, ice/vending machines, recycling containers and automated teller machines (ATM). Goods, merchandise or products that are typically located within a permanent building or structure, such as clothing and prepared food, shall not be offered for sale in a permanent outdoor display area. ~~Temporary sidewalk sales occurring no more than thirty (30) days per calendar year and not for profit fundraising events are exempt from this provision.~~
3. **Prohibition not Waived.** ~~Nothing in this section shall waive the prohibition of outdoor storage as defined and regulated in this title.~~
4. **Location Placement on Right-of-Way Prohibited.**
 - a. **Setbacks.** ~~Outdoor display areas may be located in front of, on the side of, or behind the primary building, but shall not encroach upon the required minimum yard setbacks for the zoning district in which it is located.~~
 - b. **Parking.** ~~Outdoor display areas may be located within existing parking spaces but only if there is a sufficient number of other parking spaces available to meet the minimum parking requirements of the use(s) on the property, as provided in section 10-5-1 of this title.~~
 - c. **Pedestrian Walkways.** ~~Outdoor display areas may be located on a pedestrian walkway if an unobstructed portion of the walkway measuring not less than three (3) feet in width shall be continuously maintained for pedestrian access and no point of ingress or egress from any building or any individual unit within any building shall be blocked at any time.~~
 - d. **Right-of-Way.** Unless otherwise provided by this title, outdoor display areas shall not be located on any public or private right-of-way.
 - e. **Lawn.** ~~Outdoor display areas may be located on concrete, asphalt, or brick paver areas and shall not be located on lawn areas or required landscape areas.~~
 - a. —
 - b-f. **Location Near Single-Family Residence District.** No outdoor display areas shall be located within fifty (50) feet (50') of any single-family residentially zoned district, exclusive of rights-of-way.

Commented [JW26]: Proposed to be covered under sidewalk sale temporary use standards

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- 4.5. **Size.** Outdoor display areas shall be limited to thirty-five (35) percent (35%) of the gross floor area of the primary building or tenant space to which the outdoor display area is an accessory, with the exception of vehicle, trailer and farming equipment dealerships.
5. ~~**Placement on Lawn Prohibited.** Outdoor display areas may be located on concrete, asphalt, or brick paver areas and shall not be located on lawn areas or required landscaping buffer areas.~~
6. ~~**Access.** Where an outdoor display is located on a sidewalk and/or walkway, an unobstructed portion of the sidewalk and/or walkway measuring not less than three feet (3') in width shall be continuously maintained for pedestrian access and no point of ingress or egress from any building or any individual unit within any building shall be blocked at any time.~~
7. ~~**Parking.** Outdoor display areas may be located within existing parking spaces but only if there is a sufficient number of other parking spaces available to meet the minimum parking requirements of the use(s) on the property, as provided in chapter 16 of this title.~~
8. ~~**Setbacks.** Outdoor display areas may be located in front of, on the side of or behind the primary building, but shall not encroach upon the required minimum yard setbacks for the zoning district in which it is located.~~
- 9.6. **Visibility at Intersections.** No outdoor display shall obstruct visibility at the intersection of two (2) or more roadways, driveways or drive aisles. Outdoor display areas shall comply with the Vision Clearance requirements of section 10-5-6 of this title.
- 10-7. **Maintenance.** All outdoor display areas must be maintained and displayed in a neat, orderly and safe manner at all times.

10-4-16. Temporary Use Standards

A. Mobile Food Vendor Vehicles and Retail Vendor Vehicles

1. **Purpose.** ~~The purpose of this section is to~~ encourage and regulate the operation of mobile food vendor and retail vendor vehicles subject to operational standards, on public and private property within the City. These operational standards and application procedures are intended to recognize the opportunity for unique outdoor portable fare and added convenience to persons living and working within Yorkville, while protecting the health, safety and welfare of the general public.
2. **General Provisions.**
 - a. Mobile food vendor vehicles and mobile retail vendor vehicles shall obtain a certificate of registration from the office of the City Clerk in accordance with **title 3, chapter 5** of this Code.
 - b. Mobile food vendor vehicles and mobile retail vendor vehicles must comply with all federal, state, county, and local business tax, sales tax, and other tax requirements.
 - c. It shall be a violation to operate a mobile food vendor vehicle or mobile retail vendor vehicle at any location except in compliance with the requirements of this section.
 - d. Mobile food vendor vehicles and mobile retail vendor vehicles are permitted in all zoning districts of the City, subject to the location and operational standards established in this title ~~or this Code~~.
 - e. Mobile food vendor vehicles and mobile retail vendor vehicles shall not:
 - (1) obstruct or interfere with the free flow of pedestrian or vehicular traffic, including but not limited to, access to or from any business, public building, or dwelling; ~~vehicle, nor shall it~~

Commented [JW27]: Existing language from 10-3-14 with the exception of B. Definitions which is proposed to be moved to Chapter 2: Definitions

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(2) restrict the sight distances triangle at driveways and street right-of-way intersections conflict with the vision clearance requirements of section 10-5-6 of this title; or

(1)(3) prevent access of emergency vehicles.

e.f. Drive-through vending is prohibited. No vendor shall make sales to any person in a vehicle.

f.g. No amplified music or loudspeakers shall be permitted. Mobile food vendor vehicles and mobile retail vendor vehicles shall comply with the provisions of the performance standards in section 10-13C-2 of this title. All smoke and odors generated by a mobile food vendor vehicle shall comply with the provisions of the performance standards in sections 10-13C-3 and 10-13C-4 of this title.

g.h. Any exterior lighting provided on the mobile food vendor vehicles or mobile retail vendor vehicles shall comply with the performance standards in section 10-13C-7 of this title.

h.i. No sales or service of alcohol shall be allowed by mobile food vendor vehicles.

i.j. Mobile food vendor vehicles and mobile retail vendor vehicles shall provide at least one (1) trash receptacle for use by patrons and in a convenient location that does not impede pedestrian or vehicular traffic. All litter or debris generated immediately within the vicinity of the mobile food vendor vehicle or mobile retail vendor vehicle shall be collected and removed by the mobile operator.

3. Location and Operational Standards.

a. **Mobile Food Vendor Vehicles and Mobile Retail Vendor Vehicles Operating within the Public Right-of-Way.**

- (1) Mobile food vendor vehicles and mobile retail vendor vehicles shall be legally parked in full compliance with all State and local parking provisions which apply to the location at which it is parked, including any sign prohibiting the parking or standing of a vehicle or indicating a parking time limit.
- (2) Operation of mobile food vendor vehicles and mobile retail vendor vehicles within City parks shall be subject to rules and regulations established by the Park Board.
- (3) No unattended mobile food vendor vehicle or mobile retail vendor vehicle shall be parked or left overnight within a public right-of-way or on any other public property.
- (4) Mobile food vendor vehicles or mobile retail vendor vehicles shall not operate within the public right-of-way within five hundred (500) feet ~~(500)~~ from any K—12 school building, as defined by the State of Illinois, between the hours of 7:00 a.m. and 4:00 p.m. on regular school days; unless as part of a permitted special event or rally.
- (5) Mobile food vendor vehicles or mobile retail vendor vehicles shall not be parked within twenty-five (25) feet ~~(25)~~ from a street intersection with a crosswalk, traffic light, or stop sign, or within twenty-five (25) feet ~~(25)~~ from a railroad crossing.
- (6) Mobile food vendor vehicles or mobile retail vendor vehicle operators shall be responsible for organizing customer queuing in a manner that maintains a clear path along the sidewalk that is at least four (4) feet ~~(4)~~ wide and does not interfere with or obstruct the free passage of pedestrians.
- (7) All sales and service shall be limited solely to that side of the mobile food vendor vehicle or mobile retail vendor vehicle facing away from the public street.
- (8) Mobile food vendor vehicles and mobile retail vendor vehicles shall not encroach onto a public sidewalk with any part of the vehicle, or any other equipment or furniture related to the operation of its business, except for required refuse receptacles.

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- (9) Mobile food vendor vehicles greater than thirty-five ~~(35)~~ feet ~~(35')~~ in length, or that occupy more than two (2) on-street parking spaces, are not permitted to operate in the public right-of-way adjacent to residentially zoned properties.
- (10) Mobile food vendor vehicles or mobile retail vendor vehicles shall not block a lawfully placed monument sign of another business.

b. **Mobile Food Vendor Vehicles and Retail Vendor Vehicles Operating on Private Property.**

- (1) Mobile food vendor vehicles and retail vendor vehicles may be permitted to operate on private property as a temporary accessory use in all zoning districts.
- (2) Mobile food vendor vehicles and retail vendor vehicles shall not occupy more than ~~forty-percent (40%)~~ ~~eight (8)~~ of the required parking spaces on an improved lot or exceed the maximum lot coverage for the district in which it is located on an unimproved lot.
- (3) The maximum number of mobile food vendor vehicles and retail vendor vehicles permitted on a site shall be determined as follows:
 - (a) One (1) mobile food vendor vehicle or retail vendor vehicle may operate on the site for every five hundred twenty-five (525) square ~~foot-feet of~~ paved area (at least thirty-five ~~(35)~~ feet by fifteen ~~(15)~~ feet ~~(35' x 15')~~ in dimension); except that mobile food vendor vehicles or retail vendor vehicles greater than thirty-five ~~(35)~~ feet ~~(35')~~ in length require a space at least seventy feet ~~(75)~~ by fifteen ~~(15)~~ feet ~~(70' x 15')~~.
 - (b) Mobile food vendor vehicle and retail vendor vehicle operations shall occur upon a paved, level parking area or surface.
 - (c) Mobile food vendor vehicles and retail vendor vehicles parked within required parking areas shall not impede pedestrian or vehicle ingress or egress through the remainder of the parking area or adjacent public right-of-way.
 - (d) Mobile food vendor vehicles and retail vendor vehicles may be permitted to have canopies and outdoor seating areas, provided these additional outdoor accessories may not occupy more than two (2) parking spaces per mobile food vendor vehicle or retail vendor vehicle.

c. **Canteen Trucks Operating on Private Property.**

- (1) Canteen trucks may operate on an unimproved lot or parcel, only if such lot or parcel or an adjoining lot or parcel is undergoing permitted construction activity.
- (2) Canteen trucks shall not block fire lanes, designated construction traffic lanes for ingress or egress, or access to or from the construction site.
- (3) No unattended canteen truck shall be parked overnight on any property.

d. **Private Vendor Service by Mobile Food Vendor Vehicles and Mobile Retail Vendor Vehicles.**

- (1) Mobile food vendor vehicles and mobile retail vendor vehicles may provide private sales service within the public right-of-way and on private property in residential districts only.
- (2) Private vendor services by mobile food vendor vehicles and mobile retail vendor vehicles shall be limited to private guests of the event host only. No walk-up customers are permitted.
- (3) Payment shall occur directly between the event host and the mobile food vendor vehicle and retail vendor vehicle. No payment transactions shall occur for individual orders.

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- (4) All operational standards for operating a mobile food vendor vehicle and mobile retail vendor vehicle as provided in this section shall apply.

B. Storage of Roadway Construction Materials.

1. A temporary use permit and building permit shall be required prior to the establishment of a storage area for roadway construction materials. In addition to all required permit application materials, the following shall be required:
 - a. A site plan depicting the location of proposed construction material storage locations, site ingress and egress, stormwater runoff control measures, other stormwater management practices, and any other information requested by the Zoning Officer shall be required; and
 - b. A traffic plan.
2. Roadway construction material storage areas shall be utilized between the hours of 7:00am and 10:00pm only.

B.C. Temporary and Seasonal Uses.

1. **Purpose.** To further encourage the revitalization of the downtown and other areas within the City, these standards, ~~guidelines and procedures~~ are intended to provide a temporary but unique environment for relaxation, social interaction, and food or beverage consumption within ~~the~~ public rights-of-way and public sidewalks without impeding the free and safe flow of pedestrian or vehicular traffic.
2. **General Provisions.**
 - a. **Encroachment.** A sidewalk cafe or parklet cafe shall not be considered an "encroachment" so long as all outdoor facilities related thereto are temporary in nature, are not permanently affixed so as to extend below or above the sidewalk or public right-of-way, involve no penetration of the sidewalk surface or public right-of-way, are not attached to any building and are readily removable without damage to the surface of the sidewalk or public right-of-way.
 - b. **Time Period.** Sidewalk cafes and parklet cafes ~~shall may~~ be permitted from April 1st through October 31st. Time extensions may be granted for sidewalk cafe and parklet cafe operations per the discretion of the ~~Community Development Director~~ on a case-by-case basis. Parklet cafes not removed after October 31st and without an approved extension may be removed by the City at the owner's expense.

c. Permit Required.

- (1) ~~Sidewalk cafes and parklet cafes shall require a permit pursuant to the standards established in 10-7-# of this title.~~
- (2) Outdoor dining on a public sidewalk or within the right-of-way may occur only pursuant to the issuance of ~~a~~ permit ~~issued to the business owner.~~
- ~~(4)(3)~~ A sidewalk cafe or parklet cafe permit is non-transferrable.

~~e.d.~~ **Prohibited Locations.** Outside dining will not be permitted on sidewalks or within the public right-of-way designated by the City Council as shared bicycle and pedestrian trails or paths.

~~d.e.~~ **Seating.** Seating in the sidewalk cafe or parklet cafe shall not be included to meet the required guest seating capacity for any license classification.

~~e.f.~~ **Permit Transfer.** A sidewalk cafe or parklet cafe permit is non-transferrable.

~~f.~~ **Zoning Requirements.** All sidewalk cafes and parklet cafes shall be located in all business zoned districts. Outdoor dining on a public sidewalk or public right-of-way shall be subject to the requirements and limitations set forth in this Code and all applicable federal, state, county and local statutes, ordinances and regulations.

Commented [JW28]: Existing language from 10-3-13 with the exception of:

B. Definitions which is proposed to be moved to Chapter 2:
Definitions as well as
E. Application Procedures and F. Permit Fees which are proposed to be relocated to Chapter 7: Administration and Enforcement

Commented [JW29]: Zoning Officer is referred to in other sections, is this intentionally different?

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- g. **Indemnification.** The permittee shall defend, indemnify, and hold the City, and its employees harmless from and against any loss or damage arising from the use or existence of the improvements or encroachment authorized under the sidewalk cafe or parklet cafe permit.

~~3.~~ **Development and Design Standards and Design Guidelines.**

- 4.3. **Standards.** The following standards, criteria, conditions and restrictions shall apply to all sidewalk cafes and parklet cafes, provided, however, that the **Community Development Director or designee** may impose additional conditions and restrictions to protect and promote the public health, safety, or welfare to prevent a nuisance from developing or continuing, and to comply with all other City ordinances and applicable state and federal laws.

~~a.~~ **Design Guidelines.**

~~b.a.~~ **Sidewalk Café.**

(1) Design Elements.

- (a) Elements of a typical sidewalk cafe may include, but are not limited to, the following: barriers, planters, tables, chairs, umbrellas, menu display, heat lamps and ingress/egress access point.
- (a)(b) The design, material, and colors used for the furniture and fixtures within the sidewalk cafe ~~should~~ **shall** complement the architectural style and colors of the building facade and public street furniture, if any, and withstand inclement weather.

(2) Setbacks.

- (a) ~~All sidewalk cafes must allow for a minimum five-foot (5') unobstructed pedestrian passageway on the sidewalk.~~ No element of the sidewalk cafe, as described above, may obstruct the pedestrian way in a manner which reduces the depth of the pedestrian way to less than five (5) feet. Light poles, tree wells, fire hydrants and other such items may fall within the pedestrian path allowed between the curb and the leading edge of the sidewalk cafe.
- (b) ~~A~~ Sidewalk cafe shall not unreasonably obstruct the visibility of neighboring businesses. In such cases a sidewalk cafe operator may be required to adjust the layout of the outdoor dining area per the recommendation of the **Community Development Director or designee**.
- (c) Sidewalk cafes must ~~have be located a~~ minimum distance of one hundred (100) feet ~~(100')~~ from the nearest residential zoned district.
- (d) The width of the sidewalk cafe must not extend beyond the frontage of the business establishment unless written notarized consent of the adjacent business and property owner has been provided to the **Community Development Director**.
- (e) Sidewalk cafes located at a street corner must maintain a ten (10) foot ~~(10')~~ setback from the corner of the building along both frontages.
- (f) For sidewalk cafes located adjacent to a driveway or an alley, setback distances will be at the discretion of the **Community Development Director** in locations where unusual circumstances exist or where public safety would be jeopardized.

(3) Barriers.

- (a) The perimeter of sidewalk cafes that extend more than three (3) feet ~~(3')~~ into the public right-of-way shall be enclosed by barriers that are durable, removable, and maintained in good condition.
- (b) Sidewalk cafes that extend three (3) feet ~~(3')~~ or less into the public right-of-way and do not serve alcohol are not required to be enclosed by a barrier.

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- (c) Sidewalk cafes that serve alcohol must be surrounded by a barrier in all cases. Barrier access point must be controlled by the sidewalk cafe operator/business establishment. Business establishment owners should maintain compliance with Yorkville's Liquor Control Ordinance standards for serving alcohol outside of enclosed businesses.
- (d) Moveable barriers and all furniture shall be removed at the end of each business day unless otherwise approved by the Community Development Director or designee. Moveable barriers shall be capable of being removed through the use of recessed sleeves and posts, wheels that can be locked in place, and/or weighted bases. Barrier segment bases should be flat with tapered edges that are between one-fourth (0.25) inch ~~(1/4")~~ and one-half (0.5) inch ~~(1/2")~~ thick.
- (e) The maximum height of any barrier shall not exceed three (3) feet six (6) inches ~~(3'6")~~. The lowest point in the barrier should be no more than six (6) inches ~~(6")~~ in height above the ground to comply with ADA detectable warning regulations.
- (f) Rigid fence sections may be placed end-to-end to create the appearance of a single fence. Sectional fencing shall be composed of metal or wood and shall be painted or finished in a complementary color to the building color or accent materials. Sectional fencing may be constructed from other materials such as but not limited to aircraft cable, fabric, steel or iron elements if approved by the Community Development Director or designee.

(g) Planters.

- (i) Planters may also be used as a barrier or planter boxes as barrier components.
- (ii) Planters must be no more than three (3) feet ~~(3')~~ in height and plant materials may be up to three (3) feet ~~(3')~~ tall.
- ~~(i)(iii)~~ Planters must shall be kept in clean condition, contain living plants, and shall be removed at the end of each business day.
- ~~(g)(h)~~ Access openings must be kept clear of all materials and should measure no less than forty-four (44) inches ~~(44") in widthwide~~.

(4) Awnings and Umbrellas.

- (a) The use of awnings over the outdoor dining area orand removable table umbrellas may be permitted provided they do not interfere with street trees.
- (b) No portion of the awning shall be less than eight (8) feet ~~(8')~~ above the sidewalk and no portion of the umbrella shall be less than seven (7) feet ~~(7')~~ above the sidewalk.
- (c) Awnings may extend up to five (5) feet ~~(5')~~ from the front of the building's facade or cover up to fifty (50) percent ~~(50%)~~ of the outdoor dining area, whichever is less.
- (d) Awnings shall have no support posts located within the public right-of-way.
- ~~(a)(e)~~ A separate building permit must be obtained prior to the installation of the awning.
- ~~(b)(f)~~ Notwithstanding any provisions in this Code, signs and logos shall be permitted on umbrellas or awnings in outdoor dining areas.

(5) Prohibited Items.

- (a) Permanently affixed furniture to the public sidewalk is prohibited.

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- (b) Shelves, serving stations, flimsy plastic tables and chairs, unfinished lumber or splintering wooden materials, rusted metal, and loud speakers, ~~sofas and televisions~~ are prohibited.
- (c) ~~It shall be prohibited to tie~~ Tying or otherwise securinge sidewalk cafe elements to trees, lamp posts, street signs, street lights, and/or hydrants is prohibited.
- (d) ~~Prohibited barrier materials include~~ Cchain link, rope rails, and chain are prohibited as barrier materials.
- (e) Rails, buckets, flag poles, and newspaper stands are prohibited.
- (f) No alterations or coverings should be made to the sidewalks or placed over the sidewalk cafe space. Platforms, artificial turf, paint, or carpet in sidewalk cafe areas is prohibited.
- (g) If wait service is not provided in the sidewalk cafe area, the business establishment is required to supply a waste receptacle. If wait service is provided, the business establishment is ~~not permitted to~~ prohibited from placinge a waste receptacle in the sidewalk cafe.

e.b. **Parklet Café.**

- (1) The parklet cafe site shall be located on at least one (1) parking spot within the public way and appurtenances thereof shall be a minimum of two ~~(2)~~ feet (2) from the nearest edge of ~~traveled ways~~ sidewalk. Parklet cafes are restricted to City of Yorkville public streets and shall not be permitted on any state, county or township roadways.
- (2) Tables, chairs, umbrellas or other fixtures in the parklet cafe:
 - (a) Shall not be placed within five ~~(5)~~ feet (5) of fire hydrants, alleys or bike racks.
 - (b) Shall not be placed within five ~~(5)~~ feet (5) of a pedestrian crosswalk.
 - (c) Shall not block designated ingress, egress, or fire exits from or to the business establishment or any other structures.
 - (d) Shall not be physically attached, chained, or in any manner affixed to any structure, tree, signpost, or light pole.
 - (e) May be removed by the City at owner's expense if not installed per approved plans or installed after permit expiration.
 - (f) Shall be maintained in a clean, sanitary, and safe manner.
 - (g) Shall consist of commercial-grade furniture.
 - (h) Shall not be placed outside or hang over the designated parklet cafe area.
- (3) The parklet cafe shall be located in such a manner that a distance of not less than four ~~(4)~~ feet (4) is maintained at all times as a clear and unobstructed pedestrian path. For the purpose of the minimum clear path, traffic signs, trees, light poles and all similar obstacles shall be considered obstructions.
- (4) The parklet cafe, along with the sidewalk and roadway immediately adjacent to it, shall be maintained in a neat and orderly manner at all times. Debris shall be removed as required during the day and again at the close of each business day. Maintenance details shall include access panels and how drainage will be provided along the existing drainage way.
- (5) Parklet cafe decking must be flush with the curb and may not have more than a one-half ~~(0.5)~~ inch (1/2) gap from the curb.

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- (6) The parklet cafe platform shall allow for access underneath the platform and curbside drainage may not be impeded.
- (7) All rails around the parklet cafe must be capable of withstanding a two hundred (200) pound horizontal force.
- (8) The parklet cafe shall be required to have reflective tape, soft hit posts, wheel stops and, depending on the proposed location, may be required by the Community Development Director or designee to have edging such as planters, railing or cables.
 - (a) If cables are used, vertical spacing between cables may not exceed six (6) inches ~~(6")~~.
- (9) Umbrellas and other decorative material shall be made of treated wood, canvas, cloth, or similar material that is manufactured to be fire-resistant. No portion of an umbrella shall be less than six (6) feet eight (8) inches ~~(6'8")~~ above the sidewalk. Umbrellas must be secured.
- ~~(10) Temporary signage such as menu boards or easels may be permitted in parklet cafes.~~
- ~~(11)~~ (10) No food preparation, food or beverage storage, refrigeration apparatus or equipment shall be allowed in the parklet cafe unless authorized by the Community Development Director or designee as part of a special event.
- ~~(12)~~ (11) No amplified entertainment shall be allowed in the parklet cafe unless authorized by the Community Development Director or designee as part of a special event.
- ~~(13) Patio heaters shall not be permitted in a parklet cafe.~~
- ~~(14) Parklet cafes shall meet the intersection visibility requirements in accordance with other standards in the City's zoning ordinance.~~ vision clearance requirements of section 10-5-6 of this title.

D. Tents. Tents shall not be erected, used, or maintained on any lot, except such small tents as are customarily used for recreational purposes and located in the rear yard on the same lot as a dwelling. Temporary use of tents for religious, amusement and recreation, business or manufacturing purposes shall be allowed when a temporary use permit has been issued for such use by the Zoning Officer.

REVIEW GUIDE

Existing Text

New Text

Deleted or Moved Text

References to be updated

Chapter 5. Development Standards

10-5-1. Off-Street Parking and Loading	1
10-5-2. Driveways	13
10-5-3. Landscape	1745
10-5-4. Screening	2524
10-5-5. Fences	2622
10-5-6. Vision Clearance	3024
10-5-7. Outdoor Lighting	3024

10-5-1. Off-Street Parking and Loading

Commented [JW1]: Existing language from Chapter 16

A. **Purpose.** The purpose of this ~~chapter-section~~ is to regulate off-street parking and loading areas on private property outside the public right-of-way. The regulations are intended to achieve the following:

1. Relieve traffic congestion on streets by providing adequate, but not excessive, off-street parking;
2. Encourage the use of alternate forms of transportation including bicycling, transit, walking, and ~~car-pooling~~ ride sharing services;
3. Avoid unnecessary conflicts between vehicles, bicycles, and pedestrians; ~~and~~
4. ~~To m~~Minimize negative impacts on adjacent properties and the environment.

B. General Provisions.

1. **Application.** The off-street parking and loading provisions in this ~~chapter-section~~ shall apply to the following:

a. **New Development.** All new buildings, structures, and land uses established after the adoption of this ~~chapter-title~~ must comply with the parking and loading regulations herein in this section. ~~However, if a building permit has been issued prior to adoption and construction has begun within one (1) year of the effective date, then following the parking and loading regulations are not required.~~

a.b. **Process Vesting.** Once an application for approval of any process specified within this section has been certified to be complete, it shall be reviewed according to the process, procedures, and standards of this section at the time of determination, provided that such application has not been abandoned. Any subsequent amendments to these regulations adopted by the City that become effective after the date of the determination of completeness shall not apply to the applications pending approval at the time of the adoption of the changes unless the City and the applicant agree in writing to follow the revised process or application has been abandoned.

b.c. **Expansion.** When an existing building or structure increases in intensity or is expanded, the number of parking spaces and/or loading facilities must be modified to meet the parking and loading regulations. The number of parking spaces and/or loading facilities that must be modified will be determined by the unit of measurement specified for that land use herein in section 10-5-1(G). However, no building or structure lawfully erected or use lawfully established prior to the effective date shall be required to provide additional parking spaces and/or loading facilities unless the aggregate increase in units of measurements is greater than fifteen (15) percent ~~(15%)~~.

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d. **New Use.** Whenever the existing use of a building or structure ~~shall hereafter be~~ changed to a new use, parking or loading facilities shall be provided as required for such new use, ~~unless otherwise approved as an Administrative Exception as detailed in section 10-#-#.~~ However, if ~~the~~ said building or structure was erected prior to the effective date ~~hereof of this title~~, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this title.

Commented [JW2]: We would recommend allowing flexibility from this requirement if site conditions cannot accommodate additional parking to make it easier for new uses to occupy existing buildings.

e. —

2. **Existing Parking and Loading Facilities.** Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and were in existence on the effective date ~~hereof of this title~~ shall not be required to reduce the amount of parking and loading facilities regulated in this title. A change of occupancy is not a change of use unless the new occupant is considered in a different use classification.

~~3. **Damage or Destruction.** If any building, structure, or use that is in existence on the effective date hereof of this title is somehow damaged by fire, collapse, explosion or another cause and is reconstructed or repaired, the parking and loading facilities may be rebuilt to the original form. This shall be allowed only if the original building or use is repaired to its original form and keeps its original use. In no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this title for equivalent new uses in construction.~~

~~4.3. **Control of Off-Site Parking Facilities.** Where required parking facilities are provided on land other than the zoning lot on which the building or use served by such facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the parking facilities are necessary. No such off-site parking facilities shall be authorized and no zoning certificate shall be issued where the plans call for parking facilities other than on the same zoning lot until and unless approved as an Administrative Exception as detailed in section 10-#-#, the Zoning Board of Appeals has reviewed the plans and heard the applicant and made findings that the common ownership or possession of the zoning lot and the site of the parking facilities are reasonably certain to continue and that~~ Prior to approval as an Administrative Exception, the owners of the multiple properties shall provide an agreement in a form approved by the City Attorney attesting that the off-site parking facilities will be maintained at all times during the life of the proposed use or building.

~~5. **Submission of Site Plan.** Any application for a building permit, or for a certificate of occupancy where no building permit is required, shall include therewith a site plan, drawn to scale and fully dimensioned, showing any parking or loading facilities to be provided in compliance with this title.~~

Commented [JW3]: To be covered in Chapter 7: Administration and Enforcement

C. **Use of Parking Areas.**

1. All required off-street parking areas shall continually be available for the parking of operable vehicles of intended users of the site.
- ~~2. Required parking shall not be rented, leased, sold, or used for parking that is unrelated to the primary or accessory use of the site, except if there is a recorded shared parking agreement.~~
- ~~3.2. Also, no~~ off-street parking area ~~can~~ shall be used for storage of equipment or materials except where otherwise approved.
- ~~4. All off-street parking facilities for a residential use or within a residential district must be used for passenger automobiles. These automobiles must be owned by the occupants of the dwelling structure or by the guest of the occupant.~~

D. Requirements For All Parking.

1. Drive aisles shall be required in the parking areas that have five (5) or more spaces.
2. All required parking lots, by this Code, shall comply with the accessibility requirements of the State of Illinois Accessibility Code and the ADA.

D.E. Parking Space Stall and Aisle Dimensions.

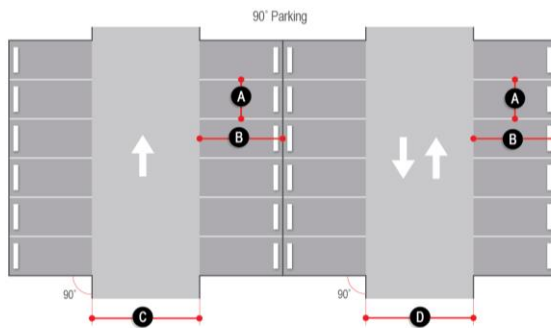
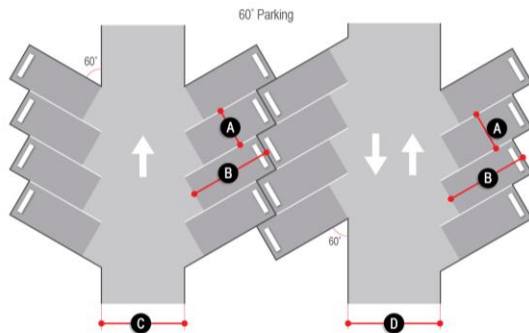
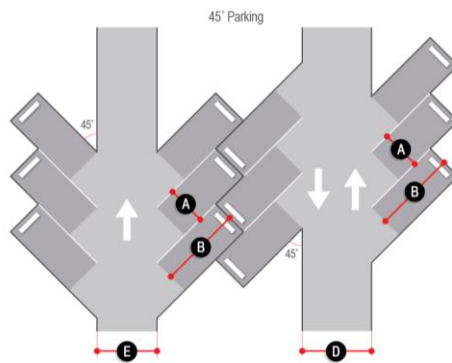
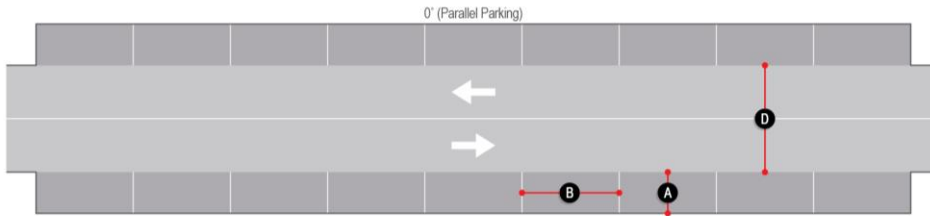
1. **Standard Parking Stall and Aisle Dimensions.** Standard parking spaces, including interlocking standard parking spaces, shall comply with the minimum dimensional and layout requirements specified in [Table 10-5-1\(D\)\(1\)](#) and as generally illustrated in [Figure 5.1](#).

Table 10-5-1(D)(1) Standard Parking Stall and Aisle Dimensional Requirements						
Parking Angle (degrees)	Figure Reference					
	A	B	C	D	E	F
	Space Width	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang
0	8'	22'	18'	12'	n/a	n/a
45	8.5'	17'	18'	12'	28.25'	1.5'
60	8.5'	18'	18'	16'	32'	1.5'
90	9'	18'	24'	24'	36'	2'

2. Compact Parking and Motorcycle Stall and Aisle Dimensions.

- a. Compact parking stalls and aisles shall comply with the minimum dimensional and layout requirements specified in [Table 10-5-1\(D\)\(2\)](#).
- b. In parking areas containing more than ten (10) spaces, up to twenty (20) percent of the spaces exceeding the first ten (10) spaces may be designed for compact vehicles.
- c. Compact parking spaces shall be labeled for such purposes.

Table 10-5-1(D)(2) Compact Parking Space Dimensional Requirements						
Parking Angle (degrees)	Figure Reference					
	A	B	C	D	E	F
	Space Width	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang
0	7.5'	18'	18'	12'	n/a	n/a
45	7.5'	15.5'	18'	12'	28.25'	1.5'
60	7.5'	16.25'	18'	16'	32'	1.5'
90	7.5'	15.5'	24'	24'	36'	n/a



EXAMPLE
GRAPHIC ONLY

~~E.—The minimum off-street parking space dimensions are shown in Table 10.16.01 of this section. An explanation of how these dimensions are generally measured is shown in figure 10.16.01 of this section. The parking of mobile food or retail vendor vehicles shall be an exception to subsection A of this section when in compliance with section 10-3-14 of this title and title 3, chapter 5 of this Code.~~

~~F.—The actual measurements of the stalls and aisles are shown in figure 10.16.02 of this section. The actual stalls and aisle must be clearly marked as shown in figure 10.16.02 of this section.~~

~~G.—All measurements start from the edge of the pavement in front of the curb.~~

~~H.—Drive aisles shall be required in the parking areas that have five (5) or more spaces.~~

~~I.—All required parking lots, by this Code, shall comply with the accessibility requirements of the State of Illinois Accessibility Code and the ADA.~~

F. Access and Cross Access.

~~1. **Access.** To ensure safe and efficient means of automobile access for all parking spaces, Each required off-street parking space shall open directly upon an aisle or driveway as stated in Table 10.16.01 of this section. This will ensure safe and efficient means of automobile access for all parking spaces. The only exception is when unless the facility is serviced by a parking attendant. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.~~

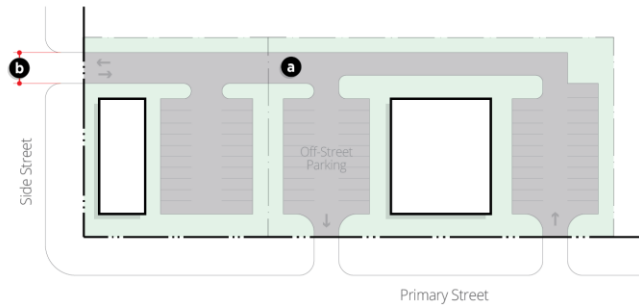
~~2. **Cross Access.** To facilitate vehicular access between adjoining developments, encourage shared vehicle parking, and minimize access points along streets, new multifamily, nonresidential, and mixed-use development or redevelopment shall comply with the following standards:~~

~~a. Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's vehicle parking facilities and vehicle parking facilities in an adjoining multifamily, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow multifamily, nonresidential, or mixed-use development.~~

~~b. Required vehicular cross access between the adjoining lots shall be provided through the use of a frontage or service street (if the lots front on a major thoroughfare right-of-way), a single two-way maneuvering lane, or two one-way maneuvering lanes that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.~~

~~c. The Zoning Administrator may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or there exists an inability to connect to adjacent property.~~

~~d. Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Register of Deeds for the county in which the properties are located before issuance of a Building Permit for the development.~~



EXAMPLE GRAPHIC ONLY

1. —

J. Design Standards:

1. **Open and Enclosed Parking Spaces.** Accessory parking spaces located on the same lot as occupied by the use served may be open to the sky or enclosed in a building. Accessory parking spaces located in a residence district elsewhere than on the same lot occupied by the use served shall be open to the sky except when otherwise allowed as a special use.
2. **Aprons.** Driveway aprons shall not widen the driveway more than five (5) feet (5') in total width when measured at the curb/street edge.
3. **Distance to Existing Street Intersections.** Residential driveways shall be a minimum of fifty feet (50') feet when measured from the driveway edge to the nearest intersecting street right of way line. Nonresidential driveways shall be a minimum of two hundred feet (200') feet when from the driveway edge to the nearest intersecting street right-of-way line. Driveways not meeting the minimum distances may be approved administratively by the Community Development Director with a recommendation to approve made by the City Engineer. If administrative approval is not granted, a variance must be approved.
4. **Driveway Edge/Curb Radius.**
 - a. **Residential:** The maximum radius for a driveway edge/curb for a driveway entrance is twenty feet (20') feet.
 - b. **Commercial/Industrial:** Subject to engineer review based upon the traffic and specific land use characteristics.
5. **Surfacing.** All open off-street parking areas shall be improved with a pavement meeting State of Illinois standard A-3 or equivalent material as approved by the Public Works Director.
6. **Screening and Landscaping.** All open automobile parking areas shall comply with the requirements of the current landscape ordinance regulations for perimeter parking lot landscaping.
7. **Lighting.**
 - a. Any lighting used to illuminate off-street parking areas shall be directed away from residential properties and public highways in such a way as not to create a nuisance. The City of Yorkville promotes the "dark sky" concept. Lighting fixtures should be full cutoff, and the use of wall packs on buildings should be minimized.
 - b. The average foot-candle intensity should be two (2) to two and one-half (2.0–2.5) foot-candles. The average to minimum light intensity ratio should be no more than six (6) to one (6:1), and the maximum to minimum light intensity ratio should be no more than twenty (20) to one (20:1). The lighting intensity at the property line shall be zero (0) foot-candles.

Commented [JW4]: Proposed to be covered in driveways section

Commented [JW5]: Proposed to be covered in landscape section

Commented [JW6]: Proposed to be covered in outdoor lighting section

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8. ~~Signs.~~ Directional and regulatory signs/markings only are permitted on parking areas.

9. ~~Repair, Service, and Sales.~~

a. ~~No motor vehicle repair work of any kind shall be permitted in conjunction with accessory off-street parking facilities provided in a residence district.~~

b. ~~The sale of gasoline and motor oil in conjunction with accessory off-street parking facilities is not permitted in any residence district prohibited.~~

K.G. Location. Off-street parking spaces may be located in any yard defined by this title. The location of off-street parking spaces in relation to the use served shall be as prescribed ~~hereinafter below~~. All distances specified shall be ~~walking distances between such parking spaces~~ property line to parking space and a main entrance to the use served.

1. **Residence Districts.** Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Spaces accessory to uses other than dwellings may be located on a lot adjacent to, or directly across a street or alley from the lot occupied by the use served, but in no case at a distance in excess of three hundred ~~feet~~ (300') feet from such use.
2. **Business and Manufacturing Districts.** All required parking spaces shall be within one thousand ~~feet~~ (1,000') feet of the use served, except for spaces accessory to dwelling units (except those located in a transient hotel) which shall be within three hundred ~~feet~~ (300') feet of the use served. However, no parking spaces accessory to a use in a business or manufacturing district shall be located in a residence district unless authorized by the ~~Zoning Board of Appeals~~ Planning and Zoning Commission in accordance with this title.

H. Off-Street Parking Requirements.

1. **Minimum Requirements.** Except as otherwise expressly stated, off-street parking spaces shall be provided in accordance with the parking ratio requirements established in Table 10-5-1(H) Minimum Parking Requirements. Parking spaces reserved for specific user groups, other than ADA compliant spaces and spaces with electric vehicle charging stations, shall not count towards the minimum requirement.
2. **Maximum Requirements.** To minimize excessive areas of pavement, no off-street parking area ~~for nonresidential or multifamily uses~~ shall exceed the required minimum number of parking spaces by more than twenty (20) percent, except as approved by the Zoning Administrator. In approving additional spaces, the Zoning Administrator shall determine that the parking is needed based on documented evidence of actual use and demand provided by the applicant.
3. **Parking in the B-2 District.** Nonresidential uses in the B-2 Mixed Use District shall be exempted from providing off-street parking ~~as required in the form-based code.~~
4. **Calculations.** The following rules shall apply when calculating the required minimum number of parking spaces.
 - a. **Fractions.** When measurements of the number of required spaces result in a fractional number, any fraction of less than 0.5 is rounded down to the next lower whole number, and any fraction of 0.5 or more is rounded up to the next higher whole number.
 - b. **Area Measurements.** Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed on the basis of gross floor area (GFA).
 - c. **Occupancy or Capacity-Based Standards.** For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations must be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable as determined by the City Planner and the Fire Department.

Commented [JW7]: Proposed to be covered in Chapter 6: Signs

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5. **Unlisted Uses.** In the case of uses not listed in [Table 10-5-1\(H\)\(1\) Minimum Parking Requirements](#), the number of spaces for a similar use, as determined by the [Zoning Administrator](#), shall apply.

Number of Spaces. The minimum requirements for the number of spaces needed for a certain use is shown in [Table 10-5-1\(H\)](#) of this section. At the time of permit review, the Zoning Administrator will assign the development a use category. If the category does not fit one of the descriptions in [Table 10-16.03](#) of this section, then the Zoning Administrator has the right to determine the amount of off-street parking needed for the building, structure, or use.

- L.I. Allowed Reductions to Required Parking.** Table 10-5-1(I) establishes reductions to required parking that may be approved by the Zoning Administrator.

Table 10-5-1(I) Allowed Reductions to Required Parking		
Adjustment Type	Criteria	Adjustment Amount
Pedestrian Access	Nonresidential use is located where residents of all residential and mixed-use areas within 1,320 feet of the subject property can walk to and from the nonresidential use on a continuous sidewalk system (ignoring intervening streets).	10% reduction
Public Parking Lots	Nonresidential use is located within 900 feet of a parking lot that is available for use by the public without charge (either directly or through a validation program in which the subject use participates).	10% reduction
On-Street Parking	Single-family or duplex residential is located along one or more public street frontages where public parking is permitted.	One legal on-street parking space (to a maximum of two parking spaces) can be substituted for every required off-street parking space provided the on-street space is located on a public right-of-way immediately abutting the property or tenant space seeking the parking adjustment. Where a partial space straddles an extension of a side property line, the space may be counted by the abutting property owner in front of whose property 50% or more of the space is located.
	Multifamily residential or nonresidential use located along one or more public street frontages where public parking is permitted.	One legal on-street parking space can be substituted for 0.5 of every required off-street parking space provided the on-street space is located on a public right-of-way immediately abutting the property or tenant space seeking the parking adjustment.

Commented [JW8]: Zoning Officer and Community Development Director or designee are utilized in other sections of the ordinance. We would recommend revising all for consistency. What is the City's preferred terminology?

Commented [RS9R8]: Revised to ZA per city request.

M-J. Shared Parking.

1. **Purpose.** Shared parking is the use of a parking space by vehicles generated by two (2) or more individual land uses without conflict or encroachment. Shared parking for multiple uses creates better pedestrian connections and reduces reliance on private vehicles because multiple trips may be taken by walking. Shared parking is encouraged for the benefits it provides as long as the use follows the ~~above~~-conditions and ~~the~~-standards listed below.
2. The ability to share spaces is the result of two (2) conditions:
 - a. Vehicles accumulate at different times; either by hours, days, or seasons.
 - b. Relationship of the uses allows for multiple visits in one (1) auto trip.
3. **Shared Parking Uses.** The uses listed in [Table 10.16.04](#) of this section are uses that are generally considered prime candidates for shared parking. While these are considered the main uses to have shared parking, the [Zoning Administrator](#) has the final authority on what uses may or may not share parking regardless ~~of~~ if the use is listed in [Table 10.16.04](#) of this section or not.

a. For purposes of this Section, the following uses are considered daytime uses:

- (1) Office Uses.
- (2) Commercial Service Uses.
- (3) Commercial Retail Uses.
- (4) Industrial Uses, and
- (5) Other similar primarily daytime uses, as determined by the City Council.

b. For purposes of this Section, the following uses are considered evening or weekend uses:

- (1) Physical Health and Entertainment Uses.
- (2) Public/Semi-Public Uses.
- (3) Eating and Drinking Uses, and
- (1) Other similar primarily nighttime or weekend uses, as determined by the City Council.
- (4)

3.4. Standards.

- a. The applicant must demonstrate that the shared parking area has a sufficient amount of spaces for the uses they intend to share the area with. The **Zoning Administrator** may require the applicant to provide data to support the sufficient parking claim.
- b. The nearest parking space shall be no farther than one thousand ~~feet~~ (1,000') feet from the principal buildings, structures, or uses. ~~The measurement shall be measured along a path that has~~ The measurement shall be measured along a path that has ~~The path from the parking space to the principal building should consider::~~
 - (1) Adequate lighting.
 - (2) Separation from the right-of-way.
 - (3) Legal crosswalks for right-of-way crossing.
 - (4) Asphalt, concrete, or similar surface material.
- c. A legal document between the property owners that guarantees access to the shared parking must be submitted to the **Zoning Administrator**. The document will be approved by the City before being recorded. The termination of the agreement must be approved by the City and the owners must provide proof that each establishment meets the criteria within this title.

K. Pedestrian Circulation Standards.

1. Off-street parking areas shall include on-site pedestrian circulation systems to ensure the safety of pedestrians, bicyclists, and motorists.
2. The on-site pedestrian circulation system shall comply with all ADA standards.
3. The on-site pedestrian circulation system shall be marked and must connect all buildings on the site to one another and provide connections to the required vehicle and bicycle parking spaces.
4. The on-site pedestrian circulation system must connect building entrances to adjacent public rights-of-way along direct routes that do not require significant out-of-direction travel.
5. The on-site pedestrian circulation system shall provide at least one (1) connection to adjacent properties along a shared street frontage. Connections must provide access to existing walkways on adjacent properties, or to the likely future location of walkways on those properties. The **Zoning Administrator** may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.
6. Connections to future planned trails shall be provided.

N.L. Bicycle Parking. The purpose of this section is to provide sufficient, safe, and convenient bicycle parking to encourage bicycling as a form of transportation, reducing traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.

1. **Types of Parking.** The following types of bicycle parking shall be allowed:
 - a. **Short-Term Parking.**
 - (1) **Bicycle Rack.** A bicycle rack is a device that is capable of supporting a bicycle in a stable position that secures the bicycle with at least two (2) points of contact. A single rack provides two (2) parking spots. The rack shall be no taller than three (3) feet ~~(3')~~ tall and no less than eighteen (18) inches ~~(18")~~ in length.

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- (2) **Bicycle Shelter.** A bicycle shelter is a covered parking area and provides all weather protection. The shelter should be designed to hold many bicycles. It is preferred that the shelter be close to other forms of transportation to encourage bicycle riding throughout the City.

b. **Long-Term Parking.**

- (1) **Bicycle Locker.** A bicycle locker provides an all-weather, high security, and long-term parking solution. The enclosure should be made out of durable material that will keep the bicycle safe from weather or vandalism. The locker must be able to be locked to prevent theft and it must be able to be unlocked by the user for easy access. It is preferred that bicycle lockers are placed near other forms of transportation to encourage bicycle riding throughout the City.
- (2) **Bicycle Station.** A bicycle station provides the highest level of service for long term parking. The station is intended to be a regional hub for bicycles in the area and it is expected for the station to provide services to cyclists. These services may include, but are not limited to, repair, lockers, showers, food and beverages, rental, and other storage facilities.

2. **Off-Street Parking Reduction For Bicycle Parking.**

- a. A reduction in the number of off-street vehicle parking spaces required shall be permitted for the provision of bicycle parking provided that:
- (1) No fee is required for using the bicycle parking made available;
- (2) When calculation of the maximum number of reduced parking spaces results in a fraction, the resulting number shall be rounded to the next highest integer.
- b. The reduction in the number of ~~automobile-vehicle~~ parking spaces shall be reduced by no more than one (1) space for every two (2) bicycle parking spaces, but no more than twenty (20) percent ~~(20%)~~ of the total required spaces.
- c. This provision is applicable to all land ~~type~~ uses except ~~to~~ single-unit residential and two-unit residential.

Q.M. Land Banked Parking Facilities. Land banking allows for ~~the designation of~~ a portion of land on a site that would be required for parking to be held and preserved as open space, rather than constructed as parking. This reduces the amount of impervious surface on a site for developments which otherwise would not have enough parked vehicles to fill the minimum required parking stalls, or "bank" the spaces until such time capacity warrants their construction.

1. **Standards.** The ~~Zoning Board of Appeals~~ Planning and Zoning Commission may permit land banking of up to twenty-five (25) percent ~~(25%)~~ of the required parking spaces through the ~~variance process~~, subject to the following:
- a. ~~Sufficient evidence is provided by the applicant that supports the reduced parking needs.~~
- b. ~~Approval of a land bank parking plan which illustrates the area proposed for land banking of parking spaces in an area suitable for parking at a future time.~~
- c. Landscaping of the land banked area must be in full compliance ~~of the zoning regulations with this title~~ and, at a minimum, landscaped with turf. As a result of the site plan review process, the ~~Zoning Board of Appeals~~ Planning and Zoning Commission may require additional landscaping of the land banked area.
- d. ~~The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.~~
- e. ~~As part of the variance process, the applicant must show the area to be banked on the overall site plan and marked as "Land Banked Future Parking".~~

Commented [JW10]: We would recommend establishing a distinct Land Banked Parking Facilities permitting process since the standards of review for a variance would be impossible for an applicant for land banking to meet.

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2. **Land Bank Plans Required.** The owner of the property making a land bank request shall submit a detailed land banked parking plan for review and approval by the ~~Zoning Board of Appeals~~ Planning and Zoning Commission. The land banked parking plan shall show both full compliance with the parking regulations of this chapter and the land bank area showing the reduced number of parking spaces.
3. **Termination of Land Bank.**
 - a. The City Council shall have the right in its discretion to require the property owner or successor, to construct all or a portion of the land banked parking facilities. Instances for termination, shall include, but not be limited to:
 - (1) The intensity of the use is increased,
 - (2) The type of use changes,
 - (3) There is an addition to the property or building.
 - b. The Community Development Director Zoning Administrator will provide notice to the owner that the land banked parking facilities must be constructed and completed within one (1) year from the date of the notice.

Commented [JW11]: If new process is established, we would recommend moving these standards to Chapter 7: Administration and Enforcement

Commented [JW12]: If approved by the Zoning Board of Appeals, should they be responsible for termination instead of the City Council?

P.N. Off-Street Loading Regulations and Requirements.

1. **Location.** All ~~required~~ loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons ~~of~~ capacity shall be closer than fifty (50) feet ~~(50')~~ to any property zoned or used for residential purposes unless all loading and unloading activities are located completely within the building, screened by walls, solid fencing or densely planted mature shrubbery, or a combination thereof ~~the requirements for Transition Area D as detailed in section 10-5-3, not less than six (6) feet (6') in height.~~ No permitted or required loading berth ~~that is open to the sky~~ shall be located within any front or corner side yard, and shall not be located within fifty (50) feet ~~(50')~~ of the nearest point of intersection of any two (2) streets.
- 4.2. **Size.** ~~Required size shall be determine on a case-by-case basis depending on the narrative provided by the petitioner or traffic study and shall be as approved by the Zoning Administrator.~~
2. **Size.** ~~Unless otherwise specified, a required loading berth shall be the greater of ten (10) feet (10') in width by at least twenty-five (25) feet (25') in length or the length of the longest delivery vehicle used in connection with such use, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fifteen (15) feet (15').~~
3. **Access.** ~~Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.~~
- 4.3. **Surfacing.** All open off-street loading berths shall be improved with a compacted aggregate base not less than twelve (12) inches ~~(12")~~ and surfaced with not less than four (4) inches ~~(4")~~ of bituminous concrete or six (6) inches ~~(6")~~ of concrete or some comparable all weather dustless material. The exact design to be determined based on projected use of the loading berth.
- 5.4. **Repair and Service.** No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any ~~residence or business~~ districts.
- 6.5. **Loading Spaces Not to be Used for Parking Requirements.** Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
- 7.6. **Special Uses.** For special uses other than prescribed hereinafter, loading berths adequate in number and size to serve such use, as determined by the Community Development Director Zoning Administrator, shall be provided.
8. **Computation of Number of Required Off-Street Loading Spaces.** ~~If in determining the number of off-street loading berths as required by this title, the computation results in a requirement of a fractional berth, any one-half (½) or more shall be round to the nearest whole number and counted as one (1) loading berth.~~

— **Accessory Off-Street Loading Facilities.** Uses for which off-street loading facilities are required herein but which are located in buildings of less floor area than the minimum prescribed for such required facilities, shall be provided with adequate receiving facilities off any adjacent alley, service drive or open space on the same lot which is accessible by motor vehicle.

9.7. Required Off-Street Loading Spaces. The number of loading spaces provided shall be determined on a case-by-case basis as approved by the Zoning Administrator and based on a narrative provided by the petitioner or traffic study. These spaces shall be provided in a manner that does not interfere with internal site circulation, ingress or egress to the site, access to or use of required off-street parking areas and pedestrian circulation areas, and with the public use of streets or alleys.

10-5-2. Driveways

A. General Driveway Standards. All driveways shall comply with the City of Yorkville's surfacing requirements as established in Chapter ## of the Municipal Code.

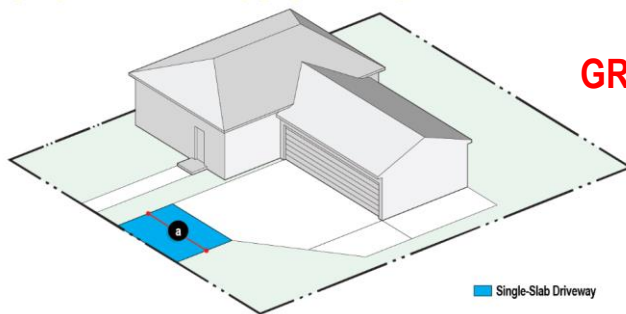
B. Single-FamilyUnit Driveway Standards. A single slab or ribbon driveway from the property line to legal, on-site parking shall be provided and shall be in conformance with the following criteria.

1. Limit of One. One (1) single slab or ribbon driveway and one (1) curb cut shall be permitted per every seventy-five (75) feet of frontage of a single-familyunit residential lot. New residential parcels taking access from collector or arterial streets, shall share driveways in order to protect public safety by limiting curb cuts.

2. Single-Slab Driveway Design Standards.

a. Single-slab driveways shall not exceed twenty~five (205) feet in width at the property line.

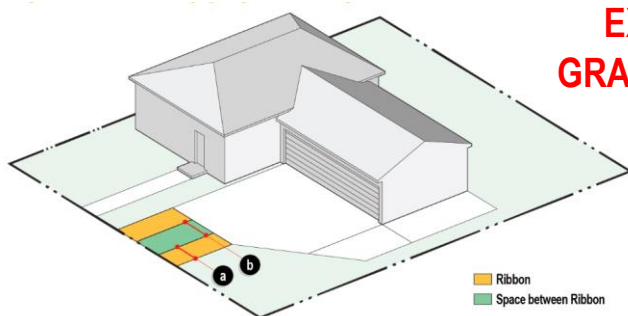
b. Single-slab driveways shall be surfaced with concrete including decorative concrete, patterned concrete, and exposed aggregate concrete; porous asphaltbituminous concrete; concrete pavers; paving blocks; or other materials approved by the Public Works Director.



**EXAMPLE
GRAPHIC ONLY**

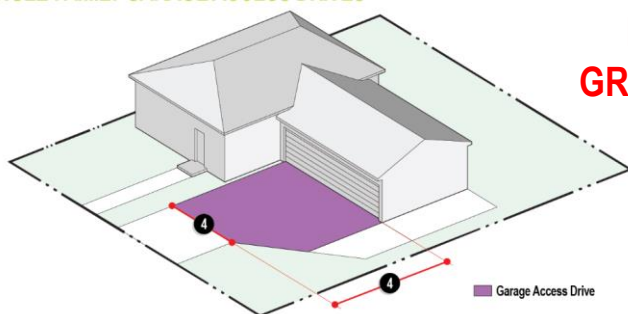
3. Ribbon Driveway Design Standards.

- a. Ribbons shall be a minimum of two (2) feet wide and a maximum of three (3) feet wide.
- b. Ribbons shall be a minimum of three (3) feet apart measured from their nearest edges. The space between ribbons shall be planted in turf grass or another permeable surface.
- c. Ribbons shall be surfaced with concrete including decorative concrete, patterned concrete, and exposed aggregate concrete; porous asphalt/bituminous concrete; concrete pavers; paving blocks; or other materials approved by the City Engineer/Public Works Director.



**EXAMPLE
GRAPHIC ONLY**

4. Garage Access Drive. A garage access drive, the width of the garage, as measured from the garage door(s) plus an additional one (1) foot on either side of the garage door(s), is permitted to extend for a distance of sixteen (16) feet from the garage doors before tapering, within ten (10) feet, back to the maximum driveway width.



**EXAMPLE
GRAPHIC ONLY**

5. Parking Pad.

a. Limit of One. A single-unit driveway may be extended to include one (1) parking pad.

b. Configuration.

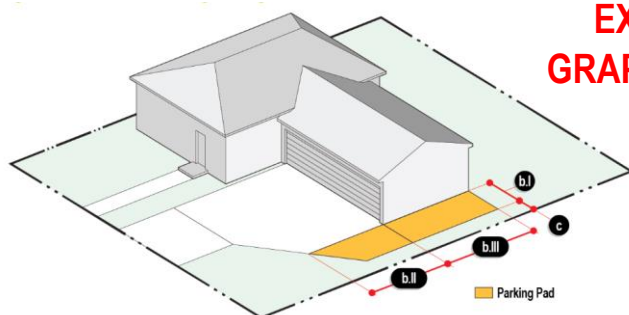
(1) A parking pad shall be a maximum of ten (10) feet in width.

(2) The portion of the parking pad adjacent to the driveway shall have a maximum length of twenty (20) feet, as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty (20) foot maximum.

(3) The portion of the parking pad adjacent to the garage shall have a maximum length equal to the depth of the garage, as measured from the front façade line of the garage.

a-c. Location. The parking pad shall be set back a minimum of five (5) feet from any side property line and shall be outside of all easements.

d. Surfacing. Parking pads shall be surfaced with porous asphalt; concrete pavers; paving blocks; or other pervious materials approved by the City Engineer Public Works Director.



**EXAMPLE
GRAPHIC ONLY**

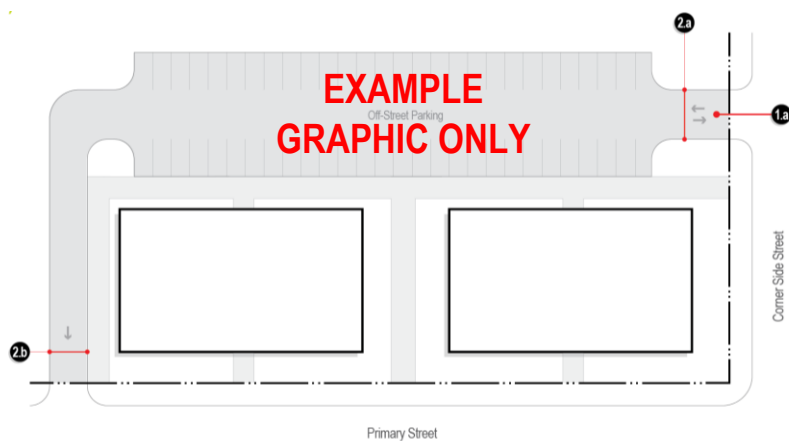
D. Multiunit and Nonresidential Driveway Standards.

1. Location.

- a. Where an off-street parking area of a corner lot abuts an alley or a corner side street, access to the off-street parking area shall be obtained from a driveway off the alley or corner side street.
- b. No lot can have multiple driveways for purposes of vehicular ingress and egress without a minimum three hundred (300) foot separation between such curb cuts along a street.

2. Driveway Design Standards.

- a. Two-way driveways for multifamily and nonresidential uses shall be a minimum of twenty-five (25) feet and a maximum of thirty-six (36) feet at the property line.
- b. One-way driveways for multifamily and nonresidential uses shall be a minimum of sixteen (16) feet and a maximum of twenty (20) feet at the property line.
- a.c. Driveways for multifamily and nonresidential uses shall be surfaced with an asphaltic concrete or portland cement pavement.



10-5-3. Landscape

Landscape improvements required by this section shall apply to all nonresidential, mixed use, and multifamily development and consist of living vegetation in a combination of plants, trees, shrubs, native grasses, perennials, and/or groundcover. Unless otherwise stated in this section, all size specifications for plant materials shall be based upon the time of planting. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured at six (6) inches above the soil level. Any plant materials used to meet the requirements of this section shall not include any plant material identified as an invasive species by the Illinois Department of Natural Resources.

Commented [JW13]: Existing language from landscape ordinance proposed to be replaced

A. Planting Types.

1. **Canopy Trees.** A woody plant (deciduous or evergreen) having not less than a two and one-half (2.5) inch caliper with single central axis which typically reaches a mature height of not less than forty (40) feet and a mature spread of not less than fifteen (15) feet.
2. **Understory Trees.** A woody plant having not less than a one and one-half (1.5) inch caliper, or six (6) feet tall for multiple stem species, that normally attains a mature height of at least fifteen (15) feet.
3. **Evergreen Trees.** A tree having foliage that persists and remains green throughout the year and has a height of not less than six (6) feet at installation and maturing to a height of not less than twenty (20) feet.
4. **Shrubs.** A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and having a height of not less than two (2) feet.
5. **Native Grasses.** Grasses that are native to the State of Illinois, not including noxious weeds.
6. **Herbaceous Perennials.** Plants with non-woody stems whose above-ground growth largely or totally dies back during winter months but whose underground plant parts (roots, bulbs, etc.) survive.
7. **Groundcover.** Spreading herbaceous plants, other than turf grass, or prostrate shrubs, or woody vines normally reaching an average maximum height of eighteen (18) inches at maturity.

[INSERT PLANTING TYPES GRAPHIC]

- B. Required Landscape Zones.** Figure 6.3 illustrates the location of the required landscape zones as detailed in the following sections. The Zoning Administrator may approve exceptions to the required landscape zone as an administrative exception specified in Section ##.

[INSERT LANDSCAPE ZONES GRAPHIC]

- C. Building Foundation Landscape Zone.** All nonresidential, mixed-use, and multifamily development where a front yard setback is required, with the exception of food processing facilities regulated by the FDA, shall include landscape located at the building foundation as required by this section. Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide a softening effect at the base of buildings.

1. Applicable development is required to maintain a building foundation area at front and exterior side yards of seven (7) feet at a minimum.
2. Foundation plantings shall be designed to supplement buffer yard plantings to frame important views, while visually softening long expanses of walls.
3. Foundation plantings shall be installed in a manner that complements the architecture of the building, as approved by the Zoning Administrator, depending on site conditions and the location of walkways and driveways.
4. Foundation plantings may include a mixture of the planting types specified in Section 10-5-3(A).

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5. Where the area between the building and parking lot or street curb is entirely paved for pedestrian use, landscaping may consist of canopy trees planted in structural soils beneath tree grates or permeable pavement, at the rate of one (1) tree per fifty (50) linear feet of building facade. Minimum structural soil volume shall be six-hundred (600) cubic feet per tree.
6. Above-ground stormwater planter boxes installed on-site may be substituted for foundation plantings as deemed appropriate by the Zoning Administrator.

[INSERT BUILDING FOUNDATION LANDSCAPE GRAPHIC]

D. Parking Area Perimeter Landscape Zone. Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide screening between off-street parking areas and rights-of-way, and to provide for the integration of stormwater management with required landscaping.

1. **Location.** All off-street parking areas which abut a public or private right-of-way, excluding alleys, shall include landscape and trees as required by this section located between the back of curb of the off-street parking area and the right-of-way.
2. **Applicability.** The parking lot perimeter landscape regulations of this section apply to the following:
 - a. The construction or installation of any new off-street parking area; and
 - b. The expansion of any existing off-street parking area, in which case the requirements of this section apply only to the expanded area.
3. **Requirements.** Perimeter landscape shall be established along the edge of the off-street parking area and have a minimum width of seven (7) feet as measured from the back of curb of the off-street parking area, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.
 - a. One (1) shrub or native grasses the height of which shall not be less than three (3) feet nor greater than five (5) feet, shall be planted for every three (3) feet of landscape area length.
 - b. Landscaped areas outside of shrubs/native grasses and tree masses shall be planted in live groundcover.
 - c. A low masonry wall or fence the height of which provides effective screening to a maximum height of three (3) feet may be used in conjunction with required landscaping as detailed above. Plant materials shall be installed between the sidewalk and the fence or wall to provide a softening effect.

[INSERT PARKING PERIMETER LANDSCAPE GRAPHIC]

E. Parking Area Interior Landscape Zone. All off-street parking areas shall include landscape and trees located within the off-street parking area as required by this section. Trees and landscape required by this section shall be in addition to trees and landscape required under other sections of this title. It is the objective of this section to provide shade within parking areas, break up large expanses of parking area pavement, support stormwater management where appropriate, improve the appearance of parking lots as viewed from rights-of-way, and provide a safe pedestrian environment.

1. **Applicability.** The parking area interior landscape zone regulations of this section apply to the following:
 - a. The construction or installation of any new off-street parking lot containing twenty (20) or more parking spaces; and
 - b. The expansion of any existing off-street parking area if the expansion would result in twenty (20) or more new parking spaces, in which case the requirements of this section apply only to the expanded area.
2. **Requirements.** For off-street parking areas consisting of twenty (20) or more continuous spaces, interior parking area landscape as described in this section shall be required. Off-street parking areas consisting of fewer than twenty (20) continuous spaces that are located in front or to the side of the principal building shall be required to terminate all rows

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of parking with a parking area end cap meeting the standards of subsection 4 below. Off-street parking areas consisting of fewer than twenty (20) continuous spaces that are located to the rear of the principal building shall be exempt from parking area interior landscape zone requirements.

3. **Amount.** The amount of required parking area interior landscape shall be determined by the location of the off-street parking area in relation to the primary building as detailed below.

a. **Off-Street Parking Areas in Front or Side of Primary Building.**

- (1) **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
- (2) **Parking Area Median Amount Requirement.** Parking area medians shall be placed between every third bay of parking.
- (3) **Parking Area Island Amount Requirement.** Parking area islands shall be located on parking bays which are not required to have parking area medians. Parking area islands shall be spaced not more than one-hundred thirty-five (135) feet or more than fifteen (15) continuous spaces apart.

[INSERT INTERIOR PARKING LOT LANDSCAPE ZONE FRONT/SIDE REQUIREMENTS LANDSCAPE GRAPHIC]

b. **Off-Street Parking Areas in Rear of Primary Building.**

- (1) **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
- (2) **Parking Area Median or Parking Area Island Amount Requirement.** The developer may choose to install either parking area medians or parking area islands. If the developer chooses to install parking area medians, they shall be placed between every third bay of parking. If the developer chooses to install parking area islands, they shall be spaced not more than one-hundred eighty (180) feet or more than twenty (20) continuous spaces apart.

[INSERT INTERIOR PARKING LOT LANDSCAPE ZONE REAR REQUIREMENTS LANDSCAPE GRAPHIC]

4. **Parking Area End Cap Standards.**

- a. **Size.** Parking area end caps shall be a minimum of nine (9) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area end caps opposite one another to form a continuous single end cap.
- b. **Planting.** A minimum of one (1) canopy tree and three (3) shrubs or native grasses shall be provided for every parking area end cap. If the end cap extends the width of a double bay, then two (2) canopy trees shall be provided. The mature height of the shrubs or native grasses shall not exceed thirty-six (36) inches and all canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.
- c. **Design.** Parking area end caps shall be protected with concrete curbing or other suitable barriers approved by the Zoning Administrator. Such end caps shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

[INSERT PARKING AREA END CAP GRAPHIC]

5. **Parking Area Median Standards.**

- a. **Size.** Parking area medians shall have a minimum width of nine (9) feet and minimum soil depth of thirty-six (36) inches.

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- b. **Planting.** A minimum of one (1) canopy tree and fifteen (15) shrubs or native grasses shall be planted for each fifty (50) linear feet of parking area median. The mature height of the shrubs or native grasses shall not exceed thirty-six (36) inches and all canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.
- c. **Design.** Parking area medians shall be protected with concrete curbing unless the parking area median is designed to be utilized for stormwater management in which case the perimeter shall be protect by wheel stops, or other suitable barriers approved by the **Zoning Administrator**. Such medians shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

[INSERT PARKING AREA MEDIAN GRAPHIC]

6. **Parking Area Island Standards.**

- a. **Requirements.** Parking are islands shall only be required for parking areas with twenty (20) or more contiguous spaces in a row.
- b. **Size.** Parking area islands shall be a minimum nine (9) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area islands opposite one another to form continuous single islands.
- c. **Planting.** A minimum of one (1) canopy tree shall be provided for every parking area island. If the island extends the width of a double bay, then two (2) canopy trees shall be provided. Canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.
- d. **Design.** Parking area islands shall be protected with concrete curbing or other suitable barriers approved by the **Zoning Administrator**. Such islands shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

[INSERT PARKING AREA ISLAND GRAPHIC]

7. **Pedestrian Circulation Systems.** Pedestrian circulation systems, as required in the interior of off-street parking areas in **section 10-5-1(J)** shall be located along parking area medians. The **Zoning Administrator** may waive or modify this requirement on determining that locating pedestrian circulation systems along parking area medians is impractical due to site conditions or undesirable because it would create unsafe conditions.
8. **Pedestrian-Scale Lighting.** Pedestrian-scale lighting of an adequate height and design is encouraged to be provided at adequate intervals to illuminate the pedestrian circulation systems.
9. **Type of Landscape Material.** Except where areas are designed as vegetated stormwater management areas, canopy trees shall be the primary plant materials used in parking area islands and canopy trees and shrubs or native grasses shall be the primary plant materials used in parking area medians. Understory trees, **perennials**, groundcover, and other plant materials may be used to supplement the required plantings but shall not create visibility concerns for automobiles and pedestrians. If medians or islands are designed as stormwater management areas, deviations from required plantings may be approved by the **Zoning Administrator**.
10. **Groundcover.** A minimum of seventy-five (75) percent of the surface area of every parking area island and median shall be planted with living groundcover. The remainder of the surface area of every parking area island may consist of rocks, plant materials, or other materials approved by the **Zoning Administrator**.

- F. **Transition Zone Landscape Requirements.** Transition zone landscape shall be required along interior side and rear property lines of all nonresidential, mixed use, and multifamily development. It is not expected that the transition area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics. Landscape required by this section shall be in addition to landscape required under other sections of this title.

Commented [TP14]: Evergreen trees are usually discouraged in parking lot interiors because they create visibility issues

Commented [TP15]: Shrubs and native grasses already included

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1. **Applicability** - Transition zone landscaping is required as follows:

- a. The construction or installation of any new primary building or primary use; and
- b. The expansion of any existing primary building or primary use that results in an increase in gross floor area by more than five (5) percent or one thousand (1,000) square feet, whichever is greater. In the case of expansions that trigger compliance with transition zone requirements, transition zone landscaping is required only in proportion to the degree of expansion. The Zoning Administrator is authorized to allow the transition zone to be established adjacent to the area of expansion or to disperse transition zone landscaping along the entire site transition zone.

2. **Application of Transition Zone Types** - Transition zones shall be provided based on [Table 10-5-3\(F\)\(3\)](#), except where adjacent uses are of a similar nature, scale, and intensity as determined by the [Zoning Administrator](#). As per [Table 10-5-3\(F\)\(3\)](#), the type of required transition zone is dependent upon the land use type of the subject lot and the land use type of the adjacent lot(s).

Table 10-5-3(F)(3) Application of Transition Zone Types

Subject Lot Land Use	Adjacent Lot Land Use										
	Agricultural	Single-Unit Residential	All Other Residential	Public/Institutional	Retail	Service/Medical/Office	Lodging	Eating/Drinking	Entertainment	Vehicle Related	Industrial/Transportation
Agricultural	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Single-Unit Residential	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
All Other Residential	n/a	C	A	B	B	B	B	B	B	C	D
Public/Institutional	n/a	C	B	A	B	B	B	B	B	C	D
Retail	n/a	C	B	B	A	A	A	A	A	B	C
Service/Medical/Office	n/a	C	B	B	A	A	A	A	A	B	C
Lodging	n/a	C	B	B	A	A	A	A	A	B	C
Eating/Drinking	n/a	C	B	B	A	A	A	A	A	B	C
Entertainment	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Vehicle Related	n/a	C	B	B	A	A	A	A	A	B	C
Industrial/Transportation	n/a	D	D	D	D	D	D	D	D	D	D

3. **Transition Zone Types** - Four (4) transition zone types are established in recognition of the different contexts that may exist, as shown in [Table 10-5-3\(F\)\(2\)](#). Transition zones may include a combination of elements including setback distances for separation, planting types, solid fencing, green walls, vegetated stormwater management areas, living groundcover, or turf.

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Table 10-5-3(F)(2) Transition Zone Types

Specification		Type A	Type B	Type C	Type D
(a)	Minimum Zone Width (1)	5 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height (2)	optional	optional	6 feet	6 feet
<i>Minimum Number of Landscape Elements per 100 Linear Feet</i>					
(c)	Understory Tree	optional	3	4	5
(d)	Canopy/Evergreen Tree	4	3	4	5
(e)	Shurbs/Native Grasses	optional	15	25	35
Notes:					
(1) Required yard setbacks may be utilized for transition zone landscape.					
(2) Fence or wall requirements may be satisfied by a solid evergreen hedge with a maximum height of six (6) feet, as approved by the Zoning Administrator.					

Commented [TP16]: Note (2) - Arborvitae is a specific species of evergreen so technically redundant

[INSERT TRANSITION ZONE TYPE GRAPHICS]

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G. Species Diversity Requirements. The following species diversity requirements shall be required for all developments, unless otherwise approved by the **Zoning Administrator** in conjunction with approval of vegetated stormwater management areas. As used herein, native vegetation is defined as plants identified as native to northeastern Illinois in commonly accepted references including "Flora of the Chicago Region" by Gerould Wilhelm and Laura Rericha (2017), the USDA Natural Resources Conservation Service PLANTS Database, or other reference acceptable to the Zoning Administrator.

1. As used herein, native vegetation is defined as plants identified as native to northeastern Illinois in commonly accepted references including "Flora of the Chicago Region" by Gerould Wilhelm and Laura Rericha (2017), the USDA Natural Resources Conservation Service PLANTS Database, or other reference acceptable to the Zoning Administrator. A minimum of fifty (50) percent of the plants, excluding turf grass used on a parcel that is less than one-half (0.5) acre shall be drought tolerant native species.
2. A minimum of sixty (60) percent of the plants, excluding turf grass used on a parcel that is between one-half (0.5) and five (5) acres shall be drought tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than thirty (30) percent of any single species or fifty (50) percent of any genus.
- 4.3. A minimum of seventy-five (75) percent of the plants, excluding turf grass used on a parcel that is greater than five (5) acres shall be drought tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than twenty (20) percent of any single species or twenty-five (25) percent of any genus.

B-H. Tree Preservation and Removal. No live tree(s) with a four (4) inch diameter at breast height may be removed without first applying for tree removal and receiving approval from the City as specified in Section ###.

1. **Tree preservation and removal guidelines.** Every reasonable effort shall be made to retain existing trees shown in the tree survey through the integration of those trees into the site and landscape plan for a proposed development.
 - a. Critical areas such as floodplains, steep slopes, and wetlands, should be left in their natural condition or only partially cleared.
 - b. Roadways, storage areas, and parking lots should be located away from valuable tree stands.
 - c. Cutting and filling in the vicinity of valuable trees should be minimal.
 - d. If more than one-third of the tree's root system is to be affected by construction, the tree should be part of the removal plan and replaced with the appropriate number of trees.
2. **Tree Replacement Standards.**
 - a. Any tree approved for removal shall be replaced with new trees in accordance with the following schedule:

Table 10-5-3(H)(2)(a) Tree Replacement Standards	
Caliper (Inches) of tree to be removed	Number of Replacement Trees
30 or greater	6
13-29	5
8-12	4
4-7	2

- b. In the event that a tree identified to be preserved is removed or damaged, such tree shall be replaced as follows:

Commented [TP17]: Suggest adding a definition of the term 'native' as it relates to plants. There can be a lot of controversy. For example, native could be interpreted as native to the continental US and thereby include palm trees and cacti. Need to decide whether cultivars (cultivated varieties) of native plants are acceptable. Might be too limiting to exclude them.

Commented [RS18R17]: Add definition for natives. Reference hardiness zone.

Commented [TP19]: Suggest adding a definition of the term 'native' as it relates to plants. There can be a lot of controversy. For example, native could be interpreted as native to the continental US and thereby include palm trees and cacti. Need to decide whether cultivars (cultivated varieties) of native plants are acceptable. Might be too limiting to exclude them.

Commented [RS20R19]: Add definition for natives. Reference hardiness zone.

Commented [TP21]: Not sure if this means 50% of the total quantity of plants or 50% of the specified species. Suggest clarifying so that it means 50% of the total quantity of all plants, excluding turf grass, utilized on a parcel. Could be of each planting type but that can get really complicated.

Commented [TP22]: See above comment. Suggest clarifying so that it means 60% of the total quantity of all plants.

Commented [TP23]: See above. Suggest clarifying so that it means 75% of the total quantity of all plants.

Commented [TP24]: Suggest adding that a tree survey be required for all developments. Tree survey to include location, species (botanic and common name), and diameter at breast height (DBH) of all trees 4" DBH and larger. Survey should indicate which trees are proposed to be removed and which are to be preserved. Require tree mitigation (i.e., replacement of trees removed for development)?

Commented [RS25]: Existing language from 8-12-2(H)(1)(b)(i) and (2)

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Table 10-5-3(H)(2)(a) Tree Replacement Standards	
Caliper (Inches) of tree to be removed	Number of Replacement Trees
30 or greater	12
13-29	10
8-12	8
4-7	4

- c. All replacement trees shall have a minimum caliper of two and one-half (2 ½) inches and shall consist of canopy and understory trees as deemed appropriate by Zoning Administrator.
 - d. If the tree(s) approved for removal is (are) dead from natural causes prior to the date of the tree removal permit, then no replacement tree(s) are required for them.
3. **Preservation of Existing Trees.** Preservation of existing high-quality trees within a new development or redevelopment site is highly encouraged. Preserved trees may fulfill a portion of the landscape requirements established in this section. Should the applicant propose to maintain existing high-quality trees to count toward satisfying certain landscape requirements of this title, the Zoning Administrator may, upon receipt of a tree preservation plan, waive certain landscape requirements if mature, high-quality trees on a lot are proposed to be preserved. If, upon inspection at the conclusion of the project, trees identified for preservation have been removed, damaged, or are otherwise in declining condition, all waived required landscape shall be installed.

I. Installation and Maintenance of Landscape Areas.

1. Immediately upon planting, all landscape shall conform to the American Standard for Nurserymen, published by the American Association of Nurserymen, Inc., as revised from time to time.
2. A development securities agreement as specified in **Section 7-##-###** shall be executed by the applicant for all required landscape improvements. Such agreement shall be executed prior to the issuance of any building permit. The security for landscaping improvements shall remain in place or be held by the City for a period of eighteen (18) months from the date of the last planting of the landscaping. At end of the eighteen (18) months, a letter of credit shall terminate, or any case held in escrow shall be returned to the applicant.
3. Dead plant materials shall be replaced within sixty (60) days upon notification from the City, taking into consideration the season of the year, and shall have at least the same quantity and quality of landscape elements as initially approved. If the particular project is constructed in more than one (1) phase, the sixty (60) day timeframe shall apply to each individual phase.
4. All landscape shall be maintained in a healthy, clean, and weed-free condition. The ground surface of landscape areas shall be covered with either turf and/or other types of pervious groundcover or mulch.

10-5-4. Screening

A. Used ~~Frying Oil~~Grease Traps, Trash, and Recycling Receptacles. The following regulations shall apply to all nonresidential, mixed use, and multifamily ~~non-single-family~~ development.

1. Used ~~frying oil~~grease traps, trash, and recycling receptacles shall be screened on three (3) sides with a solid, opaque material with a minimum height of six (6) feet and a maximum height of eight (8) feet.
2. Materials used for screening shall complement the exterior building cladding materials of the primary building.
3. Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.
4. If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
5. Shrubs shall be installed every three (3) feet along the exterior of the enclosure, with the exception of enclosure openings, to provide a softening effect.
6. Enclosure openings shall be gated with an opaque material.
7. Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
8. Property owners shall be responsible for ensuring that used ~~frying oil~~grease traps, trash, and recycling receptacles be placed in the enclosure at all times other than when it is being accessed.
9. Access drives shall be constructed of materials and to a thickness which accommodates truck loading. Year-round access to the enclosure area for service trucks shall be maintained by the property owner or tenant.
10. Enclosures shall be of an adequate size to accommodate expected containers. The enclosure shall be designed to be expandable to accommodate future additional containers.
11. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, or other similar means.
12. Used ~~frying oil~~grease traps, trash, and recycling receptacle enclosures shall not occupy areas used for required parking spaces.

Commented [JW26]: Existing language from 10-17-3 proposed to be replaced

[INSERT GRAPHIC]

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B. Ground/Wall Mounted Mechanical Units. The following regulations shall apply to all ground/wall-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment. Tanks and / or silos accessory to a brewery, winery, and/or distillery are exempt from these requirements.

1. Locating mechanical units within the primary building is strongly encouraged in order to minimize exterior visual impacts. Ground mounted mechanical units are prohibited within the front yard, regardless of whether screening is provided.
2. Ground/wall mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view.
3. Materials used for screening shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen. Evergreen hedges or non-transparent walls such as stone masonry shall be allowed.
4. Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

Commented [TP27]: Can landscape (e.g., evergreen hedge) be used to meet this requirement?

Commented [RS28R27]: Allow for evergreen hedge.

[INSERT GRAPHIC]

C. Roof Mounted Mechanical Units. The following regulations shall apply to all roof mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment which service multifamily, non-residential, or mixed use developments.

1. Locating mechanical units within the primary building is strongly encouraged in order to minimize exterior visual impacts.
 2. Roof mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be completely screened from public view.
 3. Materials used for screening shall be architecturally integrated with the building and shall be continuous and permanent.
 4. Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not mandate the screening requirements.
- 2-5. Additional screening may be required due to topographic differences in the adjoining properties.

[INSERT GRAPHIC]

10-5-5. Fences

Commented [JW29]: Existing language from 10-17-2

A. Regulations for All Zoning Districts.

1. Fences ~~of more than~~ thirty-six (36) inches ~~or more~~ (36") in height require a building permit.
2. All fences must be erected so that the finished side of the fence faces outward or away from the lot on which the fence is erected.
3. No more than two (2) different types of fencing material are permitted per ~~fence~~ lot.
4. **Materials.** The materials listed below are acceptable for a fence in any district. These materials are an example of acceptable fencing. The ~~Community Development Director~~ Zoning Administrator has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.
 - a. Stone.

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- b. Brick.
- c. Natural rot resistant wood (cedar, cyprus, redwood).
- d. Cast or wrought iron.
- e. Plastic.
- f. Aluminum.
- g. Composite wood and plastic.
- h. Vinyl coated chainlink (rear and side yard only).

B. Placement.

- 1. Fences may be built up to the property line, but shall not extend beyond the front plane of the primary structure-building facade in residential and business districts, and must be located entirely on the property of the owner constructing it.
- 4-2. Fences may be constructed within an easement, though future work within the easement may result in the removal of the fence. Fences are not allowed in some types of restricted easements, such as those dedicated for landscape, sidewalks, trails, access or where otherwise limited by an easement document.
- 2-3. The property owner is responsible for locating property lines, prior to the installation of the fence.
- 3-4. Fences, walls, or hedges shall not encroach on any public right-of-way.
- 4-5. It shall be the responsibility of the property owner to ensure that a fence does not block or obstruct the flow of stormwater.
- 5-6. No All solid fences, walls, hedges, or shrubberies which exceeds three (3) feet (3') above the street grade shall be permitted within the sight distance triangle formed at the intersection of any two (2) street right-of-way lines comply with the vision clearance standards of section 10-5-6 of this title.
- 6. The intersection of any street right-of-way lines with any service entrance drive (both sides of such drive), by a line drawn between such right-of-way lines, and/or such right-of-way line and service entrance drive line, at a distance along such line of twenty-five (25) feet (25') from the point of intersection thereof.

C. Maintenance.

- 1. It shall be the responsibility of the owner and/or occupant of the property where a fence is erected to maintain the fence in good repair at all times.
- 2. Missing boards, pickets or posts shall be replaced with material of the same type and quality.
- 3. Fences shall be maintained in an upright condition.

D. Prohibited Fences.

- 1. Fences or enclosures charged with or designed to be charged with electrical current are prohibited except for electric dog fences.
- 2. Any fence made of, in whole or in part, cloth, canvas or other like material is prohibited.
- 3. No fence shall be constructed of used or discarded materials in disrepair, including, but not limited to, pallets, tree trunks, trash, tires, junk, or other similar items as determined by the Zoning Administrator.

~~E. Regulations For Residential Districts.~~

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F.E. Height. Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in **Table 10-5-5(E)** of this section.

Table 10-5-5(E) Fence Height Standards				
District/Use	Maximum Height per Yard			
	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
Residential Districts	3 feet ¹	4 feet ²	6 feet ³	6 feet ³
Business Districts	3 feet ¹	4 feet ²	6 feet ³	6 feet ³
Manufacturing District	8 feet	8 feet	8 feet	8 feet
Public Uses and Utilities	8 feet	8 feet	8 feet	8 feet
Notes:				
1. Fence may be a maximum of four (4) feet in height if opacity does not exceed fifty (50) percent.				
2. Fence may be a maximum of six (6) feet in height if located a minimum of ten (10) feet from the property line and if the area between the fence and property line is planted with one (1) shrub or native grass every five (5) feet of fence length.				
3. Fence may be a maximum of eight (8) feet in height if in a residential district and adjacent to a nonresidential use or in a business district and adjacent to a residential use.				

~~1. **Materials.** The following materials are acceptable for any residential district fence.~~

- ~~a. Stone;~~
- ~~b. Brick;~~
- ~~c. Natural rot resistant wood (cedar, cyprus, redwood);~~
- ~~d. Cast or wrought iron;~~
- ~~e. Plastic;~~
- ~~f. Aluminum;~~
- ~~g. Composite wood and plastic;~~
- ~~h. Vinyl-coated chainlink (rear and side yard only).~~

~~**Similar Materials.** These materials are an example of acceptable fencing. The Community Development Director has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.~~

G. Regulations For Business Districts.

~~1. **Height.** Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in **Table 10.17.02** of this section.~~

~~2. **Materials.** The following materials are acceptable for any business district fence.~~

- ~~a. Stone;~~
- ~~b. Brick;~~

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- c. ~~Natural rot resistant wood (cedar, cyprus, redwood);~~
- d. ~~Cast or wrought iron;~~
- e. ~~Plastic;~~
- f. ~~Aluminum;~~
- g. ~~Composite wood and plastic;~~
- h. ~~Vinyl coated chainlink (rear and side yard only);~~
- i. ~~**Similar Materials.** These materials are an example of acceptable fencing. The Community Development Director has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.~~

H. ~~Regulations For Industrial Manufacturing Districts~~

- 1. ~~**Height.** Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in **Table 10-17.03** of this section.~~
- 2. ~~**Materials.** The following materials are acceptable for any manufacturing industrial district fence.~~
 - a. ~~Stone;~~
 - b. ~~Brick;~~
 - c. ~~Finished wood;~~
 - d. ~~Cast or wrought iron;~~
 - e. ~~Barbed wire (starting at a minimum elevation of six (6) feet above grade);~~
 - f. ~~Plastic;~~
 - g. ~~Aluminum;~~
 - h. ~~Composite wood and plastic;~~
 - i. ~~Chainlink;~~
 - j. ~~**Similar Materials.** These materials are an example of acceptable fencing. The Community Development Director has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.~~

I. ~~Regulations For Public Uses and Utilities.~~

- 1. ~~**Height.** Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in **Table 10-17.04** of this section.~~
- 2. ~~**Materials.** The following materials are acceptable for any utility fence.~~
 - a. ~~Stone;~~
 - b. ~~Brick;~~
 - c. ~~Finished wood;~~
 - d. ~~Cast or wrought iron;~~

- e. ~~Barbed wire (starting at a minimum elevation of 6 feet above grade);~~
- f. ~~Plastic;~~
- g. ~~Aluminum;~~
- h. ~~Composite wood and plastic;~~
- i. ~~Chainlink.~~
- j. ~~**Similar Materials.** These materials are an example of acceptable fencing. The Community Development Director has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.~~

10-5-6. Vision Clearance

Clear sight distance shall be required at the intersection of a driveway and any right-of-way or at the intersection of two (2) or more streets. No building or structure shall be permitted that creates a visual obstruction taller than three (3) feet in the area measured extending twenty (20) feet from the center of the intersection of the driveway and street, or from the center of the intersection of two (2) or more streets.

[INSERT GRAPHIC]

10-5-7. Outdoor Lighting

- A. **Fixture Classification.** All outdoor lighting fixtures, with the exception of wall mounted accent lighting and outdoor lighting in the A-1 District, shall either have a fixture cutoff classification of "Full Cutoff" or be fully shielded, unless otherwise expressly permitted in this UDO.
- B. **LED Fixtures.** All outdoor lighting shall utilizing a light-emitting diode (LED) fixture where possible meeting the following standards:
 - 1. **Color Rendering.** Outdoor LED fixtures shall be rated a minimum Color Rendering Index (CRI) value of seventy (70) or higher.
 - 2. **Color Temperature.** Outdoor LED fixtures shall have a correlated color temperature between four thousand (4,000) and five thousand (5,000) degrees Kelvin.
- C. **Pole Mounted Outdoor Lighting.**
 - 1. **Pole Placement.** Pole-mounted outdoor lighting shall be located outside of utility easements, designed in coordination with required landscape zones [\(Section 10-5-3\)](#).
 - 2. **Maximum Pole Height.** Pole-mounted fixtures shall be mounted at heights no greater than twenty (20) feet above grade.
- D. **Wall Mounted Accent Lighting.** Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.
- E. **Maximum Light Level at Property Line.** All outdoor lighting fixtures shall be designed and located so that the maximum light level shall be zero (0) maintained foot candles at any property line.
- F. **Fixtures.** All outdoor lighting must employ full cut-off or fully shielded fixtures.
- G. **Light Level Measurement.**
 - 1. **Location.** Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements

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may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the sensor in the horizontal position and not mounted more than six (6) inches above ground level, and with the light-registering portion of the meter held parallel to the ground and pointing upward.

2. **Light Meter Specifications.** Light levels shall be measured in foot candles with a direct-reading portable light meter. The meter shall:

- a. Have cosine and color correction.
- b. Have an accuracy tolerance of no greater than plus or minus five (5) percent, and
- c. Have been calibrated within the last two (2) years.

H. **Automatic Lighting Controls.** All outdoor lighting on non-residential lots must be controlled by a photo sensor, occupancy sensor, or timer to automatically reduce outdoor lighting when sufficient daylight is available, and to automatically extinguish lights no more than one hour following the close of business, excluding security lighting.

A-I. **Photometric Plan.** A photometric plan as specified in Section XX shall be required.