Village of Elk Grove Village
Zoning Ordinance

January 1, 2024

CHAPTER 1
TITLE, PURPOSE, INTERPRETATION

1-1 - TITLE

This Code is herein entitled, 2024 ELK GROVE VILLAGE ZONING ORDINANCE, commonly referred to as Zoning Ordinance or Ordinance throughout this document.

1-2 - PURPOSE

1-2-A. The purpose of this Ordinance is to ensure that:

1. Adequate light, clean air, and safety from fire and other dangers may be secured;
2. The taxable value of land and buildings throughout the municipality may be conserved;
3. Congestion in the public streets may be lessened or avoided;
4. The hazards to persons and damage to property resulting from accumulation or runoff of storm or flood waters may be lessened or avoided; and
5. The public health, safety, comfort, morals, and welfare may otherwise be promoted.

1-2-B. To accomplish the foregoing, this Ordinance seeks to:

1. Divide the Village into zones or districts, restricting and regulating the location, erection and construction, reconstruction, alteration and use of buildings, structures and land for residence, business, office, and industrial uses as well as other special and specified uses and regulate the intensity of the use of lot areas so as to determine open space surrounding buildings, thereby providing adequate light and air to protect public health;
2. Establish building lines and the location of buildings designed for residential, business, office, industrial or other uses within defined areas;
3. Fix appropriate standards to which buildings or structures shall conform;
4. Support uses, buildings or structures compatible with the character of development or intended use within specified Zoning Districts;
5. Facilitate additions, alterations or remodeling of existing buildings or structures in such a way as to meet the standards and character advanced by this Ordinance;
6. Limit congestion of the public streets and protect the public health, safety, convenience and general welfare; provide off-street parking of motor vehicles and the loading of commercial vehicles; protect against fire, explosion, noxious fumes, noise and odors and other hazards in the interests of public health, safety, comfort, and general welfare;
7. Prevent overcrowding of the land due to the concentration of structures and, insofar as possible, appropriate in each Zoning District by regulating the use and bulk of buildings in relation to the land surrounding them; and
8. Provide for the gradual elimination of nonconforming uses of land, buildings and structures which are adversely affecting the character and value of desirable development within the Zoning District.

1-3 - APPLICATION OF REGULATIONS

All existing and proposed structures and uses of premises within Elk Grove Village shall conform with all regulations of this Ordinance. Each Zoning District is established to allow only those uses specifically permitted. No Building Permit, other permit or license shall be issued by any Village Department which would allow construction or a use of land in violation with the provisions hereof.

1-4 - INTERPRETATION

This Ordinance is a comprehensive amendment to the Elk Grove Village Zoning Ordinance existing at the effective date hereof. The provisions hereof shall supersede all provisions of any previous ordinances of the Village which are contradictory to its terms.

1-5 - SEPARABILITY

Should any section, provision, part, or clause of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part hereof other than the part so declared to be invalid.

CHAPTER 2
DEFINITIONS

2-1 - RULES OF WORD CONSTRUCTION

2-1-B. The word "shall" is mandatory and not discretionary.

2-1-C. The word "may" is permissive.

2-1-D. Words in the singular number shall include the plural number, and words in the plural shall include the singular number.

2-1-E. The masculine gender includes the feminine and neuter.

2-1-F. The word “Village” means the Village of Elk Grove Village, Illinois.

2-1-G. Whenever a word or term defined hereinafter appears in the text of this Ordinance, its meaning shall be construed as set forth in the definition thereof. Any word not defined in this Ordinance shall be construed as defined in normal dictionary usage.

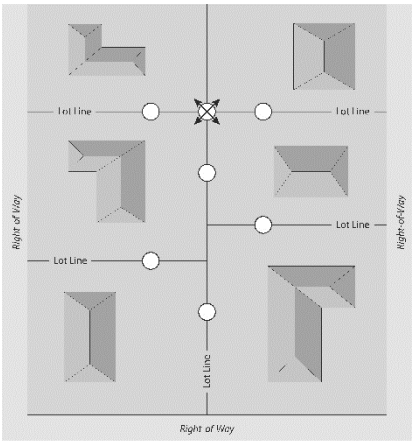
2-2 - DEFINITIONS:

The words defined are those which have special or limited meanings as used in this Ordinance. Words whose meanings are self-evident as used in this Ordinance are not defined.

ABUTTING: See Adjacent

ACCESSORY STRUCTURE or USE: Any structure or use, other than the principal structure or use, directly incidental to or required for the enjoyment of the permitted use of any premises; also as specifically designated under the Zoning District regulations of this Ordinance.
An accessory structure or use is one which:

1. Is subordinate of and serves a principal structure or principal use;
2. Is subordinate in area, extent or purpose to the principal structure or principal use served;
3. Contributes to the comfort, convenience, or necessity of occupants of the principal structure or principal use served; and
4. Is located on the same zoning lot as the principal structure or principal use served with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.



Adjacent

ADJACENT: The terms adjacent, abutting and contiguous are used as synonymous terms, and mean lots located with the same street frontage in contact with or touching another parcel of land. Lots across a street right-of-way or alley are not adjacent.

ALTERATION: Any change or addition to the structure.

ALTERNATIVE PARKING PLAN: A plan provided by a property owner that demonstrates the feasibility of shared parking between properties or users of a property.

AMBULANCE SERVICES: A service that utilizes ambulances to provide emergency or nonemergency medical ground transport of patients to or from a health care facility or between facilities.

AMBULATORY SURGICAL TREATMENT CENTER: Any institution, place, or building devoted primarily to the maintenance and operation of facilities for the performance of surgical procedures. Such facilities shall not provide beds or other accommodations for the overnight stay of patients. Ambulatory Surgical Treatment Centers do not include any

institution, place, or building devoted exclusively to the performance of dental or oral surgical procedures.

ANTENNA: Any structure or device designed for the purpose of collecting or transmitting electromagnetic waves for telephonic, radio, data, Internet, or other communications, including appurtenant equipment attached to a tower, building or similar structure for the purpose of providing personal wireless services.

ART GALLERIES: An establishment engaged in the sale, loan and/or display of paintings, sculpture, video art, or other works.

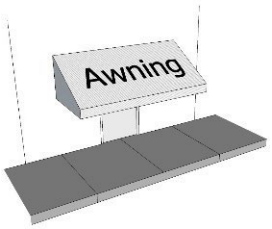
ASSEMBLY / MEETING HALLS: A meeting place at which the public or membership groups are assembled regularly or occasionally, including but not limited to schools, churches, theaters, auditoriums, funeral homes, stadiums, and similar places of assembly.

ASPHALT / CONCRETE PLANTS: A plant for the manufacturing, storage or mixing of concrete, cement and asphalt products, including any apparatus and uses incidental to such manufacturing, storage, and mixing.

ATHLETIC FIELD: Facilities used for sporting activities such as softball, baseball, football, soccer, running track, tennis, and other non-motorized sports. Athletic Fields may include bleachers and other complementary facilities.

AUTOMOBILE / TRUCK RENTAL: An establishment where contracts are prepared or reservations accepted for the rental or leasing of motor vehicles. This term includes incidental storage of vehicles but does not include on premise maintenance of vehicles or a tool/equipment rental facility.

AUTOMOBILE / TRUCK SALES: The use of any building or portion thereof, or other premises, for the display, sale, rental, or lease of new motor vehicles. The sale of used motor vehicles, any warranty repair work, and other repair service may be conducted as an accessory use to new vehicle sales.



AWNING: A roof like cover, temporary in nature, which projects from the wall of a building.

BAKERY / COFFEE SHOP: An establishment primarily engaged in the retail sale of beverages and baked products for consumption on or off-site. The products may be prepared either on or off-site.

BANKS: See Financial Institutions.

BAR: An establishment used for the sale or dispensing of liquor by the drink for on-site consumption.

BASEMENT: The portion of a building partly or wholly underground but having one-half (1/2) or more than one-half (1/2) of its clear floor-to-ceiling height below the average grade of the adjoining ground.

BEDROOM: Any room intended for sleeping purposes and having closet or storage facilities immediately attached and does not include rooms intended as living rooms, dining rooms, kitchens, bathrooms, recreation, or utility purposes.

BOARD OF TRUSTEES: The duly and currently serving elected Trustees of the Village of Elk Grove Village.

BOUNDARY LANDSCAPING: The landscaped area, as required by this Ordinance, located along all abutting streets or rights-of-way.

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

BROADCASTING FACILITIES: A building or portion thereof used for the production and broadcast of media-related programming. This term includes, but is not limited to, radio and television broadcasting stations and other uses similar in nature and impact.

BUILDING: A structure that is permanently affixed to the ground and designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels, or property. A mobile home is not a building.

BUILDING, PRINCIPAL: A non-accessory building which the principal use of the zoning lot on which it is located is conducted.
BUILDING PERMIT: A permit issued by the Village for the construction, alteration, or demolition of a building or structure, or other purpose as determined by the Village.
BULK: A term used to indicate the size and setbacks of buildings and the location of same with respect to the lot on which situated. It includes height of the building, the amount of ground coverage on the lot which the building occupies, the lot size in relation to the building, the maximum floor area ratio, lot width, and required yard areas maintained around buildings or structures.
BULK MATERIALS: Solid matter such as powder, grain, stone, sand, coal, sulfur, etc., which has a tendency to become airborne when not contained.
BUSINESS AND TRADE SCHOOL: A specialized instructional establishment providing on-site training of business, commercial, and/or trade skills such as business skills, computer operations, and manufacturing/industrial skills. Institutions affiliated with colleges or universities are included in this category.
BUSINESS SERVICES: Offices of services rendered to a business establishment or individual on a fee or contract basis including actuarial, advertising, janitorial, office, or business equipment rental or leasing, printing, etc.
BUSINESS SERVICES AND ADMINISTRATIVE OFFICES: Offices of services rendered to a corporate headquarters or similar large business operations.
CAMPER TRAILER: A vehicular, portable structure built on a chassis or metal welded unit body, with a superstructure made in part or in whole of canvas, metal frame and/or plastic or synthetic material.
CAR WASH: A building or portion thereof containing facilities for washing cars, vans, or similarly sized motor vehicles, using production-line methods and mechanical devices, or containing facilities for washing such motor vehicles, using self-service mechanical devices.
CLEAN MANUFACTURTING: Processing and manufacturing that is primarily completed with state-of-the-art equipment which limits waste, carbon footprint, etc. through means of sophisticated technology and equipment.
COMMON OPEN SPACE: The required amount of land in Planned Developments and multi-family Special Use developments intended and designed for the use or enjoyment of the residents of such developments which is unoccupied by buildings and structures. Common open space shall not include parking lots, driveways, and access ways thereto, public rights-of-way and streets, and land located within thirty feet (30') of a principal building or structure. For the purpose of this definition, structures shall not include outdoor swimming pools open to the air.
COMMUNITY RESIDENCE: A group home or specialized residential care home, that is not otherwise a skilled nursing facility, serving persons with disabilities, as that term is defined in the Americans with Disabilities Act, as amended, or any successor statute, that have been determined to be eligible for services by an independent service coordination agency, and which agency has determined that joint occupancy of a residential property is medically necessary or beneficial for the person with disabilities.
COMMUNITY RESIDENCE, FAMILY: A Community Residence of no more than eight (8) unrelated persons with disabilities.
COMMUNITY RESIDENCE, GROUP: A Community Residence of between nine (9) to fifteen (15) unrelated persons with disabilities.
COMPREHENSIVE PLAN: The Comprehensive Plan comprises all the documents adopted by the Mayor and Board of Trustees as elements of the Comprehensive Plan.
CONTIGUOUS: See adjacent
CONVENTION AND MEETING FACILITIES: A building or portion thereof used for holding assemblies, conferences, conventions, public meetings, seminars, trade shows, workshops, or other similar activities. A convention facility may include dining facilities for the use of participants, as well as other compatible accessory uses but may not include sleeping or dwelling

quarters or lodging as an accessory use to the convention facility.
CO-WORKING CENTERS: An office facility with workspace used by employees of different companies or divisions of a company. The space may be part of a specific company's office use or a separate, independent facility. This use may include office amenities such as conference rooms, kitchen areas, general work areas, etc. to be shared by those working in the space. Co-Working Centers may include spaces to facilitate group work and collaboration.
CURRENCY EXCHANGE: Any establishment primarily engaged in the business or service of, and providing facilities for, cashing checks, drafts, or money orders for a fee or service charge, or which is engaged in the business of selling and/or issuing money orders.
DATA CENTERS: A facility primarily used for the storage, management, processing and transmission of digital data including related office areas through the use of support equipment such as servers, networks and other similar computer-based components.
DAYCARE CENTER: A facility, other than within a residential dwelling unit, which exclusively provides supplemental care and supervision, recreation, and/or educational instruction to children or adults during the entire or any portion of the day. Daycare Centers shall be in keeping with current state regulations.
DAYCARE HOME: A residential dwelling which receives more than three (3) and up to a maximum of eight (8) children for less than twenty-four (24) hours per day. The maximum of eight (8) children includes the family's natural, foster, or adopted children and all other persons under the age of twelve (12). Daycare Homes shall be in keeping with current state regulations.
DECIBEL dB(a): A unit of measurement of the sound level. Sound Level Meters employed to measure the intensity of sound are calibrated in Decibels.
DENSITY: A ratio determined as follows:

> Number of Dwelling Units
> _____ (divided by) _____
> Total Lot Area exclusive of all streets, public and
> private (Expressed in Dwelling Units per acres)
>
> Although this ratio is defined by using lot sizes, it is also used in determining overall densities when area developments are proposed without regard to individual lots, such as in a Planned Development, in which case, density is the numerical value obtained by dividing the total dwelling units in a development by the area of a tract of land upon which the dwelling units are located, less all areas devoted to public or private streets or ways and designated and used for vehicular traffic.

DOMESTIC PET SERVICES: Facilities that provide services for dogs and cats, such as daycare or obedience training. This does not include medical services or overnight kenneling of animals.
DRIVE-THRU FACILITY: A facility, establishment, or part thereof where goods or services are provided to customers while waiting in vehicles moving through designated stacking lanes for consumption or use off the premises.
DRIVEWAY: A private vehicular way located on a property and accessible to a roadway for vehicles to access a parking space, garage, dwelling, or other structure.
DWELLING: A dwelling is a building providing shelter, sanitation, cooking, and sleeping accommodations and the amenities for permanent habitation. It does not include mobile homes, temporary lodging or individual sleeping rooms for rent.
DWELLING UNIT: Dwelling unit refers to that dwelling accommodation within a building designed for one individual or family unit maintaining separate and independent housekeeping.
DWELLING, MULTIPLE-FAMILY: A building or portion thereof, designed or altered for occupancy by two (2) or more families living independently of each other. Multiple Family Dwellings have individual entries, are located in a single building, and are accessed through a common entrance and corridors.

DWELLING, SINGLE-FAMILY: A dwelling designed exclusively for use and occupancy by one family.
DWELLING, SINGLE-FAMILY ATTACHED: A single-family dwelling which is joined to another dwelling at one or more sides by a party wall or walls, commonly known as a townhome.
DWELLING, SINGLE-FAMILY DETACHED: A dwelling designed exclusively for use and occupancy by one family, which is entirely surrounded by open space and is not connected to any other dwelling unit by roof, walls, or porches.
EASEMENT: An authorization or grant of right by a property owner for the use by another, and for one or more specific purposes, of any designated part of the owner property.
ELK GROVE TECHNOLOGY PARK DESIGN GUIDELINES: Design guidelines adopted by the Village as a basis for reviewing and approving Permitted, Conditional and Special Use development, redevelopment and modifications within the area designated as the Elk Grove Technology Park.
ENTERTAINMENT FACILITIES: See "Indoor Places of Entertainment and Amusements"
ENTREPRENEURSHIP CENTERS/BUSINESS ACCELERATOR: An office facility providing space and services to those persons starting or seeking to grow existing businesses.
EQUIPMENT SALES, RENTAL OR MAINTENANCE: Businesses selling or renting tools, tractors, construction equipment, agricultural implements, and similar equipment. Equipment Sales and Rental uses may include the storage, maintenance, and servicing of such equipment.
FAMILY: i) A person living alone, ii) two (2) or more persons related by blood, marriage or adoption including foster children living together as a single housekeeping unit and occupying a single dwelling unit, iii) a group of not more than five (5) persons, who need not be related by blood, marriage or adoption including foster children living together as a single housekeeping unit by joint agreement and occupying a single dwelling on a nonprofit, cost sharing basis, or iv) a group of four (4) or more persons living in a Community Residence.
FENCE: A structure made of wood, metal, plaster, masonry or other material commonly associated with such a structure, forming a barrier at grade level between lots, between a lot and a street or an alley or between portions of a lot or lots.
FINANCIAL INSTITUTION: A bank, savings and loan, credit union, or similar financial related institution.
FLOOR AREA: The total square footage of all floors of a building including the exterior unfinished wall structure but excluding courtyards and other outdoor areas. For adjoining units, floor area is as measured from the center line of common partitions and the exteriors of outside walls.

1. **Multiple-Family Residential Uses:** Floor Area also will include the penthouse, attic space with any portion of height seven and one half (7.5') feet or greater, mezzanines, covered porches, parking located in structures above or partially above grade, and areas used for mechanical equipment.
2. **Single-Family Uses:** Floor Area also will include the attic space with any portion of height seven and one half (7.5') feet or greater, mezzanines, covered porches, sheds, attached or detached garages and accessory structures.
3. **Offices, Commercial or Industrial Uses:** Floor Area shall mean the floor area designed for tenant or owner occupancy and exclusive use, including, mezzanines and upper floors, if any, expressed in square feet, measured from the center lines of common partitions and exteriors of outside walls. It shall not include areas used principally for utilities and space incidental to the management or maintenance of the building such as mechanical rooms or janitor closets.

FLOOR AREA, GROSS: See Floor Area

FLOOR AREA RATIO: The Floor Area Ratio is determined as follows: Total Floor Area, all floors on Lot (sq. ft.)
(divided by)
Total Lot Area exclusive of all Right-of-way (sq. ft.)

FOOT-CANDLE: A unit of illumination. Technically, the illumination at all points one foot (1') distant from a uniform point source of one candlepower.

FOUNDRIES, NONFERROUS: Factories where castings are produced by melting metal, pouring liquid metal into a mold, and then allowing it to solidify.

FRONTAGE: The portion of a property or properties facing a street or right-of-way.

FUELING STATION: Any building or premises used for dispensing, sale, or offering for sale, at retail, to the public, gasoline stored only in underground tanks. May include sales of automotive supplies and repair facilities. Sale of convenience shopping goods to those purchasing gasoline, or others, may also be a part of this activity.

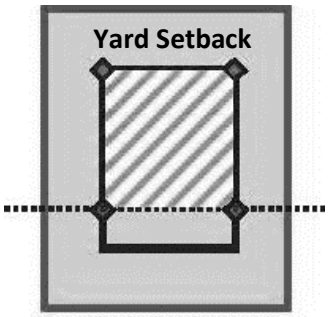
GARAGE: An accessory building or an accessory portion of the principal building intended for and used to store vehicles.

GARDEN STORES: Retail business whose principal activity is the selling of plants and landscape materials which may be grown on the site and other gardening equipment and supplies, typically having outside storage, growing or display.

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

GRADE, FINISHED: For properties with an existing principal building, the finished grade of land area improved with a building is the elevation of the surface of the land adjoining the building.

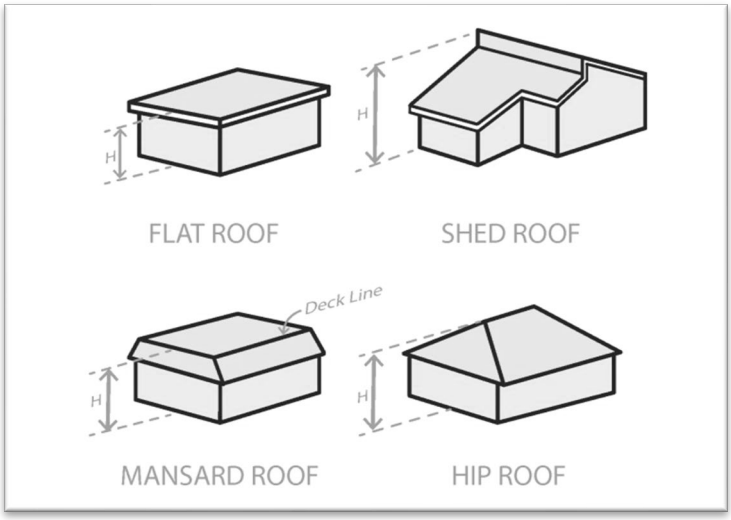
GRADE, ESTABLISHED. For properties without an existing principal building or where a principal building has been removed for redevelopment, the average elevation at the corners of the buildable areas of the site as formed by the intersection of the minimum required front yard, rear yard and side yard setback lines. Grade shall be established prior to any development or issuance of a Building Permit.



GROUND COVERAGE: The area of a zoning lot occupied by the principal buildings or structures and accessory structures excluding swimming pools.

HEIGHT: The vertical distance from the highest finished grade at the building foundation to the top of the highest roof beams of a flat roof or the mean elevation of the highest gable or slope of a hip roof.

Measuring Building Height:



HELIPORT: An area on land or upon a structure set aside and used for the landing and takeoff of rotary wing aircraft.

HELISTOP: A temporary landing site for helicopters. The Helistop does not include the provision of service, fuel, maintenance or storage of helicopters.

HOME OCCUPATION: Any occupation or profession conducted from a residential dwelling.

HOSPITAL: An institution, place, building or agency, public or private, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of persons admitted for emergency treatment or out-patient services or for overnight stay or longer in order to obtain medical, including obstetric, psychiatric, and nursing, care of illness, disease, injury, infirmity or deformity.

HOTEL: An establishment that provides guests with overnight accommodations that do not exceed thirty (30) consecutive days, in exchange for monetary compensation. Commercial areas, meeting areas, dining areas, and other guest facilities that are open to both patrons and the general public may be included. Individual guest rooms may include limited cooking facilities, such as a microwave or mini-fridge, but not a full kitchen. Guest rooms to hotels, as defined in this Ordinance, shall be accessed from interior corridors.

HOTEL, EXTENDED STAY: An establishment that provides guests with overnight accommodations for monetary compensation that allows occupancy for more than thirty (30) consecutive days with the following:

- Commercial areas, meeting areas, dining areas, and other guest facilities that are open to both patrons and the general public may be included;
- Twenty-four (24) hour reception and/or registration service is provided;
- Daily housekeeping services are available; and
- Individual guest rooms contain a full kitchen, including a refrigerator, stove top, kitchen sink, microwave oven, and all related cooking utensils and dishes.

Guest rooms to hotels, as defined in this Ordinance, shall be accessed from interior corridors.

IMPULSE: Discrete vibration pulsations occurring no more often than one per second.

INDOOR ATHLETIC TRAINING AND RECREATIONAL FACILITY: Facilities for teaching basic and advanced skills in a variety of recreational activities including, but not limited to baseball,

basketball, softball, football, soccer, gymnastics, martial arts, and similar athletic disciplines with permitted ancillary uses such as competitions, exhibitions, and similar events that include spectator participation.

INDOOR PLACES OF ENTERTAINMENT AND AMUSEMENTS: Spectator and participatory uses conducted within an enclosed building, such as movie theaters, arcades, and indoor sporting exhibitions. Indoor amusement facilities may include accessory uses, such as snack bars or restaurants, for the use of patrons.

INDOOR RETAIL SALES OF GOODS: The Indoor Retail Sales of Goods applies to retail uses which display or conduct the sale or rental of merchandise entirely within an enclosed building. Examples may include antique shops, furniture stores, groceries stores, hardware stores, department stores, clothing/wearing apparel stores, bookstores, sporting goods stores, drug stores, pharmacies, florist shops, and similar uses.

INDUSTRIAL COMMERCIAL REVITALIZATION MASTER PLAN UPDATE (ICRC): A document prepared for and adopted by the Village, which established design and development standards in order to maintain and enhance the Village's strong business atmosphere.

INNOVATION AND TECHNOLOGY CENTER DESIGN GUIDELINES: Design guidelines adopted by the Village as the basis for reviewing and approving Permitted, Conditional and Special Use development, redevelopment and modifications within the Innovation and Technology Center Zoning District.

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

KENNEL: Any lot, premises, or portion thereof on which more than four (4) dogs or four (4) cats or other domestic animals are kept, or where any four (4) domestic animals are boarded for compensation or kept for sale.

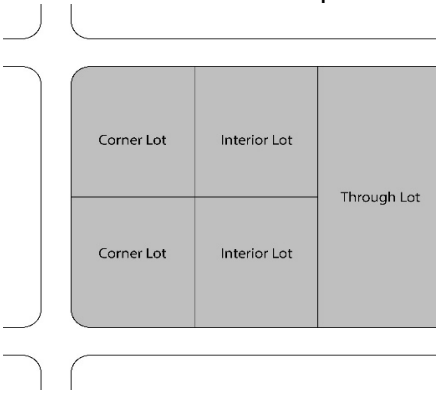
LABORATORY: A building or group of buildings which include facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacturing, assembling or sale of products, except as incidental to the main purpose of the laboratory.

LAND USE AND ZONING PLAT: A drawing or map made to a measurable scale upon which is presented a description and definition of the way in which the design requirements of the Planned Development are to be met.

LIGHT ASSEMBLY: Uses designed for assembly and packaging of materials at a high-level performance standard. Light Assembly establishments do not create a nuisance to surrounding properties. Light Assembly shall consist of the assembly by hand or hand-held tools or an equivalent process of parts which have already been fabricated prior to such assembly.

LOADING SPACE OR DOCK, OFF-STREET: A hard-surfaced area of land, other than a street or a public way, the principal use of which is for the standing, loading, and unloading of motor vehicles, tractors, and trailers, to avoid undue interference with public streets and alleys.

LOT: A subdivided parcel of land under one ownership devoted to a common use or occupied by a single or principal building plus accessory structures and which is shown as a lot on a recorded and approved plat of subdivision.



- **LOT (CORNER):** A lot which abuts on two (2) intersecting streets.
- **LOT (THROUGH):** Any lot other than a corner lot which abuts on two (2) streets.
- **LOT (INTERIOR):** A lot abutting one street and lots on other sides
- **LOT (TRIPLE FRONTAGE):** A lot which abuts on three (3) streets.

LOT AREA: The horizontal area within the exterior lines of the

lot, exclusive of any area in a public or private right-of-way open to public uses.
LOT OF RECORD: A lot that is part of a recorded subdivision or a parcel of land that has been recorded with the Cook County and/or DuPage County Recorder's Office.
LOT LINE: The dividing lines between a public way and an abutting lot or between lots.
LOT, ZONING: A parcel of land, composed of one or more recorded lots or a parcel of land described by metes and bounds, that is of sufficient size to meet the minimum Zoning District requirements of this Ordinance and having frontage on an improved public street, and which is designated by its owner or developer as a tract of land to be used, developed, or built upon as a unit, under a single ownership or control. A Zoning Lot may or may not coincide with the definition of a Lot of Record.
MANUFACTURED HOME: A structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location, or subsequent locations, at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for one or more persons.
MANUFACTURING: The production or processing of products or commodities for general consumption of the public or for sale to specialized institutions or organizations. Also included is the assembly, disassembly, repair, cleaning, servicing, testing, packaging, fabrication, or processing of parts or components for use in other products or commodities.
MANUFACTURING, LIMITED: The assembly, fabrication, packaging, or other industrial processing of finished parts or products, primarily from previously prepared materials, conducted indoors. Also included is the processing, assembly, treatment, or packaging of food, beverages, wood, paper, plastic, metal, electronics, similar products, and research and development. Does not include processing from raw materials.
MANUFACTURING, GENERAL: The manufacturing, processing, cleaning, assembly, servicing, and testing, typically including the use and/or storage of raw materials, into goods or materials, usually for sale to wholesale or other manufacturing uses. Such uses may require storage of materials, and may produce dust, smoke, fumes, odors, or noise. Examples include the manufacturing of chemicals, gypsum and plaster products, glass products, paving, and roofing materials, or food preparation.
MEDICAL CLINIC: A medical and/or dental facility used for offices of more than one doctor for the examination and treatment of patients, which doctors may be associated together or practicing independently of each other, while sharing the facilities and equipment therein, and shall not include a facility devoted primarily for the purpose of surgical procedures. Such facility shall not provide beds or other accommodations for the overnight stay of patients.
MEDICAL RESEARCH AND DEVELOPMENT: A facility primarily used for medical study, research and experimentation in the scientific fields of biology, biophysics, biochemistry, bioelectronics, biotechnology, biomedical engineering, bioinformatics, medicine, immunology, embryology, clinical engineering, diagnostics, therapeutics, nutraceuticals, pharmacogenomics, drug production, genetic testing, or gene therapy activities.
MICROBREWERY: A manufacturer of alcoholic malt beverages of up to 15,000 barrels per year for the purpose of wholesale distribution of a majority of its product with incidental sales of up to 3,000 barrels to the public for on-site consumption or carryout.
MICRODISTILLERY: A small-scale artisan manufacturing business that blends, ferments, processes, packages, and distributes alcoholic spirits on the premises. The microdistillery facility may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Operation of the facility shall be consistent with Illinois State law regarding "Craft Distillers".
MICROWINERY: Combination retail, wholesale, and small-scale artisan manufacturing business that blends, ferments, processes, packages, and distributes wine for sale on or off-site. The microwinery facility may include an ancillary tasting room and retail component in

which guests/customers may sample and purchase the product. Operation of the facility shall be consistent with Illinois State law regarding “Second Class Wine Makers”.
MINI-WAREHOUSE: A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.
MOBILE FOOD VENDOR: A self-contained food service operation, located in a readily movable motorized wheeled or towed vehicle, used to store, prepare, display or serve food intended for individual portion service.
MOBILE HOME / TRAILER, SALES AND RENTAL: An establishment primarily engaged in the rental and sales of mobile homes.
MOBILE HOME PARK: A parcel or tract of land developed with facilities for locating two (2) or more manufactured homes provided each manufactured home contains a kitchen, flush toilet, and shower or bath and that such Mobile Home Park shall be for the use only by non-transient dwellers remaining continuously for more than six (6) months. It shall not include a sales lot in which motor vehicles or unoccupied trailers are parked for the purpose of inspection or sale.
MOTORIZED HOME: A portable dwelling designed and constructed as integral part of a self-propelled vehicle.
MUSEUM OR CULTURAL FACILITY: An establishment that is open to the public and provides cultural services and facilities including, but not limited to cultural centers, historical societies, aquariums, and libraries operated by a public, private or non-profit organization.
NONCOMBUSTIBLE: A material which will not ignite; not actively support combustion during an exposure for five (5) minutes to a temperature of one thousand two hundred degrees (1,200) fahrenheit.
NON-CONFORMING (LEGAL) STRUCTURE or USE: A structure or use of any premises which does not conform with all applicable provisions of this Zoning Ordinance but which legally existed at the effective date hereof.
OFFICE (BUSINESS AND PROFESSIONAL): The office of business and professional persons and businesses, such as an engineer, doctor, dentist, attorney, real estate broker, insurance broker, architect, or other similar professional person, and any office used primarily for accounting, correspondence, research, editing or administration.
OFFICIAL MAP: The Map adopted as the Official Map in Section 8-2-2 of the Elk Grove Village Code.
OPERATOR: Means and includes the owner, permit holder, custodian, manager, operator, and person in charge of any permitted premises.
OUTDOOR: Refers to that which is not within a building.
OUTDOOR DINING: Outdoor Dining when associated with a restaurant.
OUTDOOR DISPLAY: Temporary, limited outdoor presentation of items also sold inside the associated commercial use and located abutting or in close proximity of the building. All items on Outdoor Display are purchased within the associated business.
OUTDOOR RECREATION OR AMUSEMENT: Uses that provide entertainment services partially or wholly outside of a completely enclosed building. Such uses typically, although not always, attract an audience where patrons are not engaged in a physical recreational activity. Examples may include amusement parks, drive-in theaters, outdoor live theaters, vehicular, and animal racetracks, zoos, and similar land uses.
OUTDOOR SALES: Temporary outdoor retail operations and displays, allowed by Village permit, of items that are sold during a specific season, including such items as Christmas trees, pumpkins, watermelons, sweet corn, and budding plants.
OUTDOOR STORAGE: The storing, in an unenclosed area, of any goods, equipment, material, merchandise, that is an accessory to an otherwise Permitted, Conditional, or Special Use, and as otherwise regulated by this Ordinance.
PAPER AND PULP PROCESSING: The manufacture of paper and paperboard, from both raw and recycled materials, and their conversion into products including paper bags, boxes, envelopes, wallpaper, etc.

PARKING AREA: An open, hard-surfaced area, other than a street or public way, intended to be used for the storage of motor vehicles, whether for compensation, free, or as an accommodation to clients or customers.
PARKING LOTS, PUBLIC: A paved parking area available to the public, with or without payment of a fee.
PARKING PAD: An improved surface located on a residential parcel that is designed or used for vehicle parking. A parking pad is not a driveway, although it may be accessed by a driveway or apron across public property.
PARKING SPACE: Space within a public or private parking area, exclusive of access drives, or aisles, ramps, columns, or office and work areas, for the storage of one passenger automobile or commercial vehicle under one and one-half tons capacity.
PARKWAY: That portion of the Village-owned property between the curb line, shoulder line, traveled portion of the roadway, or alley and the private property line.
PERSON: An individual, proprietorship, partnership, corporation, association, or other legal entity.
PERSONAL SERVICES: Provision for a fee of any service to individual customers for their own personal benefit and enjoyment and/or convenience and for fulfillment of their own personal needs. This contemplates service to the final customer. For example, such consumer services contemplate provisions for Personal Services such as beautician and barbering services, specialized instruction, financial, legal and medical services, laundry and dry- cleaning services, and other similar services.
PETROLEUM STORAGE FACILITIES: The storage of petroleum products in above ground containers for subsequent resale to distributors, retail dealers or outlets.
PLANNED DEVELOPMENT (PD): A type of development in which the regulatory process permits the developer to meet overall community planning and land use goals without being strictly bound by bulk zoning requirements, but will be governed by specific requirements within the boundary of the PD.
PLAN COMMISSION: The Plan Commission of the Village of Elk Grove Village, as constituted by the Village Code.
PORCH: A roofed-over structure, projecting out from the wall or walls of a main structure, and partially open to the weather.
PRECISION ENGINEERING: A facility primarily engaged in the design, development and production of precision engineered products using state of the art equipment and technology with limited resources, waste and environmental impacts.
PREMISES: A lot or other tract of land under one ownership and all the structures on it.
PRESCHOOL: A school for children primarily between the ages of three (3) and five (5), providing childcare services and organized instruction of children who have not reached the age for enrollment in kindergarten.
PRINCIPAL STRUCTURE: The building in which the main function of a particular property is conducted, as distinguished from an accessory structure.
PRINCIPAL USE: The main activity on a property for dwelling, commercial, recreational, public, or other use, as distinguished from an accessory use.
PRIVATE OPEN SPACE: Any privately-owned open area commonly part of a privately developed residential, commercial, or free-standing area such as a private golf course.
PROCESSING: Manufacturing, fabricating, assembly, repairing, cleaning, servicing, testing and any other similar original or restorative treatment applied to materials, products or goods.
PROFESSIONAL OFFICES: The offices of professional persons and businesses mainly providing services related to businesses and organizations involved in innovation, technology, and entrepreneurship.
PUB: See “Bar”
PUBLIC RECREATION: Public land which has been designated for park or recreational

activities including, but not limited to, a park, playground, nature trail, athletic field, basketball or tennis court, pedestrian/bicycle path, open space, pools, golf courses, or similar public land which is under the control, operation, or management of recreation authorities.

PUBLIC UTILITIES: Any utility, -operated, or -approved ground-level or pole-mounted equipment that is specifically provided in connection with any utility provided by or within the Village, including, without limitation, public water or sewer service. Such facilities may include fiber-optic and/or wireless telecommunications capabilities.

RECREATIONAL USES / FACILITIES: Indoor-Outdoor functions oriented to health, sports, or other passive or active similar amusement activities.

RECYCLING FACILITY: A facility designed and used for collection, sorting, and/or temporary storage of recyclable materials prior to delivery for reuse, and/or processing into new products. This type of facility includes most activity being conducted indoors with any outdoor storage being screened and does not include practices or operations commonly associated with junk yards or wrecking yards.

RESEARCH AND DEVELOPMENT: A facility in which a wide range of goods and materials are analyzed, tested, experimented on and assessed for further development. This activity includes scientific research and experimentation.

RESTAURANT: An establishment, or part thereof, in which food and/or drink is prepared, served, and consumed on the premises or provided as part of a carryout service for the consumption of food and drink off the premises.

RESTAURANT, CARRYOUT: A dining establishment providing customers with food intended for consumption off the premises.

RESTAURANT, DRIVE-IN: An establishment, or part thereof, in which food and/or drink is prepared, facilities are provided to serve customers or to consume commodities, or both, intended to occur primarily in patron's automobiles, parked on the premises, or at tables outdoors on the premises.

RETAIL SALES: Sale of any product or merchandise to customers for their own personal consumption or use.

RIGHT-OF-WAY: A strip or area of land, typically dedicated to the public, and occupied or intended to be occupied by any sidewalk, street, alley, highway, or other public way.

SCHOOL, BUSINESS AND TRADE: An educational facility specializing in instruction and / or on-site training of business, commercial, and/or trade skills.

SCHOOL, PRIVATE: Privately operated educational facility for students typically from kindergarten through high school age.

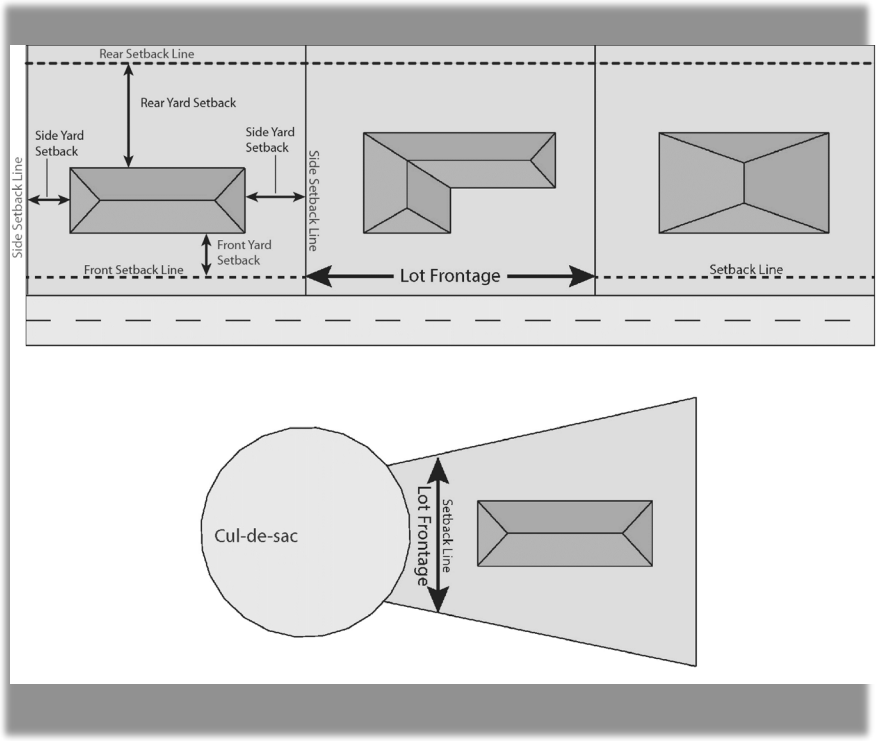
SCHOOL, PUBLIC: Publicly operated educational facility for students typically from preschool through high school age.

SCREEN WALL: A wall that is erected to mitigate visual impacts of mechanical systems, outdoor parking, or other activities, required for the building operation of the subject business. Such walls are consistent with the architecture of the principal building.

SENIOR INDEPENDENT LIVING: A facility providing housing and services for a group of persons, typically seniors, able to meet most regular daily needs. Such facilities may include provision of meals, common dining areas, housekeeping, and personal care assistance.

SETBACK LINE (FRONT): The line nearest the front of and across a zoning lot, establishing the minimum setback to be provided between the front line of a building or structure and the front property line or street right-of-way line.

SETBACK LINE (REAR): The line nearest the rear of and across a zoning lot, establishing the minimum setback to be provided between the rear line of a building or structure and the rear property line or street right-of-way line.



SETBACK LINE (SIDE): The line nearest the side of a zoning lot, between the front and rear setback line, establishing the minimum setback to be provided between the side line of a building or structure and adjacent property or street right-of-way line.

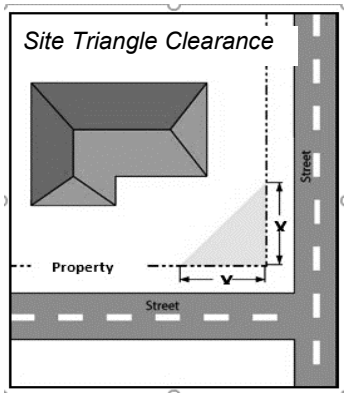
SHED: A detached structure intended for storage of property, but not for storage of motor vehicles, such as automobiles, trucks, motor homes, etc. Sheds are constructed of metal, wood, plastic or other material found to be comparable and do not require a foundation.

SHOPPING CENTER: Any concentration of two (2) or more retail stores and/or service establishments in one or more buildings, or on one or more adjacent lots, under single ownership or management or with one or more of the following:

1. Common parking facilities;
2. Common stormwater detention or storm sewer facilities;
3. Common water distribution facilities;
4. Common sanitary sewer facilities; or
5. Without exclusive ingress or egress from public streets.

SHORT TERM RENTAL: A residential structure, offered for rent for a period which does not exceed thirty (30) consecutive days. The term Short-Term Rental shall not include hotels.

SIGHT TRIANGLE CLEARANCE: An area required in locations where an unobstructed view of approaching traffic is necessary for the safety of pedestrians, bicyclists and drivers.



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

SKILLED CARE HOUSING: A residential facility, not including a community residence, providing care for persons with a disability or seniors needing assistance for a range of daily or medical needs. Staff provide on-site care, training, or support for the residents. The facility provides, or contracts to provide, supervisory care services, personal care services, and

directed care services on a continuous basis. These facilities are commonly designated as assisted living, or skilled/memory care.
SMELTING AND REFINING OF PRECIOUS METALS: The extraction of valuable metals from ores using melting or heating.
SOLAR ENERGY SYSTEMS: An energy producing device which converts solar energy by means of a photovoltaic system into electrical energy.
SOUND LEVEL METER: An instrument designed to measure Sound Pressure Levels.
SOUND PRESSURE LEVEL: The intensity of sound or noise in decibels.
STACKING SPACE: A paved area reserved for and devoted to the temporary parking of automobiles in the process of changing passengers or waiting for the performance of a service.
STOOP: A raised platform, approached by steps and sometimes having a roof, at the entrance to a building.
STORAGE CONTAINER: An enclosed, reusable vessel with doors for loading and unloading, designed without an axle or wheels, which was originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, and/or designed for or capable of being mounted or moved by trains, trucks, ships and other modes of transportation. This definition shall not include sheds.
STREET: A public or private vehicular right-of-way, other than an alley or driveway, including both local streets and arterial highways.
STREET, COLLECTOR: Roadways connecting local streets with the arterial street system and provides traffic service to less intense developments like residential, schools, religious institutions, parks and low intensity commercial developments. Collector Streets provide an equal balance of both access and traffic movement.
STREET, MAJOR ARTERIAL: Roadways that serve as the primary streets and connect areas of activity. Major arterials connect to freeways/expressways and serve regional traffic. The primary function of major arterials is to move traffic, with the provision of access to abutting properties being a secondary function.
STREET, MINOR ARTERIAL: Like major arterials, minor arterials also serve to connect activity centers, but they also serve less intense development areas like small retail centers, office centers and industrial/business parks. While the primary function of minor arterials continues to be moving traffic, access becomes a slightly more important function.
STREET, PRIVATE: Any street not owned by or dedicated to any governmental agency.
STRUCTURE: Any combination of materials assembled to perform a function in a fixed location of land; includes buildings.
SURGERY WITH OUTPATIENT CARE: A healthcare-based facility which provides patients with same day diagnostic and preventative care surgical procedures not requiring an overnight stay.
SWIMMING POOL: A recreational structure for water and including all appurtenant equipment constructed, installed and maintained in or aboveground.
TAVERN: See “Bar”.
TECHNOLOGY BASED OPERATIONS: Businesses or other organizations generally engaged in scientific and technology based operations related to innovation, technology, or entrepreneurship.
TRUCK REPAIR / MAINTENANCE: A premise where motor trucks, tractors, truck trailers, and industrial and commercial vehicles are overhauled, rebuilt, or repaired.
TRUCK TERMINALS: A gathering point of vehicles at which the contents thereof are distributed or combined or stored for a short period of time until distributed or combined.
UNDERTAKING ESTABLISHMENTS (FUNERAL HOMES): A building used for the preparation of the deceased for burial display and rituals before burial or cremation. This facility may include chapels located within the building used for the display of the deceased and the conducting of rituals before burial or cremation.

UNIFIED CONTROL: A combination of two (2) or more tracts of land wherein each owner

has agreed that their tract of land shall be developed as part of a joint development and potentially considered by the Village as a Planned Development.

USE: Refers to any activities that take place on any parcel of land or premises, whether in or outside of a structure.

USE, CONDITIONAL: A use of land in the Village, as designated within each Zoning District, allowed as long as the specified conditions related to that use described in this Ordinance are met. Conditional Uses do not require public hearing by or approval of the Plan Commission or Mayor and Board of Trustees.

USE, PERMITTED: A use of land in the Village, as designated within each Zoning District, allowed so long as it satisfies the standards and requirements established in this Ordinance.

USE, SPECIAL: A use of land in the Village, as designated within each Zoning District, allowed only after a Special Use Permit has been issued following the required hearing by the Plan Commission and approval of the Mayor and Board of Trustees.

VARIATION: A departure from strict conformance with regulations of this Ordinance related to the area and dimensions of a lot and/or structure, which may be granted by the Village due to special circumstances creating a unique hardship that makes meeting the standards of this Ordinance otherwise not feasible for the property owner.

VEHICLE AND EQUIPMENT STORAGE AREA: An area, near or adjacent to a principal structure, which is utilized for the temporary parking, housing or storage of vehicles, accessory equipment and the like, used in the trade, industry or business of the principal use of the premises.

VEHICLE REPAIR / MAINTENANCE: Any building or part thereof where automotive vehicles are painted, repaired, rebuilt, or reconstructed for compensation. Services may include, but are not limited to, windshield repair or replacement, stereo installation, alarm installation, or tire service and installation.

VEHICLE STORAGE FACILITY: A business or use of property providing for outdoor storage of vehicles related to long haul freight trucking and local deliveries. Such facilities may or may not include accessory services related to trucking operations, and limited freight transfer. This term does not include truck freight terminals.

VETERINARY CLINIC: Any building or portion thereof designed or used for the care, observation or treatment of domestic animals, which may include overnight veterinary care, but does not include boarding of animals.

VIBRATION: The periodic displacement of the ground measured in inches.

WAREHOUSING: The activity and facilities related to storage and distribution of goods or products and supplies goods to other locations for resale, as well as activities involving movement and storage of products, items or equipment of other persons, companies, or organizations.

WEIGHTING NETWORK: A built-in filter in the Sound Level Meter which modifies meter response at various frequencies to approximate the sensitivity characteristics of the human ear.

WHOLESALE SALES ESTABLISHMENT: Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, construction contractors, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies.

WIND ENERGY SYSTEMS:

Small Wind System: A wind energy system that has a capacity of fifty (50) kilowatts or less, a total height of sixty feet (60') or less, a blade diameter of twenty feet (20') or less, and one or more wind turbines.

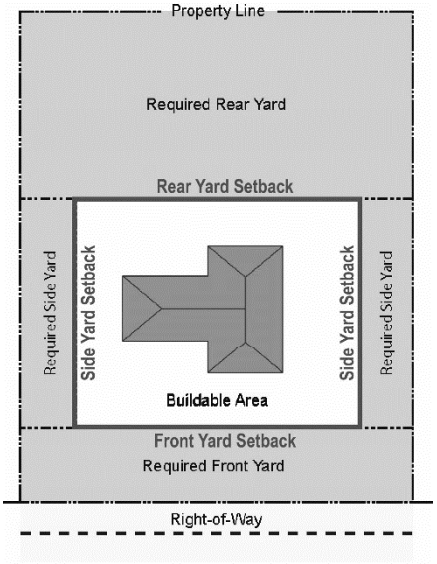
Wind Energy Conversion System: Equipment that converts and then stores or transfers energy from the wind into usable forms of energy and includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, turbine, vane, wire, transmission line, transmission line pole, or other component used in the system.

Total Height: The vertical distance from ground level to the tip of a wind turbine blade

when the tip is at its highest point.

WIRELESS TELECOMMUNICATIONS ANTENNA: Any structure or device designed for the purpose of collecting or transmitting electromagnetic waves for telephonic, radio, data, Internet or other communications, including appurtenant equipment attached to a tower, building or similar structure for the purpose of providing personal wireless services.

YARD: The open space surrounding the principal or accessory building on any lot, unoccupied and unobstructed by any portion of that building from the ground to the sky except where specifically permitted by this Ordinance. Yards are further defined as follows:



Front Yard: That portion of the yard extending the full width of the lot, between the side lot lines, and measured between the front property line and a parallel line tangent to the nearest part of the principal or accessory building.

Required Front Yard Setback: That portion of the yard extending the full width of the lot, between the side lot lines, and measured between the front property line and the front setback line.

Rear Yard: That portion of the yard extending the full width of the lot, between the side lot lines, and measured between the rear property line and a parallel line tangent to the nearest part of the principal or accessory building.

Required Rear Yard Setback: That portion of the yard extending the full width of the lot, between the side lot lines, and measured between the rear property line and the rear setback line.

Side Yard: Those portions of the yard extending from the front yard to the rear yard and measured between the side property lines and a parallel line tangent to the nearest part of the principal or accessory building.

Required Side Yard Setback: Those portions of the yard extending from the front yard to the rear yard and measured between the side property lines and side setback lines.

ZONING ADMINISTRATOR: Village official responsible for administering the various elements of the Zoning Ordinance. This includes, but is not limited to, granting zoning certificates and interpreting zoning regulations. As it relates to this Ordinance, the Director of Community Development is the Zoning Administrator.

ZONING DISTRICT: A section of Elk Grove Village established for which regulations governing matters such as the use of buildings and premises, the height of the buildings, the size of yards and intensity of use are consistent.

ZONING MAP: The map or maps incorporated into this Ordinance, and made a part hereof, that identify the various Zoning Districts of the Village.

CHAPTER 3
GENERAL ZONING REGULATIONS

3-1 - COMPLIANCE WITH OTHER REGULATIONS

3-1-A. Comprehensive Plan:

The Comprehensive Plan shall provide a guide in the approval of all development under this Zoning Ordinance and the Elk Grove Village Subdivision Control Ordinance.

3-1-B. Subdivision Control Ordinance:

In all cases where land is divided for the purpose of development or where Planned Development is proposed, the platting provisions of the Elk Grove Village Subdivision Control Ordinance, as applicable, shall apply in addition to the provisions hereof.

3-1-C. Flood Plain Regulations:

No building, structure or use shall be made of any property in a flood plain except as provided by flood plain regulations which shall be as established by the Village.

3-1-D. Zoning Certificate:

1. **Definition:** A certification issued by the Zoning Administrator confirming that as presented to the Village, the pending occupancy of a use is in keeping with the requirements of this Zoning Ordinance, including but not limited to land use type, parking regulations, and compliance with environmental performance standards.

2. **Zoning Certificate Approval:**
   - **a.** Prior to utilization of any premises, the property owner or their authorized agent shall submit a Zoning Certificate application detailing the nature of the proposed use, on forms approved by the Village Attorney. The application shall include a certification that the proposed use conforms to all standards of this Ordinance.
   - **b.** The Zoning Administrator, upon receipt of the application, shall conduct a review of relevant zoning standards within twenty-one (21) days, or advise the proposed user as to reasons for refusal of issuing the certificate, need for additional information, or reasons for any delay.
   - **c.** A Zoning Certificate shall be valid only so long as said use is made of the premises for that which the information submitted to obtain same is accurate and complete. The Village shall not be prevented by the issuance of the certification from terminating same if the use made of the premises is not in conformity with the certificate, Village Ordinances or Village Codes.
   - **d.** The fee for the Zoning Certificate review and issuance shall be as established from time to time by the Mayor and Board of Trustees, plus such additional out of pocket costs reasonably incurred should outside consultants, testing facilities, or the like be necessary.

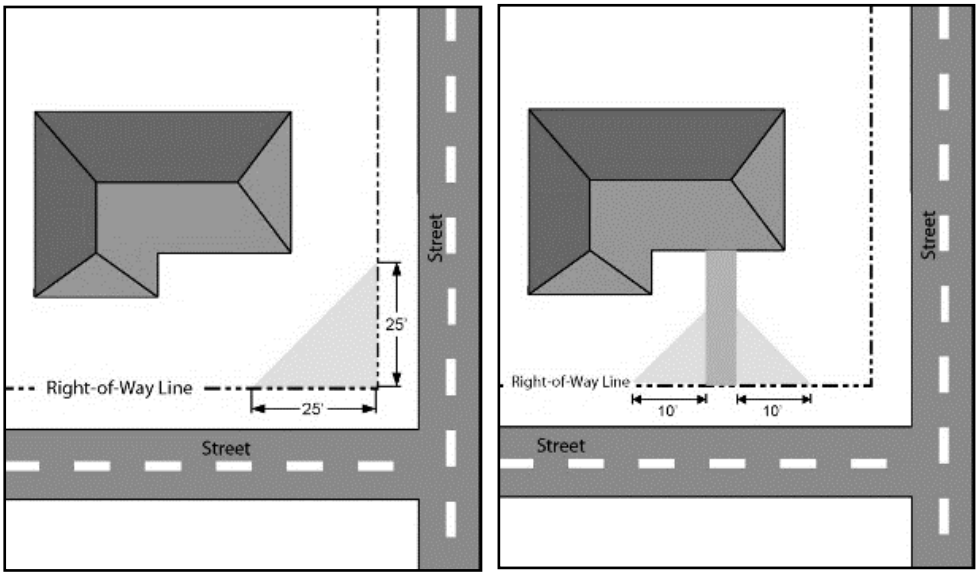
3-1-E. Regulations Relating to Chicago-O'Hare International Airport:

No structure shall exceed applicable height limits established by the most current State of Illinois airport approach plan for O'Hare International Airport, or any successor plan.

3-2 - LOTS AND YARDS

3-2-A. Sight Triangle Clearance:

1. No building or structure hereafter erected and no planting or other obstruction to the vision of drivers of motor vehicles shall be located: In any Zoning District, exceeding a height of two feet (2') above the street grade within twenty-five feet (25') of the intersecting lot lines bordering corner lots.
2. A sight triangle of ten feet (10'), with the same requirements as section 3-2-A-1, shall be maintained for all situations in which a driveway or alley intersects with a road.



3-2-B. Front Yards for Corner and Double Frontage Lots:

Corner lots and double frontage lots, on both adjacent streets, shall meet the front yard regulations of the Zoning District in which they are located.

3-2-C. Application of Yard Requirements to One Building Only:

No part of a yard requirement for any building may be included as fulfilling the yard requirements for an adjacent building.

3-2-D. Structures in Yards:

1. Principal and attached accessory structures shall not be located in any required yard as indicated in Table 7.1 unless specifically noted in this Chapter.
2. Every part of a required yard shall be open to the sky, unobstructed, except:
   - **a.** Ordinary projection of sills, belt courses, cornices, roof eaves, gutters, and ornamental features projecting not more than one foot (1') in the R-1, R-2, R-3, R-4, A-1, A-2, A-3, B-1, B-2, B-3, B-5, O-T and ITC Zoning Districts.
   - **b.** The same projections shall be allowed not exceeding three feet (3') in the I-1 and I-2 Zoning Districts.

3-2-E. Detached Accessory Structures in Residential Zoning Districts:

1. Two residential accessory structures are permitted per lot, consisting of:
   - **a.** One (1) shed up to one hundred fifty (150) square feet in size and twelve feet (12') in height.
   - **b.** One (1) detached garage up to six hundred (600) square feet, with no individual side

of the structure exceeding twenty-five feet (25') in length.

c. In lieu of a detached garage, one (1) accessory structure up to six hundred (600) square feet with no individual side exceeding twenty-five feet (25') in length is allowed.

2. Shall have a maximum height of fifteen feet (15') measured from finished grade to the highest point of the structure, unless otherwise regulated.

3. Shall not be located closer than sixty feet (60') to the front lot line or any lot line along a street.

4. Shall not be located within the required side yard.

5. Shall not occupy more than thirty percent (30%) of the required rear yard area.

6. Shall not be closer than six feet (6') to the rear lot line or the side lot line unless greater restrictions are required by easement. Except that sheds:

a. Shall be a minimum of sixty feet (60') from the front lot line;

b. Shall be located behind the rear line of the principal structure; and

c. Shall be no closer than two feet (2') to the side lot line or five feet (5') to the rear lot line; unless greater restrictions are required by easements.

7. A shed having a pitched roof may include eaves, however such shall not extend greater than two (2') feet from the side of the structure.

3-2-F. Detached Accessory Structures in Non-Residential Zoning Districts:

1. Shall have a maximum height of twenty feet (20') measured from finished grade to the highest point of the structure;

2. Shall have a minimum size of five hundred (500) square feet; and

3. Shall have a maximum size of fifty percent (50%) of the principal structure.

3-2-G. Use of Yards for Vehicles:

1. Residential Districts:

a. Parking pads are not permitted in front yards; except if, as determined by the Zoning Administrator, the parking pad located in the front yard results from, and is the continuation of, a previously approved existing driveway, where the parking pad exists from the conversion of a garage to living space that said driveway accessed and the garage is no longer used for vehicle parking, and no other driveway is located on or constructed on the property.

b. Parking pads that result from a previous or new conversion of a garage to living space, where there is a driveway to an existing or new garage elsewhere on the lot, shall have the driveway, apron, and curb cut leading to the converted living space removed and the area restored to sod, or as directed by the Zoning Administrator.

c. No motorized vehicles, trailer and tow type vehicles, boats or similar devices shall be parked or stored in any side or rear yard, unless the vehicle or boat is located on a parking pad meeting the following:

i. Dimensions of the parking pad are one (1') foot greater than the overall dimensions of the vehicle or boat;

ii. The parking pad cannot be located closer than five (5') feet to the adjacent single family residential lot;

iii. The parking pad cannot extend beyond the nearest rear edge of the principal structure and

iv. The parking pad can be located adjacent to the principal structure on the single family residential lot in which the vehicle or boat is parked however no portion of the vehicle or boat may overhang the parking pad on the side abutting the neighboring single family residential lot.

d. Parking and storage of recreational and non-recreational vehicles shall be in in accordance with Sections 6-3-6-8 and 6-3-6-9 of the Village Code.

2. Business Districts:

a. Operable motor vehicles may be parked on hard surfaced areas in front, side and rear yard areas of lots in a business Zoning District, provided that such vehicle is accessory and related to the operation of a business on said property.

b. There shall be no parking or storage of vehicles on driveways or access lanes. No vehicle shall be permitted to be parked in the same location for a period of time in excess of seven (7) days.

c. Trailer and tow type vehicles accessory and related to the operation of the business on said property are permitted in side and rear yards only.

3. Industrial Districts:

Operable motor vehicles, tow type vehicles and semi-trailers may use required yards in any industrial Zoning District provided that such vehicle is accessory and related to the operation of a business on said property as follows:

a. For loading and unloading of vehicles in required front yard, side yard or rear yard areas on hard surfaced areas;

b. There shall be no loading or unloading activity on driveways or access lanes which provide access to other portions of the site;

c. Any loading area situated in the front yard, for which a Building Permit is received after the adoption of this Ordinance, shall be at least eighty feet (80') from the street right-of-way property line;

d. Parking or storing of vehicles may occur in required side yards or rear yards on a hard surfaced area;

e. There shall be no parking or storing of any vehicle on driveways or access lanes which provide access to other portions of the site; and

f. No parking or storage is permitted in the required twenty-five foot (25') front yard setback.

4. Parking Surface for Vehicular Areas:

In all Zoning Districts, the parking or storing of motorized, tow type, or operable vehicles, boats, or similar devices within any portion of any lot, while not allowed in required yards and as otherwise regulated in this Ordinance, shall be permitted only on hard surfaced areas.

3-2-H. Private Swimming Pools:

1. Swimming Pools shall be allowed in any residential Zoning District and only as accessory to a principal residence.

2. No swimming pool or appurtenance thereto constructed in the ground or located above ground shall be located in any required front yard, nor within the required side yard adjacent to a neighboring principal structure, nor within eight feet (8') of a side or rear lot line unless greater restrictions are required by easements or covenants.

3-3 - FENCES

All fences shall meet the requirements of this section.

3-3-A. Fence standards applicable in all Zoning Districts:

1. Fences may be located along the property line of a lot or within required yard areas, except as otherwise regulated by this section. (As shown in Figure 3-1: A).

2. Fences shall not be constructed in any front yard or in front of the principal structure, except as otherwise permitted by this Ordinance. (As shown in Figure 3-1: A).
3. Fences may be located along the side and rear lot lines except as otherwise regulated by this Ordinance. (As shown in Figure 3-1: A).
4. Double Frontage Lots: On double frontage lots where the rear yard abuts a public street, fences shall be permitted along the rear property line on private property. (As shown in Figure 3-1: B).
5. Corner and Triple Frontage Lots:
   a. Fences located along the corner side property line and between the front edge of the house and the rear property line, may not exceed six feet (6') in height, nor be located closer than three feet (3') to said corner side property line, (As shown in Figure 3-1: C). except that, no fence may be located in a sight triangle clearance or as to otherwise obstruct the views of drivers or pedestrians so as to create an unsafe condition.
   b. On triple frontage lots where the rear yard abuts a public street, fences shall be permitted along the rear property line on private property.

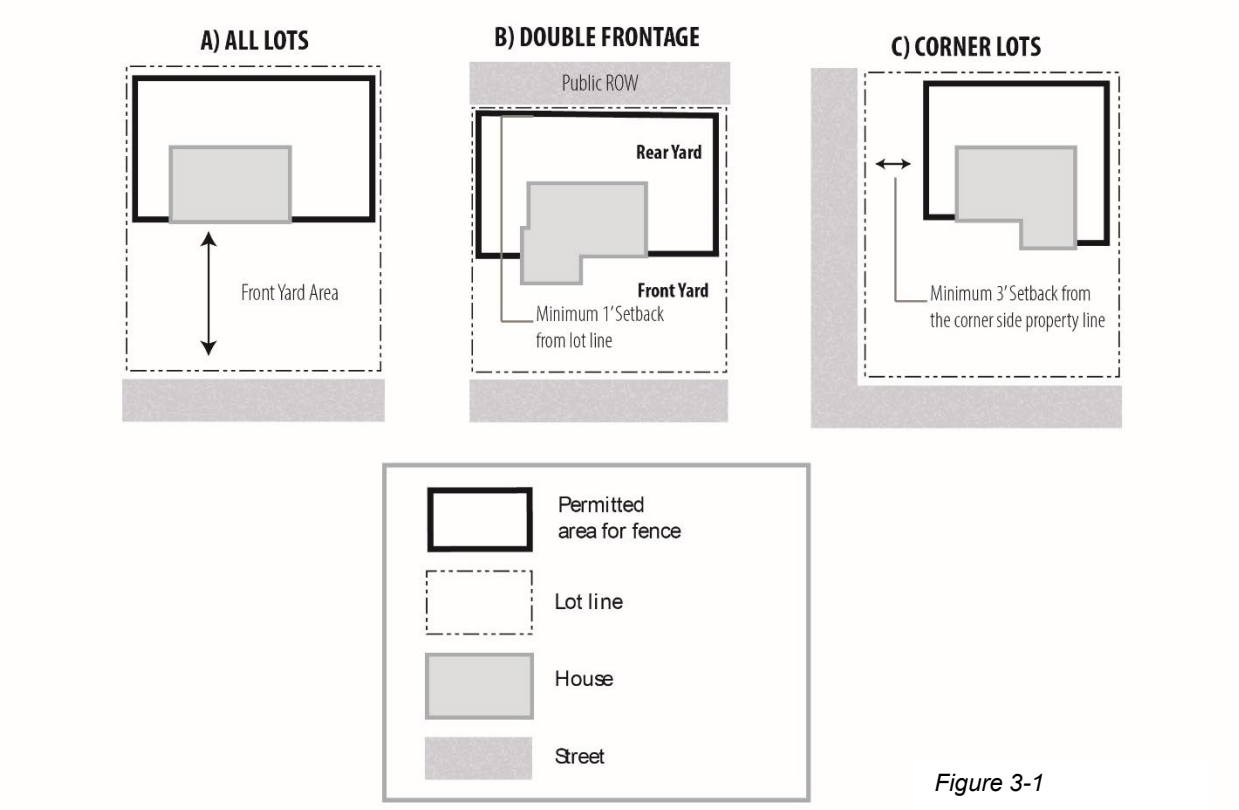


Figure 3-1

6. Fences Around Swimming Pools: Fences constructed so as to prevent unauthorized ingress shall be required around swimming pools.
7. Prohibited Fences: Barbed wire and electrically charged wire are prohibited; except as otherwise specified in this Ordinance.
8. Non-conforming Fences: All fences heretofore lawfully constructed as of the date of this Ordinance being adopted and not in conformity herewith shall be deemed non-conforming. Such fences may be replaced or repaired to the standard at which they were originally built; except that all fences shall meet the sight triangle clearance requirements specified in Section 3-2-A.

3-3-B. Fence standards permitted in all Residential Districts:

1. Fences may be erected not to exceed six feet (6') above ground level;
2. No fence shall extend beyond the nearest front corner of the principal building located on the lot where the fence is installed nor beyond a line extended from the nearest front corner of the principal building located on an adjacent single-family residential lot. (As shown in Figure 3-1); and
3. An eight-foot (8') fence is permitted along the street side property lines abutting one of the following Major Arterial Streets: Arlington Heights Road, Devon Avenue, Higgins Road, Meacham Road, Nerge Road, Rohlwing Road or Plum Grove Road and the following Collector Streets: Tonne Road, Biesterfield Road, and Wise Road.

3-3-C. Fence standards in all Business, OT and ITC Districts:

1. Fences may be erected not to exceed six feet (6') above ground level;
2. An eight-foot (8') fence shall be permitted when the above Zoning Districts abut a residential zoned district;
3. All development located in the ITC Zoning District shall conform to the fencing and screening requirements of the Innovation and Technology Center Design Guidelines and section 7-3-F-7(c) of this Ordinance; and
4. All development located in the Elk Grove Village Technology Park shall conform to the fencing and screening requirements of the Elk Grove Village Technology Park Design Guidelines.

3-3-D. Fence standards permitted in all Industrial Districts:

1. Fences may be erected not to exceed eight feet (8') above ground level;
2. A ten-foot (10') fence shall be permitted in an Industrial Zoning District abutting residential zoned district; and
3. Fences that abut or are visible from public streets in the Industrial Zoning Districts are required to be black in color.
4. Prohibited Fences: Barbed wire and electrically charged wire are prohibited; except, that barbed wire may be used on the top of permitted fences in the Industrial Zoning Districts; provided that:
   a. No barbed wire extension on top of a permitted fence may exceed eighteen inches (18") and
   b. No barbed wire extension on top of a permitted fence may be permitted on fences abutting a public street or road right-of-way.

3-3- E. Conditions for fences related to Data Center Facilities:

1. Fences may be erected not to exceed eight feet (8') above ground level;
2. Fences which abut streets shall be provided with brick columns, matching the principal structure façade, no more than every seventy-five feet (75');
3. Fences are permitted in the front yard or ahead of the principal structure however no fencing is permitted to be installed parallel within utility and drainage easements; and
4. Fences shall be black wrought iron or similar design as approved by the Zoning Administrator.

3-4 - ACCESSORY USES

All accessory uses shall comply with the standards of this section, as well as any other relevant sections of this Ordinance.

3-4-A. Home Occupations:

Home Occupations shall be allowed as a Conditional Use and only as an accessory use to permitted residential use. Home Occupations shall comply with the following conditions:

1. No more than twenty (20%) percent of the total square footage of the principal structure may be used for the home occupation;
2. No more than twenty (20%) percent of the total square footage of any accessory structure may be used for the home occupation;
3. No exterior evidence that gives the appearance of a home occupation shall be permitted, including but not limited to exterior signage;
4. A maximum of one vehicle related to the home occupation shall be allowed to be parked on the property;
5. No employees, other than residents of the premises, shall work at or report to work at the premises, either for work to be done there or to be dispatched from there;
6. No materials or equipment related to construction, services, or other business functions may be located on the site, except when:
   a. within completely enclosed structures as otherwise permitted by this Chapter, or
   b. within a permitted, completely enclosed truck or trailer for transporting equipment or materials between jobs. The work vehicle permitted per this subsection shall meet all other parking and storage requirements of this Ordinance;
7. No more than one pupil, client, or customer may be present at the same time;
8. Automotive repair, as all or part of a home occupation, shall be prohibited;
9. No traffic shall be generated by such home occupation in greater volumes than would be normally expected in a residential neighborhood;
10. Home occupations do not require permit or zoning approval from the Village; and
11. All relevant Village regulations, including but not limited to those regarding noise and nuisance apply to home occupations.

3-5 - WIRELESS TELECOMMUNICATIONS ANTENNAS

Regulation of Wireless Telecommunications Antennas shall be per the Village of Elk Grove Antenna Siting Policy, dated 2001 and adopted by Village Resolution 22-01. Said Resolution and Policy, as may from time to time be amended, are hereby incorporated into and made part of this Zoning Ordinance.

3-6 - SUSTAINABLE ENERGY SYSTEMS

3-6-A. Solar Energy Systems (SES):

1. **Purpose:** The purpose of this Section is to encourage safe and efficient use of solar energy and reduce the use and impact of fossil fuels. The Section also seeks to ensure that Solar Energy Systems are compatible in character and appearance with the principal structure and surrounding area in which they are located.
2. **General Provisions:**
   a. SES are permitted as an accessory structure mounted to a principal or other accessory structure;
   b. SES shall be subject to the development standards specified in this Section and other Village Code requirements;
   c. Energy produced by SES shall be used on site, except that surplus energy may be delivered to the power grid;
   d. Solar panels may only be located on the roof of a structure and shall be mounted flush with the slope of the roof;
   e. Solar shingles are permitted and shall be integral to the roof of the structure on which they are installed;

f. Solar collection devices may not extend beyond the roof edge or the exterior perimeter of a structure;
g. Solar collection devices may not be located on the vertical portion of a mansard roof; and
h. SES shall be subject to the yard, height, and any other bulk requirements of the Zoning District in which it is located.
i. Abandonment: If a SES is inoperable or abandoned for a period of six (6) consecutive months; the owner may be notified by the Village that the energy system must either be repaired or removed within an established cure period.

3. **Appearance and Materials:** SES shall be neutral in color and generally matching the roof color of the principal or accessory structure. All such devices shall have the following characteristics:
   a. Not be plastic or other non-UV stable material;
   b. Include frames, where applicable, of anodized aluminum or painted steel;
   c. Where devices are encased with glass, the glass shall be non-reflective tempered glass; and
   d. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto any nearby properties or roadways.
4. **Height:** SES shall be subject to the following height requirements:
   a. SES shall not exceed the maximum structure height requirements for the Zoning District in which they are located;
   b. SES on sloped roofs shall not exceed the highest point of roof on which they are mounted;
   c. SES located on sloped roof buildings shall not extend beyond one foot (1') above the roof surface at any point in residential Zoning Districts and fifteen inches (15") for all other Zoning Districts and
   d. SES located on flat roofed buildings shall not extend beyond two feet (2') in overall height above the roof on which they are mounted in residential Zoning Districts or three feet (3') in all other Zoning Districts.

3-6-B. Wind Energy Systems (WES):

1. **Purpose**: The purpose of this Section is to encourage safe and efficient use of wind energy and reduce the use and impact of fossil fuels. The Section also seeks to ensure that Wind Energy Systems are compatible in character and appearance with the principal structure and surrounding area in which they are located.
2. **General Provisions**:
   a. WES are permitted as an accessory structure to a principal Permitted, Conditional, or Special Use subject to the standards of this Section and the Village Code;
   b. No more than one WES is permitted per residential zoning lot;
   c. No more than one WES is permitted per Business, OT, ITC or Industrial zoned properties, unless approved by the Mayor and Board of Trustees as a Special Use;
   d. WES may be permitted on a Business, OT, ITC or Industrial zoned property adjacent to a residential zoning lot only upon approval by the Mayor and Board of Trustees as a Special Use;
   e. WES structures shall comply with all Building Code, Environmental Performance Standards, Nuisance Regulations, and other regulations of the Village Code regarding their construction, design, operation, and maintenance;
   f. Energy produced by WES shall be used on site, except that surplus energy may be delivered to the power grid;
   g. WES shall be designed to withstand a minimum wind velocity of one hundred (100) miles per hour, with an impact pressure of forty (40) pounds per square foot;
   h. As part of a Building Permit submitted for a WES, a statement and evidence shall

be provided by the applicant that the proposed WES will not adversely impact adjacent properties;

i. In no event shall the noise level produced by a WES continuously exceed sixty-five (65) decibels as measured at the property line;

j. No WES shall cause electromagnetic degradation in performance of other electromagnetic radiators, receptors, or generators of quality and proper design. The Village may revoke any permit for a WES system should electromagnetic interference from the WES be evident and cannot be corrected;

k. WES shall not be artificially lighted, except to the extent required by the FAA or other applicable government authority;

l. All WES shall have an automatic braking, governing or feathering system to prevent uncontrolled rotation, over-speeding and excessive pressure on the tower structure, rotor blades and turbine components; and

m. Abandonment: If a WES is inoperable or abandoned for a period of six (6) consecutive months; the owner may be notified by the Village that the energy system must either be repaired or removed within an established cure period.

3. Rooftop Mounted WES:

a. Shall be set back at least twenty feet (20') from front building lines, and at least ten feet (10') from side building lines. Setbacks shall be measured to the widest point of blade rotation or to the side of the WES, whichever is greater.

b. Shall be limited to a height of no more than fifteen feet (15') above the roof peak or top of the roof, in the case of a flat roof. Total height shall be measured from the highest point of blade rotation or the highest point of the WES, whichever is greater.

4. Ground Mounted WES:

a. Shall be allowed only in Industrial Zoning Districts, after having received approval as a Special Use;

b. Shall be permitted only in a rear yard;

c. The WES tower or any associated structure shall comply with the minimum setback requirements of the Zoning District in which the WES is located or be set back a distance equal to one point one (1.1) times the total height of the structure from any property line, whichever distance is greater. Total structure height shall be measured from the highest point of blade rotation to the ground;

d. Shall be set back a minimum of twenty feet (20') from any principal structure on the property;

e. Shall not exceed seventy feet (70') in height;

f. Rotor blades or airfoils must maintain at least twelve feet (12') of clearance between their lowest point of rotation and the ground;

g. All climbing apparatus affixed to a WES tower shall terminate twelve feet (12') short of ground level;

h. All WES facilities shall be surrounded by a six foot (6') high safety fence; and

i. All WES towers shall be constructed with an approved concrete foundation.

3-7 - PRINCIPAL BUILDINGS AND STRUCTURES

Unless part of a Planned Development project, one and only one principal building or structure and a permitted accessory structure shall be erected on any lot of record on any conforming lot.

3-8 - OUTDOOR STORAGE

3-8-A. The outdoor storage of materials, goods and products not contained in a permanent structure is permitted in the I-1 and I-2 Industrial Zoning Districts in side or rear yards if completely screened from public view and no closer than fifteen feet (15') to any structure,

subject to such other provisions as hereafter set forth.

3-8-B. The outdoor storage of uncontained bulk materials which have a tendency to become windborne such as powder, grain, stone, sand and coal are prohibited.

3-8-C. Storage of any trucks, semitrailers or any similar equipment or vehicles not directly affiliated with the principal use are not included as part of outdoor storage and are prohibited under this Ordinance.

3-8-D. Storage Containers.

1. Definition of placement. For the purposes of this Section, placement shall mean the locating of a storage container for a continuous period of twelve (12) hours or more.
2. Residential Zoning Districts. The placement of one (1) storage container in Residential Zoning Districts shall be permitted for ten (10) days twice a year.
3. Business Zoning Districts. The placement of storage containers in any Business Zoning District shall be prohibited.
4. Industrial Zoning Districts. The placement of storage containers in Industrial Zoning Districts shall be permitted provided that storage containers:
   a. Shall be located a minimum of sixty feet (60') from the front lot line or behind the rear line of the principal structure, whichever is more restrictive;
   b. Do not exceed a height of ten feet (10');
   c. Do not cover, block or hinder use of parking spaces and drive aisles; and
   d. May not be located in any easement.
5. Exceptions for Construction. For properties where an active Building Permit has been issued by the Village for a single-family dwelling, one (1) storage container may be placed on the property, in a location approved by the Zoning Administrator as found to be safe for those on and near the site. Storage containers used for construction purposes must be immediately removed upon completion of the construction project.

3-9 - OUTDOOR SALES AND DISPLAYS

3-9-A. Outdoor display of goods may be conducted in the B-1, B-2, B-3 and B-5 Zoning Districts. Such displays shall be located so as to ensure safe and secure use of properties and shall not create a nuisance or safety hazard as defined in the Village Code. A permit for outdoor displays is not required, except for the B-5 Zoning District, which requires approval by the Mayor and Board of Trustees.

3-9-B. Outdoor sales of items may be permitted on private property when items sold are related to the principal commercial use or conducted for a seasonal item and sales conducted with permission of the owner. Outdoor Sales on a property are limited to no more than a continuous forty-five (45) day period, no more than two (2) times per calendar year. Outdoor sales require Village approval.

3-9-C. Any outdoor sales in the B-5 Zoning District require permission of the Mayor and Board of Trustees, as outlined in this Ordinance.

3-10 - SEXUALLY ORIENTED BUSINESSES: The following regulations shall apply to Sexually Oriented Businesses:

3-10-A. Definitions:

1. EMPLOYEE: A person who works or performs in and/or for a sexually oriented business, regardless of whether or not said person is paid a salary, wage, or other compensation by the operator of said business. A person may be considered an employee under this definition even if said person is an independent contractor, provided that said person has a substantial or consistent relationship with the business of, or entertainment/services provided by, the sexually oriented business.
2. ESTABLISHMENT: Means and includes any of the following:
   a. The opening or commencement of any sexually oriented business as a new business;
   b. The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;
   c. The addition of any sexually oriented business to any other existing sexually oriented or nonsexually oriented business; or
   d. The relocation of any sexually oriented business.
3. LICENSED PREMISES: Any premises that requires a license and that is classified as a sexually oriented business under this Chapter.
4. LICENSEE: A person in whose name a license to operate a sexually oriented business has been issued as well as each individual listed as an applicant on the application for a permit. LINGERIE MODELING BUSINESS: Any place where a person who appears in a state of nudity or seminudity or in lingerie is provided to be observed by other persons who pay money or any form of consideration.
5. NUDE MODEL STUDIO: Any place where a person who appears in a state of nudity or displays "specified anatomical areas" as defined herein is provided to be observed, sketched, drawn, painted, sculpted, photographed, videotaped or similarly depicted by any other person or persons who pay money or any form of consideration for such observation, sketching, drawing, painting, photography or videotaping.
6. NUDITY OR A STATE OF NUDITY: The appearance, or to simulate the appearance, of a human bare buttock, anus, pubic area, anal cleft or cleavage, male genitals, female genitals or the female breast. "Nudity or state of nudity" shall not mean nor include a person who appears in a state of nudity in a modeling class operated:
   a. By a proprietary school, licensed by the State of Illinois; a college, junior college, or university supported entirely or partly by taxation; or
   b. By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
   c. In a structure which: a) has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and b) where, in order to participate in a class, a student must enroll at least three (3) days in advance of the class; and c) where no more than one nude model is on the premises at any one time.
7. PHYSICAL CULTURE ESTABLISHMENT: Any establishment which offers, provides or advertises massage, body rubs or physical contact with specified anatomical areas, regardless of whether or not said establishment has received a sexually oriented business permit under this Ordinance. Establishments which routinely provide medical services by State licensed medical practitioners, electrolysis treatment by permitted operators of electrolysis equipment, and massage by licensed massage therapists shall be excluded from the definition of adult physical culture establishments. It is not the intent of this definition to regulate matters of massage establishments which are licensed and regulated by the State of Illinois Department of Professional Regulation, or by the Village as a licensed massage establishment.
8. SEMINUDE OR SEMINUDITY: A state of dress in which clothing covers no more than the genitals, pubic region and the areola or nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

9. SEXUAL ENCOUNTER CENTER: A sexually oriented business or similar commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
   - **a.** Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
   - **b.** Activities between male and female persons and/or persons of the same sex when one or more of the persons are in a state of nudity or seminudity.
   - **c.** Any commercial establishment or business not otherwise defined herein where any individual, employee, operator or owner works or performs in a seminude state.
10. SEXUALLY ORIENTED ARCADE: Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to not more than one person per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas" as defined herein.
11. SEXUALLY ORIENTED BOOKSTORE, SEXUALLY ORIENTED VIDEO STORE OR
12. SEXUALLY ORIENTED NOVELTY STORE: A commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:
    - **a.** Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes or video reproductions, slides, computer disks, or other visual representations which are characterized by depictions or descriptions of "specified sexual activities" or "specified anatomical areas" as defined herein; or
    - **b.** Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities" as defined herein.
    - **c.** The term "principal business purpose" shall include any such commercial establishment which:
      - **i.** Derives twenty-five percent (25%) or more of its gross monthly revenues from the sale or rental of the inventory and/or materials described in subsections A1 and/or A2 of this definition; or
      - **ii.** Has as twenty-five percent (25%) or more of its stock-in-trade the inventory and/or materials described in subsections a and/or b of this definition; or
      - **iii.** Devotes twenty-five percent (25%) or more of its interior business area to the sale or rental of the inventory and/or materials described in subsections a and/or b of this definition; or
      - **iv.** Devotes twenty-five percent (25%) or more of its advertising to the sale or rental of the inventory and/or materials described in subsections a and/or b of this definition.
      - **v.** Does not meet one or more of the criteria in the preceding subsections i through iv of this definition, but does offer for sale or rental the inventory and/or materials described in the preceding subsections a and b of this definition in a manner which demonstrates that the sale or rental of the aforesaid materials is a principal business purpose.
        - A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material characterized by depictions or descriptions of "specified sexual activities" or "specified anatomical areas" as defined herein and still be categorized as a sexually oriented bookstore, sexually oriented video store or sexually oriented novelty store. Such other business purposes will not serve to exempt such commercial

establishments from being categorized as a sexually oriented bookstore, sexually oriented video store or sexually oriented novelty store so long as one of its principal business purposes is the offering for sale or rental for any form of consideration any one or more of the specified materials characterized by depictions or descriptions of "specified sexual activities" or "specified anatomical areas" as defined herein.

13. SEXUALLY ORIENTED BUSINESS: A sexually oriented arcade, sexually oriented bookstore, sexually oriented video store or sexually oriented novelty store, sexually oriented cabaret, sexually oriented motion picture theater, sexually oriented theater, physical culture establishment, lingerie modeling business, nude model studio, or sexual encounter center.

14. SEXUALLY ORIENTED MOTION PICTURE THEATER: A commercial establishment where for any form of consideration, films, motion pictures, videocassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" as defined herein.

15. SEXUALLY ORIENTED THEATER: A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or seminudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities" as defined herein.

16. SPECIFIED ANATOMICAL AREAS:

a. Less than completely and opaquely covered:

i. Human genitals or pubic region; or

ii. Buttock; or

iii. Areola or nipple of the female breast, or

iv. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

17. SPECIFIED SEXUAL ACTIVITIES:

a. Human genitals in a state of sexual stimulation, arousal or tumescence; or

b. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast(s); or

c. Sex acts, actual or simulated, including, but not limited to, intercourse, oral copulation, or sodomy and also including as examples, but not limited to, any of the following: acts of human anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellatio, flagellation, masochism, necrophilia, pederasty, pedophilia, sadism, sado-masochism, sapphism, urolagnia or zooerasty; or

d. Masturbation, actual or simulated; or

e. Excretory functions as part of or in connection with any of the activities set forth in subsections A through D of this definition.

18. STRADDLE DANCE (ALSO KNOWN AS A LAP DANCE): The use by an employee of a sexually oriented business of any part of his/her body to touch the genital or pubic area of a person, or to touch the breast(s) of a female person, whether clothed or unclothed, while at the business; or the touching of the genital or pubic area of an employee by a person while at the business; or the touching of the breast(s) of a female employee, whether clothed or unclothed, by a person while at the business. It shall be a "straddle dance" regardless of whether the "touch" or "touching" occurs while the employee is clothed, nude, seminude or displaying or exposing any specified anatomical area. It shall also be a "straddle dance" regardless of whether the "touch" or "touching" is direct or through a medium.

3-10-B: Additional Regulations for Sexually Oriented Businesses in B-2 Zoning Districts: As a Conditional Use in the B-2 Zoning District, Sexually Oriented Businesses shall be subject to the following:

a. A sexually oriented business is a Conditional Use in the portions of the B-2 Zoning District east of Busse Road and south of Landmeier Road, provided no such use shall be established, or maintained within a premises which is located within five hundred feet (500') of:

i. A religious institution;
ii. A school;
iii. A boundary of a residential district as shown by the Village's Official Zoning Map;
iv. A public park as shown by the Village's Official Zoning Map;
v. The property line of a lot devoted to residential use; and
vi. Another sexually oriented business whether such other business is or is not within the corporate limits of the Village.
vii. For the purposes of this subsection, measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a religious institution or school, or to the nearest boundary of an affected public park, residential district, or residential lot.
viii. For purposes of this subsection, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects from the closest exterior wall of the structure in which each business is located.
ix. Sexually oriented businesses are prohibited in all other Zoning Districts and locations other than the areas set forth in this subsection.

3-10-C. Additional Regulations for Sexually Oriented Businesses in B-3 Zoning Districts: As a Conditional Use in the B-3 Zoning District, Sexually Oriented Businesses shall be subject to the following:

a. A sexually oriented business is a Conditional Use in the portions of the B-3 Zoning District east of Busse Road and south of Landmeier Road, provided no such use shall be established, or maintained within a Premises which is located within five hundred feet (500') of:

i. A religious institution;
ii. A school;
iii. A boundary of a residential district as shown by the Village's Official Zoning Map;
iv. A public park as shown by the Village's Official Zoning Map;
v. The property line of a lot devoted to residential use; and
vi. Another sexually oriented business whether such other business is or is not within the corporate limits of the Village.
vii. For the purposes of this subsection, measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a religious institution or school, or to the nearest boundary of an affected public park, residential district, or residential lot.
viii. For purposes of this subsection, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects from the closest exterior wall of the structure in which each business is located.
ix. Sexually oriented businesses are prohibited in all other Zoning Districts and locations other than the areas set forth in this subsection.

3-11 - COMMUNITY RESIDENCES

3-11-A: Licensure. Where a community residence or a community residence's operator is required to be licensed or certified by a State of Illinois agency or department to operate a community residence, the applicant shall provide the Village proof of such licensure or certification and maintain at all times a current and valid license or certificate. The Zoning Administrator may revoke a certificate of occupancy for a community residence if its license or certification is revoked. A community residence that is not licensed or certified by the State of Illinois may only be established if a Special Use permit is approved in accordance with this Ordinance.

3-11-B Occupancy. Full-time staff shall be included when determining the number of individuals that may occupy a community residence pursuant to the currently adopted Building Code by Elk Grove Village. For the purposes of this section, full-time staff shall mean staff that occupies the residence overnight.

3-11-C Location. No community residence may be located within six hundred and sixty feet (660') of an existing or approved community residence, as measured from lot line to lot line, except when a Special Use permit is approved in accordance with this Ordinance.

3-12 - SMALL WIRELESS FACILITIES

Small Wireless Facilities shall be regulated per Title 3, Chapter 25 of the Elk Grove Village Code: Small Wireless Facilities, as amended from time to time.

3-13 - BEE KEEPING

3-13-A. Beekeeping is only permitted for educational purposes and environmental sustainability. Beekeeping which results or produces any form of income is prohibited.

- **a.** Applications for beekeeping shall be submitted to the Community Development Department.
- **b.** Beekeepers must register with the Illinois Department of Agriculture and provide proof of registration to the Village with their application. All beehives (Apiaries) shall be properly maintained.
- **c.** Beehive Location:
  - **i.** Permitted in single-family residential zoning areas and must be located in the rear yard;
  - **ii.** Beehives must be located no closer than two hundred and fifty (250') feet to an adjacent single-family residential lot; and
  - **iii.** Beehives are prohibited in multi-family residence, business, office and industrial zoning districts.
- **d.** No more than four (4) beehives are permitted per site.
- **e.** Signage:
  - **i.** Identification signs shall be conspicuous and weatherproof, measuring at least ten inches (10") by one foot (1'), located on all lot lines facing abutting properties, and within ten feet (10') of the beehive(s). The signs shall contain the statement "State Registered Beehive(s) on Property", or similar language that makes it clear that bees are on the premises. The signs must be visible and easily read from outside the property.
- **f.** Nuisance**:**
  - **i.** Bees shall be considered a public nuisance when they interfere with the normal use of private or public property, swarm or have shown unusual aggressive behavior toward a person or animal. Every owner or person in charge of, or in possession of, any property on which nuisance bees are present shall proceed to remove said bees.
- **g.** Penalty:

i. Any person violating the provisions of this policy shall be subject to a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) for each offense, and a separate offense shall be deemed committed on each day on which a violation occurs or continues to exist. In addition to any such penalty, the Village may initiate such injunctive relief as is necessary in the Circuit Court of Cook County, Illinois, including the issuance of a temporary restraining order and preliminary injunction, in order to abate any such nuisance as is set forth.

3-14 RESIDENTIAL ZONING DISTRICTS – LIGHTING FIXTURE DESIGN

3-14-A. Lighting fixtures for security or aesthetics shall include glare controls and shall be shielded. Floodlighting shall be shielded to prevent glare for drivers or pedestrians, light trespass beyond the property line, and light above a ninety-degree horizontal plane.

3-14-B. Lighting fixtures should minimize glare by using recessed, shielded, or cut off fixtures, with a cut off angle of 90 degrees or less as shown in Figure 3-2.

3-14-C. Lighting on any structure shall be directed away from surrounding properties.

3-14-D. No light source shall cause illumination in excess of one (1) foot-candle in residential zoning districts at any property lot line.

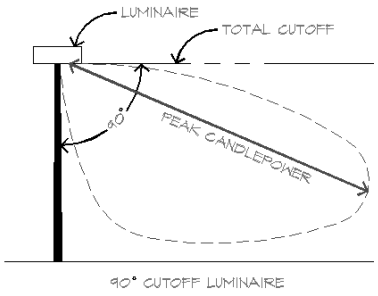


Figure 3.2

CHAPTER 4
OFF-STREET PARKING AND LOADING

4-1 - PURPOSE:
The off-street parking and loading standards in this Chapter are intended to provide adequate parking facilities for associated land uses, ensure efficient on-site circulation, limit traffic congestion on the public right-of-way, support pedestrian-safety in parking areas, provide for the accessibility needs of disabled persons, allow flexible parking standards to support environmental sustainability and economic development, and provide adequate on-site bicycle parking facilities, where applicable.

4-2 - PARKING: GENERAL APPLICABILITY
Off-street parking shall be provided and maintained as the joint responsibility of the property owner and operator of a use on said property. The owner and operator shall provide sufficient off-street parking for employees, customers, guests, and others. Public rights-of-way are intended for the orderly movement of vehicles and pedestrians, any parking that may be available on a nearby public street shall not be counted toward that required by this Ordinance. All off-street parking shall be maintained as hereinafter required:

4-2-A. Zoning Districts: The provisions for off-street parking specified in this Chapter shall apply to all Zoning Districts.

4-2-B. New Buildings: All buildings constructed after the effective date of this Ordinance shall provide for parking that conforms to the standards of Section 4-3: Schedule of Parking Spaces, as listed in Table 4-3.

4-2-C. Existing Buildings: For existing buildings and land uses, the following provisions shall apply:

1. Time of Construction. The minimum number of parking spaces required for an existing building or use of land at the time its Building Permit was issued shall apply in cases of existing Buildings and uses, even if they are less than required in this Chapter.
2. Expansions. Any structure or use of land that is expanded or changed shall provide parking for the increment of expansion only. Parking for such expansion or change of land use shall be provided for the incremental as if it was a new use, established after the effective date of this Ordinance.
3. Change in Land Use. Where the land use of an existing building in any Business, OT, ITC or Industrial Zoning District changes, the parking standards for the new land use shall apply. Except that:
    a. If the parking standard of the new land use requires that additional parking be provided, and
    b. the property owner provides evidence that the site cannot accommodate or be reconfigured to accommodate the required parking or
    c. the Zoning Administrator may reduce or waive the requirement for additional parking based on consideration of parking utilization data provided by the applicant, circumstances unique to the business function of the use, future reuse of the facility, and comparable parking utilization data otherwise collected by the Village.

4-2-D. Type of Structure: Parking and loading spaces may be provided in garages or in parking areas open to the sky; all parking provided shall conform to the provisions of this Ordinance.

4-2-E. Parking Setback: No vehicle parking may be located within the twenty-five foot (25') front yard setback in Industrial Zoning Districts.

4-2-F. Off-Site Parking:

1. All required parking for uses in a Residential Zoning District shall be provided on the same property as the building or use it serves.
2. In all Business and Office Districts, the Zoning Administrator may approve private parking facilities located on a separate property than the principal use in keeping with the following requirements:
   a. The Zoning Administrator determines that the path from the off-street parking to the principal structure is safe and efficient for pedestrians.
   b. Off-site parking facilities shall be no further than five hundred feet (500') from the property line of the property containing the principal use, at their closest point.
   c. No portion of separate parking facilities shall be separated by a public street.
3. In all Industrial Districts, the Zoning Administrator may approve private parking facilities on a separate property than the principal use in keeping with the following requirements:
   a. The Zoning Administrator determines that the path from the off-street parking to the principal structure is safe and efficient for pedestrians.
   b. Off-site parking facilities shall be no further than one-thousand feet (1,000') from the property line of the property containing the principal use, at their closest point.
4. Control of off-site parking facilities. When required off-street parking facilities are provided elsewhere than the lot on which the principal use served is located, they shall be in the same possession, either by deed or long-term lease, as the property occupied by such principal use.

4-2-G. Units of Measure: For purposes of this Chapter, the following units of measurement shall apply:

1. Dwelling Unit: Dwelling unit refers to that dwelling accommodation within a building designed for one individual or family unit maintaining separate and independent housekeeping.
2. Seat or Bench: A seat shall be the space intended for one individual. In places where patrons or spectators occupy benches, pews or similar seating facilities, each eighteen inches (18") of seating facilities shall be counted as one seat.
3. Employees: Employees shall be based on the maximum number of persons on a duty shift on the premises at any one time.
4. Fractions: When the required number of off-street parking spaces results in a fractional space, any fraction less than one-half (0.5) may be disregarded, while a fraction of one half (0.5) or greater shall be counted as one parking space.

4-2-H. Shared Parking: Shared parking is an arrangement whereby parking requirements on two (2) or more properties or uses of land may use the same off-street parking spaces to satisfy their off-street parking requirements. Shared parking arrangements may be considered by the Village under the following circumstances:

1. Sharing of Space: No use shall be considered as individually providing off-street parking which is shared with one or more other user unless the schedule of operations of such uses does not conflict for the same space and there are sufficient parking spaces for both users.
2. Alternative Parking Plan Required for Shared Parking: Applicants wishing to use shared parking as a means of satisfying parking requirements shall submit an Alternative

Parking Plan that clearly demonstrates the feasibility of shared parking. It shall address, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing parking spaces.

3. Application Procedures for Alternative Parking:
    a. All applications for an Alternative Parking Plan shall be filed with the Zoning Administrator by the property owners of all involved properties and shall include an Alternative Parking Plan design.
    b. Upon approval of an Alternative Parking Plan by the Zoning Administrator. A copy of such plan having been recorded with Cook or DuPage County shall be filed with the Village Clerk.
4. Conditions of Plan: All Alternative Parking Plans recorded hereunder shall be binding upon all applicants for such, their successors, and assigns, shall limit and control the issuance and validity of all permits and shall restrict and limit the use and operation of all land and structures included within such special plans to all conditions and limitations specified in such plans and the approvals thereof.
5. Amendment of Plan: All Alternative Parking Plans recorded hereunder may be amended pursuant to the limitations and requirements by which such plans were approved. Application for amendment shall be made to and considered for approval by the Zoning Administrator.
6. Withdrawal from Plan: Upon petition of all parties bound by an approved Alternative Parking Plan, said parties may withdraw either partially or completely from the Alternative Parking Plan as approved, provided parking is available as required by this Zoning Ordinance and all remaining portions of properties under the Alternative Parking Plan comply with all relevant regulations of the Village. Application for withdrawal shall be made to the Zoning Administrator for approval.

4-2-I. Design, Development and Maintenance: Every parcel or portion of a parcel of land used as a public or private parking area, automobile or trailer sales lot, and vehicle and equipment storage area shall be designed, developed, and maintained in accordance with the following requirements:

1. Size and Configuration: Off-street parking spaces and drive areas shall not be less than the dimensions set forth in Exhibit 4-1, entitled "Off-Street Parking Chart".
2. Surfacing:
    a. All off-street parking areas shall be improved with an all-weather material such as asphalt and concrete.
    b. Parking and access areas shall be constructed such that all applicable stormwater regulations of the Village and other jurisdictions are met.
3. Screening and Landscaping: Off-street parking areas, in other than single family residential Zoning Districts, shall provide and maintain parking lot landscaping as provided for in Section 11-4 Landscaping Requirements, of this Ordinance or such other screening as may be determined by the Plan Commission.
4. Entrances and Exits: All parcels shall be provided with entrances and exits.

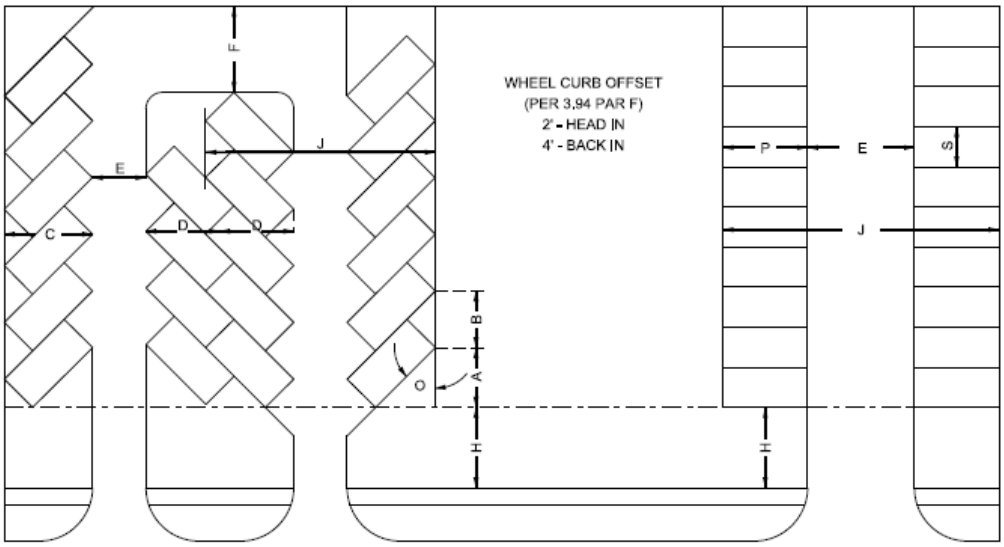


TABLE OF DIMENSIONS IN (FEET)

	O	S	P	A	B	C	D	E*	F	H**	J
***	0°	9.0	24.0	0.0	24.0	9.0	9.0	12.0		0.0	30.0
	30°	9.0	19.0	30.0	18.0	17.3	13.4	12.0		10.0	46.6
	45°	9.0	19.0	19.8	12.7	19.8	16.6	12.0	16.0	10.0	51.6
	60°	9.0	19.0	12.1	10.4	21.0	18.8	17.0	15.0	12.0	59.0
	90°	9.0	19.0	0.0	9.0	19.0	19.0	24.0	20.0	10.0	62.0

NOTE:

O	PARKING ANGLE
S	PARKING SPACE WIDTH
P	PARKING SPACE LENGTH
B	CURB LENGTH OF PARKING SPACE WIDTH
A	CURB LENGTH OF PARKING SPACE DEPTH
C	PERPENDICULAR LENGTH OF STALL (AGAINST WALL)
D	PERPENDICULAR LENGHT OF STALL (OVERLAP)
E	AISLE WIDTH
F	TURN AROUND AISLE WIDTH
H	SETBACK
J	WALL TO WALL DIMENSION

* EXCEPT ON SINGLE FAMILY RESIDENTIAL LOTS, ALL AISLES SHALL BE AT LEAST 12 FEET IN WIDTH, DRIVEWAYS LEADING TO PARKING AREAS SHALL BE AT LEAST 10 FEET IN WIDTH FOR ONE WAY AND 20 FEET IN WIDTH FOR TWO WAY USE.

** 25 FOOT MINIMUM IN INDUSTRIAL ZONING DISTRICTS

*** PARALLEL PARKING

Figure 4-1

5. Perimeter Curbs: Barrier curbs are required around the perimeter of all parking lots and interior landscape islands. Wheel stops may be permitted in lieu of barrier curb at the discretion of the Zoning Administrator in cases where property grade, safety concerns, or proximity to a building make barrier curbs a practical infeasibility.

6. Lighting:

a. All portions of any parking or drive area shall be Illuminated by at least one- half (1/2) foot-candle of light.

b. No light shall be reflected on adjacent property in excess of one foot-candle at the property line of said properties.

c. All lighting should minimize glare by using recessed, shielded, or cut off fixtures as shown in Figure 4-2, with a cut off angle of 90 degrees or less as shown below in Figure 4-3.
d. All lights shall be extinguished no later than thirty (30) minutes after the close of business being served by same, except for night lighting, decorative lighting, or protective security lighting.
e. No lighting shall be so placed as to hamper the vision of motorists using the parking area or streets.

Figure 4-2

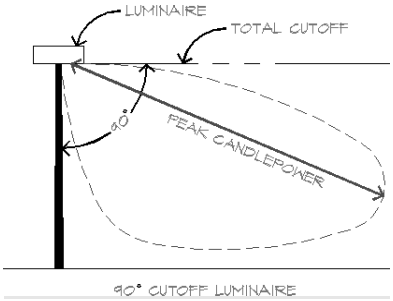


Figure 4-3

7. Use for Sale, Repair or Servicing of Vehicles: No property may be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies, except when such use is a Permitted Principal, Conditional or Special Use.

4-2-J. Cross Access Between Adjacent Lots

Where parking lots for separate uses abut one another and the opportunity for connected cross-access exists, such access is encouraged. Cross-access should be done in a logical manner that results in safe and efficient circulation between adjacent parking areas.

4-2-K. Land Banking for Future Parking. The Zoning Administrator may permit land banking of up to twenty-five (25%) percent of the required parking spaces provided that:

1. Sufficient evidence shall be provided by the applicant that supports the reduced parking needs;
2. The area proposed for land banking of parking spaces shall be an area suitable for parking at a future time;
3. Landscaping of the land banked area shall be in full compliance with this Ordinance and, at a minimum, be landscaped with grass. Additional landscaping of the land banked area may be required by the Zoning Administrator as needed to screen adjacent properties with less intensive development;
4. The land banking area cannot be used for any other use. The land banked parking area cannot be used to fulfill other landscaping requirements within this Ordinance;
5. As part of the review, the applicant shall show the area to be land banked on the site plan and marked as "Land Banked Future Parking";
6. The Zoning Administrator at their sole discretion, on the basis of increased parking demand for the use or provided parking proving to be inadequate, may require the conversion of all or part of the land banked area to off-street parking spaces; and
7. The property owner may convert the land banked area to parking with prior notification to the Village, subject to all required permits.

4-2-L. Parking Standards for Uses not Listed: The Zoning Administrator may determine parking requirements of uses not specifically listed in the Schedule of Parking Spaces Table

4-3. Such a decision shall be based on the requirements for similar uses found either inside or outside the limits of the Village. At their sole discretion, the Zoning Administrator may refer such a determination to the Plan Commission.

4-2-M. Bicycle Parking

1. Applicability. For properties within the Multi-Family, Business, Office, and ITC Zoning Districts designated bicycle parking spaces shall be provided in accordance with the requirements of this Ordinance. Properties requiring less than twenty-five (25) vehicle parking spaces are exempt from this requirement.
2. Minimum Required Spaces. Bicycle parking facilities should be provided at a rate of one bicycle space per twenty-five (25) vehicle parking spaces with a minimum of space for four (4) bicycles and a maximum of ten (10) spaces.
3. Location. Bicycle parking shall be conveniently located near building entry points. Bicycle parking placement shall not conflict with pedestrian travel or be located within any parking area or drive aisle.
4. Facility. Bicycle parking shall be provided using bicycle rack or locker-type parking facilities and shall be designed to allow either a bicycle frame or wheels to be locked on a bicycle rack or locker structure. Such structure shall be affixed securely to the ground (see Figure 4-4).

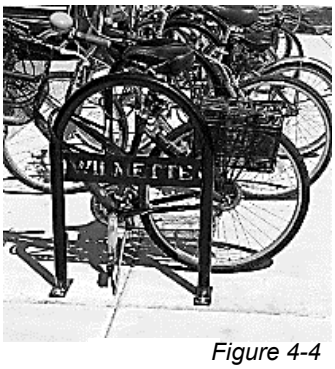


Figure 4-4

4-2-N. Accessible Parking

ADA Compliance. All off-street parking facilities must comply with the current State of Illinois Accessibility Code and the current federal ADA regulations concerning the number and design of accessible vehicle parking spaces required in parking lots and structures.

4-2-O. Residential Visitor Parking Spaces. All residential developments listed in Table 4-2 shall provide off-street visitor parking spaces, in addition to the parking required for the residents, as indicated in Table 4-3. For uses not indicated in the Table, the Zoning Administrator shall make a determination as to what standard applies.

Table 4-2: Residential Visitor Parking Spaces	
Residential Uses	***Visitor Parking Spaces***
Single Family Attached Dwellings	0.25 spaces per Dwelling Unit
Multi-Family Dwellings	0.25 spaces per Dwelling Unit. A minimum of 2 spaces are required if less than 8 units are provided

1. Any fractional requirement of a visitor parking space shall be interpreted as one (1) space for a total visitor parking space.
2. Visitor parking spaces shall be grouped in a location that is convenient to visitors and shall be accessible at all times. Visitor parking spaces shall not be located within a secured private or common parking garage that requires a key, handset, or other electrical or mechanical device to gain access to such spaces.

4-2-P. Drive Thru Stacking

1. Required spaces. Every drive-thru establishment, hereinafter constructed after the effective date of this Ordinance, shall provide twelve (12) stacking spaces or six (6) stacking spaces per drive-thru lane for all drive-thru facilities, whichever formula results in the greater number of required spaces.

2. Design and layout.

a. Stacking spaces are to be located so as not to interfere with parking or circulation upon the site;
b. Stacking spaces shall measure nine feet (9') wide by nineteen feet (19') long;
c. The stacking spaces shall be designed so as not to interfere with the ingress and egress to the off-street parking, traffic circulation on- or off-site, and traffic visibility;
d. Drive-thru pick up windows, menu boards, order boards and other such elements shall not be located between the building and the front property line;
e. Drive-thru ordering and maneuvering areas shall be provided to the side and rear of principal buildings and may be located in the side or rear yard;
f. Drive-thru establishments shall provide a bypass lane;
g. Stacking spaces should be separated from pedestrian paths or marked with signs to indicate such path to drivers and signage to yield to pedestrians; and
h. Stacking spaces shall not be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials, or supplies.

4-3 - SCHEDULE OF PARKING SPACES:

4-3-A. The minimum number of usable off-street parking or stacking spaces shall be provided as noted in Table 4-3.

4-3-B. All references to square feet are calculated as gross square feet of floor area.

4-3-C. All references to the number of employees shall be calculated as number of employees on the largest work shift.

4-3-D. All stacking spaces shall be located on the subject site, not on any public right-of-way.

4-3-E. Parking requirements for uses not specifically listed shall be determined by the Zoning Administrator, based on: similar uses as may be noted in Table 4-3, review of comparable parking utilization data provided by the applicant, or comparable parking utilization data otherwise collected by the Zoning Administrator.

4-3-F. Parking requirements for uses in the Industrial use category of Table 4-3 may be considered for reduction by determination of the Zoning Administrator. In considering whether a parking reduction may be granted, the Zoning Administrator shall consider comparable parking utilization data provided by the applicant, circumstances unique to the business function of the use, future reuse of the facility, and comparable parking utilization data otherwise collected by the Village.
Upon considering such information, the Zoning Administrator may grant a reduction of up to twenty-five (25%) percent of the total parking required per Table 4-3. In addition to a reduction that may be granted by the Zoning Administrator under this provision, required parking at time of development may be further reduced up to an additional twenty-five (25%) percent of the total parking required per Table 4-3 per the land banking provisions of Section 4-2-K of this Ordinance.

4-3-G. When a new building is constructed on any property zoned as industrial, and the business use of the building has not been determined prior to the time of occupancy and therefore the number of employees on which to base parking requirements cannot be established, parking shall be provided at a rate of one (1) parking space for each one thousand (1,000) gross square feet of building constructed. The resulting number of parking spaces shall be used to determine the required accessible parking per Section 4-2 and any other aspect of the Village Code in which a calculated parking requirement is applicable. A portion of the total parking required may be land banked per Section 4-2-K of this Ordinance.

Table 4-3: Required Parking Spaces

LAND USE	REQUIRED PARKING SPACES
Residential Uses	
Single-Family Detached Dwellings	2 per Dwelling Unit
Single-Family Attached Dwellings	2 per Dwelling Unit
Multi-Family Dwellings	2 per Dwelling Unit
Skilled Care Housing	1 per 3 resident beds + 1 space per 2 employees (total to be no less than 1 space per 800 square feet)
Daycare Home	1 per employee
Senior Independent Living	2 per Dwelling Unit
Community Residences	1 space per employee
Short Term Rentals	NA
Public, Cultural, Recreation, and Other Institutional Uses	
Ambulance Services	1 space per 2 employees + 1 per company vehicle
Ambulatory Surgical Treatment Centers	1 per 150 square feet
Charitable Organizations and Business Association (Offices)	1 per 200 square feet
Religious Institutions	1 per 4 seats in main auditorium
Government Buildings and Facilities	1 per 200 square feet for office related uses
Hospital	1 space per 2 patient beds + 1 space per 2 medical staff + 1 per 2 non-medical employees
Indoor Athletic Training and Recreation Facilities	1 per 4 persons of capacity + 1 per employee

Indoor Places of Entertainment and Amusement	1. Movie/Live Theater - 1 per 4 seats 2. Bowling Alley - 4 per lane + accessory uses 3. Other - 1 per 4 persons of capacity + 1 per employee
Libraries	1 per 500 square feet
Lodges and Meeting Halls	1 per 4 persons of capacity
Outdoor Recreation or Amusement	1 per 4 persons of capacity
Preschool Facilities	5 spaces + 1 per employee at maximum shift + 1 stacking space or parking space for each 10 children based on maximum licensed capacity (Minimum required stacking = 6 spaces)
Public Recreational Uses	1 per 4 persons of capacity or as determined by Zoning Administrator based on anticipated capacity
Schools, (Public, non-profit or private)	For elementary schools: 2 per classroom For high school: 1 per 8 students + 1 per 2 employees
Business Uses	
Automobile and / or Truck Rental	5 spaces + 1 per employee (Additional as needed for vehicle storage determined by Zoning Administrator.)
Automobile and / or Truck Sales (new / used)	1 per 800 square feet
Bakery / Coffee Shop	1 per 100 square feet
Brew Pub	1 per 100 square feet + additional spaces for other functions such as tasting rooms, production, etc.
Business and Trade Schools (or Colleges / Training Facilities)	1 per student + 1 per 2 employees
Business Services	1 per 200 square feet
Car Wash	1 per 2 employees + stacking spaces per lane
Currency Exchange	1 per 200 square feet
Daycare Centers	5 spaces + 1 per employee at maximum shift + 1 stacking space or parking space for each 10 children based on maximum licensed capacity (Minimum required stacking = 6 spaces)
Domestic Pet Services	1 per 300 square feet
Equipment Sales, Rental or Maintenance	1 per 600 square feet + 1 per 2 employees (Additional parking spaces needed for storage of rental vehicles shall be determined by the Zoning Administrator)
Financial Institution (with or w/o Drive-Thru)	1 per 400 square feet
Fueling Stations	1 per 3 gas pumps + 3 per service bay (The service bay may be counted as a parking space. Additional parking spaces as needed for vehicle storage shall be determined by the Zoning Administrator)
Furniture and Home	1 per 250 square feet

Furnishings	
Garden Stores	1 per 250 square feet
Hotel	1 per guest room + 1 per employee at largest shift
Hotel, Extended Stay	1 per guest room + 1 per employee at largest shift
Indoor Retail Sales of Goods	1 per 250 square feet
Laboratory	1 per 250 square feet
Medical and Dental Clinics	1 per 150 square feet
Mobile Home and Trailer Sales and Rental	1 per 250 square feet of showroom / display space
Offices, Professional and Business	1 per 200 square feet
Personal services	1 per 150 square feet
Restaurants	1 per 100 square feet
Retail Use (accessory to Manufacturing, storage or warehouse uses)	1 per 250 square feet
Undertaking Establishments (Funeral Home).	1 per 75 square feet + 20 stacking spaces
Vehicle Internet Sales	5 spaces + 1 per employee
Vehicle Repair / Maintenance	3 per repair bay + 1 per employee (The repair bay may be counted as a parking space. Additional parking spaces as needed for vehicle storage shall be determined by the Zoning Administrator.)
Veterinary Clinics	1 per 150 square feet
Industrial Uses	
Antenna, Satellite Dish, Transmission Structures, Communication Structures	1 space (Additional parking spaces required for maintenance vehicle(s) shall be determined by the Zoning Administrator.)
Asphalt / Concrete Plants	1 per 2 employees + 1 per company vehicle
Food Processing	1 per 2 per employees + 1 per company vehicle

Foundries, Nonferris	1 per 2 per employees + 1 per company vehicle
Light Assembly	1 per 2 per employees + 1 per company vehicle
Manufacturing / Storage of Weapons, Firearms, and Ammunition.	1 per 2 per employees + 1 per company vehicle
Manufacturing, Toxic Chemicals.	1 per 2 per employees + 1 per company vehicle
Manufacturing, General	1 per 2 per employees + 1 per company vehicle
Manufacturing, Limited	1 per 2 per employees + 1 per company vehicle
Microbrewery	1 per 2 per employees + 1 per company vehicle Plus 1 space per every 2 persons of capacity of a tasting room.
Microdistillery	1 per 2 per employees + 1 per company vehicle Plus 1 space per every 2 persons of capacity of a tasting room.
Microwinery	1 per 2 per employees + 1 per company vehicle Plus 1 space per every 2 persons of capacity of a tasting room.
Paper and Pulp Processing	1 per 2 per employees + 1 per company vehicle
Petroleum Storage Facilities.	1 per 2 per employees + 1 per company vehicle
Research Laboratories	1 per 2 per employees + 1 per company vehicle
Smelting and Refining of Precious Metals	1 per 2 per employees + 1 per company vehicle
Truck Terminals	1 per 2 per employees + 1 per truck originating at the facilities
Warehousing	1 per 2 per employees + 1 per company vehicle
Wholesale Sales Establishment	1 per 2 per employees + 1 per company vehicle
Miscellaneous Uses	
Broadcasting/ Entertainment Facility	1 per 2 employees + 1 per 4 persons of capacity for any public auditorium or theater spaces
Parking Lots, Public	NA
Museums and Art Galleries	1 per 4 persons of capacity
Mini-warehouse	1 per 400 square feet of office space
Sexually Oriented Businesses	1 per 250 square feet
US Postal Service Branch Office	1 per 750 square feet + 1 per postal vehicle + 1 per employee
Utilities	NA

Accessory Uses	
Beauty / Barber shops associated with non residential use	1 per 300 square feet
Convention and Meeting Facilities as an Accessory Use to Restaurant, Hotel or Office Buildings and not exceeding twenty percent (20%) of the Gross Floor Area of such use.	1 per 4 persons of capacity
Drugstores	1 per 500 square feet
Gift Shops	1 per 500 square feet
Heliports and public transportation facilities exclusive of service and maintenance facilities.	NA
Helistop associated with non residential use	NA
Home Occupations	1 per employee
Office supplies associated with non residential use	1 per 500 square feet
Outdoor Dining associated with a permitted Restaurant	NA
Outdoor Sales	NA
Outdoor Storage	NA
Restaurants (without drive-thru) associated with non residential use	1 per 200 square feet

4-4 - LOADING: GENERAL APPLICABILITY

Off-street loading shall be provided and maintained as the joint responsibility of the property owner and operator of all uses on said property. The owner and operator shall provide sufficient off-street loading as needed to adequately and safely load and unload materials or goods for uses on the subject site. Public rights-of-way are intended for the orderly movement of vehicles and pedestrians and may be used to access sites, but not for primary or significant maneuvering of vehicles that are loading and unloading.

Off-street loading spaces shall be required in connection with any building, or part thereof hereafter, erected or altered that is to be occupied by a user requiring the receipt or distribution of materials or merchandise. No structure shall be designed, erected, or altered unless the off-street loading space required is provided.

All off-street loading shall be maintained as hereinafter required:

4-4-A. Zoning Districts. The provisions for off-street loading specified in this Chapter shall apply to Business, OT, and Industrial Zoning Districts. Loading requirements for the ITC Zoning District shall be as specified in requirements noted in the Innovation and Technology Center District Design Guidelines and Section 4-6-D.

4-4-B. New Buildings. All buildings constructed after the effective date of this Ordinance shall provide for loading to be located along the side or rear of the building, loading docks may not be located on the portion of the building facing a roadway. For properties on a corner lot, loading docks may be located on the shorter of the two street frontages.

4-4-C. Existing Buildings. For existing buildings and land uses, the following provisions shall apply:

1. Time of Construction. The minimum number of loading spaces required for an existing building or use of land at the time its Building Permit was issued shall apply in cases of existing buildings and uses, even if they are less than required in this Chapter.
2. Buildings for which new loading spaces are added shall locate those spaces along the side or rear of the building, loading docks may not be located on the portion of the building facing a roadway. Except that a new loading space may be located on the front of the building if a finding is made by the Zoning Administrator that all the following conditions exist:
   a. Depth of the lot on which the existing building is located, combined with the size and location of that building do not facilitate safe and adequate truck movement to reach loading spaces at the rear of the building;
   b. Existing business conducted in the building are such that locating new loading spaces to the rear or side of the structure would be an unreasonable disruption to the business' operations' and
   c. Conditions related to a request for loading spaces in the front of the building are unique to the building location and business operation and are not due to circumstances created by the property owner or building occupant.
3. Building Expansions. Any structure that is expanded shall provide loading spaces for the increment of expansion only, adding the number of loading spaces for the newly added square footage based on the requirements specified in Table 4-4: Required Loading Spaces.

4. Building Expansions for properties located North of Landmeier Road and West of Busse Road. Any structure located in the area North of Landmeier Road and West of Busse Road that is expanded shall provide the number of loading spaces that would be required if the entire structure was newly built, with the number of loading spaces based on the requirements specified in Table 4-4: Required Loading Spaces. Except that the Zoning Administrator may grant a request by the property owner to provide less than the required number of loading spaces. In all instances, a minimum of one loading space shall be provided. In evaluating whether such reduction in the number of loading spaces may be granted the Zoning Administrator shall find that all the following exist:
   a. Conditions related to a request for reduced number of loading spaces are related to unique conditions of building location and business operation, and are not due to circumstances created by the property owner or building occupant;
   b. Whether sufficient evidence is provided by the applicant that supports the reduced loading needs; and
   c. Comparable loading space data provided by the applicant, circumstances unique to the business function of the use, future reuse of the facility, and comparable loading space utilization data otherwise collected by the Village.

4-5 - LOADING REGULATIONS AND REQUIREMENTS

4-5-A. Location: Off-street loading shall be located on the same lot as the structure for which loading is provided.

4-5-B. Location in Yards: Off-street loading spaces may occupy all or any required yard space pursuant to Section 3-2-G of this Ordinance and providing no vehicle projects beyond the property line of the lot.

4-5-C. Design, **Development and Maintenance**: All off-street loading spaces shall be designed, developed, and maintained in accordance with the following requirements:

1. Size:
   a. Each off-street loading space shall be not less than twelve feet (12') in width and sixty feet (60') in length, exclusive of access lanes or driveways.
   b. No portion of a vehicle shall project into a public right-of-way while being loaded or unloaded.
2. Surfacing: Loading spaces shall be paved with asphalt or concrete
3. Stormwater: Loading spaces shall be constructed in keeping with all applicable Village stormwater management and flood plain management regulations, with the intent that surface drainage emanating from the site does not adversely impact nearby streets, public rights-of-way, or private properties.
4. Screening: Off-street loading spaces that adjoin or are within fifty feet (50') of property zoned for any residential use shall be required to comply with the following:
   a. Have a dense evergreen planting;
   b. Have an eight-foot (8’) masonry wall; or
   c. Provide such other screening in height, location, and density as may be required by the Zoning Administrator to mitigate potential impacts related to noise and views of the

loading area and to be in keeping with the Industrial Commercial Revitalization Master Plan Update;

d. Locate required landscaping between the required wall and the adjacent residential property; and

e. Meet any relevant requirements of Chapter 11: Landscape and Site Development of this Ordinance.

5. Entrances and Exits: Vehicles involved in loading or unloading of goods or materials may not park or be left unattended on any driveways or access lanes serving any portion of a property.

6. Use for Sale, Repair or Servicing of Vehicles: The sale, repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies shall not be permitted in any loading space.

4-6 - SCHEDULE OF LOADING SPACES:

4-6-A. The minimum number of off-street loading spaces required shall be based on the gross floor area of the associated structure per Table 4-4 below:

Table 4-4: Required Loading Spaces

Square Feet of Gross Floor Area	**Required Number of Spaces**
Up to 20,000	1
20,001 to 40,000	2
40,001 to 70,000	3
70,001 to 120,000	4
120,001 to 200,000	5
For each additional 100,000	1 additional

4-6-B. All off-street loading spaces shall include an area or means adequate for maneuvering, and site ingress and egress.

4-6-C. The above loading space requirements shall not apply to **o**ffice or hotel uses unless said uses provide designated assembly or meeting rooms. In which case, one loading space for every one hundred thousand (100,000) square feet, or portion thereof, of floor area devoted to assembly or meeting rooms shall be provided.

4-6-D. Loading spaces in the Innovation and Technology Center Zoning District:

1. Loading and service docks shall be permitted within the Innovation and Technology Center Zoning District. Loading and service docks shall be limited to no more than one per ten thousand (10,000) square feet of building space per parcel.

2. All buildings shall have at least one loading or service dock area which is twelve feet (12') wide by sixty feet (60') long.

4-6-E. Docks for Data Centers:

In considering whether a loading space reduction may be granted, the Zoning Administrator shall consider comparable loading space utilization data provided by the applicant, circumstances unique to the business function of the use, future reuse of the facility, and comparable loading space utilization data otherwise collected by the Village.

4-6-F. Land Banking Loading Spaces. In lieu of providing the loading spaces required per Table 4-4 and Section 4-6-D, the Zoning Administrator may grant a request by the property owner to provide required loading spaces at a later date if necessary. In all instances, a minimum of one loading space shall be provided. In evaluating whether such land banking of loading spaces may be granted the Zoning Administrator shall consider:

1. Whether sufficient evidence is provided by the applicant that supports the reduced loading space needs;
2. The manner in which the building's structure, interior, and site are designed to accommodate future loading spaces;
3. The manner in which the building exterior will appear compatible with surrounding buildings during and after land banking of loading spaces;
4. Comparable loading space data provided by the applicant, circumstances unique to the business function of the use, future reuse of the facility, and comparable loading space utilization data otherwise collected by the Village;
5. The Zoning Administrator at their sole discretion, on the basis of increased loading demand or impact of loading functions on adjacent roadways or properties indicating that the land banking condition is inadequate, may require the conversion of all or part of the land- banked area to loading spaces; and
6. The property owner may convert the land banked area to loading spaces with prior notification to the Village, subject to all required permits.

CHAPTER 5
PLANNED DEVELOPMENTS

5-1 - PURPOSE AND INTENT

5-1-A. Authority: The Mayor and Board of Trustees may, in accordance with the procedures and standards set out in this Chapter and by Ordinance duly adopted, grant a Planned Development in the form of a Special Use. The intent of a Planned Development is to consider developments presenting a higher form of design quality, public benefit, and a need for flexible application of certain zoning standards.

5-1-B. Purpose: The Planned Development process is intended to provide for developments incorporating a single type or a variety of related land uses that are planned and developed as a unit. Such development may consist of conventionally subdivided lots or provide for development by an alternative development organization with a site plan that reflects a high level of aesthetic quality and leads to an enhanced quality of life for those that will live and/or work in the development. More specifically, the purpose of the Planned Development is to encourage:

1. A maximum choice in the types of environments available to the public by allowing a development that would not be possible under the strict application of other sections of this Ordinance;
2. Permanent preservation of common open space, recreation areas, and facilities;
3. A pattern of development to preserve natural vegetation, topographic, and geologic features;
4. A creative approach to the use of land and related physical development that results in improved development, design, and the construction of aesthetic amenities;
5. An efficient use of the land resulting in more economic networks of utilities and streets; and
6. A land use pattern that promotes the public health, safety, comfort, morals, and welfare.

5-1-C. Planned Developments to be Considered: Planned Developments may be granted as a Special Use in any Zoning District in the Village. The following additional standards shall apply to Planned Developments:

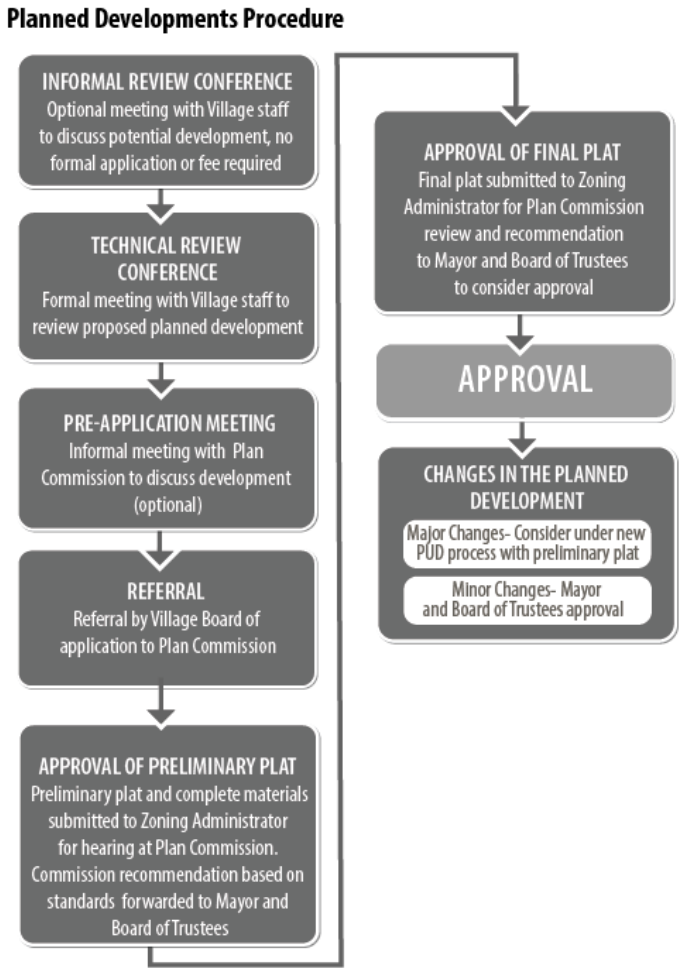
1. If more than one principal building is included in a Planned Development located in a B-1, B-2 or B-3 Zoning District, then the minimum distance between principal buildings shall be the greater of the height of the taller building or twenty-five feet (25');
2. The Planned Development need not be subdivided into lots;
3. A single entity shall be responsible for maintenance of any common open space, private streets, parking areas, and other facilities intended for private use and which are not publicly maintained or owned, and such entity shall have a right to impose a legally enforceable lien for the cost thereof; and
4. The dimensions, bulk, and area regulations for all Zoning Districts as required in Section 7-1 of this Ordinance and as set forth in the schedules contained in said section shall be applied to the total area within the Planned Development, as one lot, for the specific Zoning District in which the Planned Development is located.

5-2 - PROCEDURE

5-2-A. Planned Developments Procedure: A Planned Development shall be granted as a Special Use in accordance with the following procedures. Applications shall be made on

forms provided by the Village and shall be accompanied by the required plats and documents.

1. Informal Review Conference: To initiate the Planned Development process, the owner/developer has the option to meet with Village staff for an informal review of the potential development, its compliance with the Village Comprehensive Plan and development ordinances, appropriateness for the site and surrounding areas, the approval process and related matters. The Informal Review Conference does not require formal application, fee, or filing of a Planned Development plat. To make the discussion productive, applicants are required to provide information describing the land use, property size, and character of the anticipated development.



2. Technical Review Conference: A formal meeting to review the proposed Planned Development shall be held with Village staff for preliminary consideration of the proposed development in light of the requirements of this Chapter. The following materials shall be provided to the Village prior to scheduling and conducting the Technical Review Conference.

- **a.** General Site Information: Data regarding site conditions, drainage, land and soil characteristics, available community facilities and utilities, existing covenants, and other related information;
- **b.** Site Plan: A drawing showing the proposed location, elevation and the extent of the land uses, streets, lots and other features;
- **c.** Legal Description: A property survey and description of the site proposed for development; and
- **d.** Current Title: Evidence of property ownership or control.

3. Pre-Application Meeting*:* Prior to the filing of an application for Planned Development, the developer may request an informal meeting to discuss the development. Said meeting shall be held with the Plan Commission as part of a regularly scheduled meeting, shall be open to the public and be included on the Plan Commission's agenda in advance of the meeting. Submittal Requirements for the Pre-Application Meeting will be the same as those for the Technical Review Conference, as well as other materials that may be directed by the Zoning Administrator as needed to provide useful background for the Plan Commission. This meeting is to serve as a benefit to the applicant to provide insights and understanding as to

the Plan Commission's and Village's perspective on how the proposed Planned Development comports to the Village's Comprehensive Plan, what information will be useful to the Plan Commission as part of the formal approval process, and what issues the Plan Commission notes merit consideration during the process. This information will allow the applicant to prepare the necessary information to present plans to the Village.

4. Referral by Mayor and Board of Trustees. Materials provided at the Technical Review Conference shall be submitted to the Village Manager for transmittal to the Mayor and the Board of Trustees who shall refer same to the Plan Commission for consideration of preliminary plat approval and public hearing as per the procedures of this Chapter.

5. Approval of Preliminary Plat: A preliminary plat of the Planned Development shall be submitted to the Village Manager for transmittal to the Plan Commission for public hearing, report and recommendation as to whether or not the Mayor and Board of Trustees should issue a Special Use permit for the plan. The required procedure for approval of the preliminary plat shall be:

a. Materials Submitted:

- **i.** Written application for approval of a Planned Development to be made on forms and in the manner approved by the Village Attorney;
- **ii.** A fee to accompany the application, which fee shall be established by the Mayor and Board of Trustees;
- **iii.** Evidence that the applicant has sufficient control over the subject property;
- **iv.** An accurate legal description of the area of the Planned Development;
- **v.** An accurate survey of the area included in the Planned Development and also showing all existing or dedicated streets within one hundred feet (100') of the Planned Development;
- **vi.** Delineation of all subdivided lots;
- **vii.** Density, land use allocation information and data concerning the bulk of buildings and structures as required by Village forms;
- **viii.** Development and construction time schedules;
- **ix.** Designation of common open space, parking lots, roads, sidewalks, schools, public lands, drainage courses, lake areas, open spaces and recreational paths and areas;
- **x.** The location of the various uses, number and type of dwelling units and the location of each building;
- **xi.** Architectural elevations depicting the style of architecture and building materials and indicating the height and number of stories of all structures;
- **xii.** The plat shall be drawn to a scale of one inch to one hundred feet (1" = 100'). Said plat shall be certified true and correct and dated by a State of Illinois registered land surveyor;
- **xiii.** A Tax Impact Study indicating the possible tax consequences the proposed Planned Development will have upon the Village and other affected taxing bodies;
- **xiv.** A Traffic Impact Study providing overall traffic conditions associated with the proposed development, changes to level of service on surrounding roadways, potential impacts related to traffic congestion, any new street construction and traffic control improvements necessary to accommodate the estimated increase in traffic and traffic related problems from the proposed development;
- **xv.** A preliminary engineering study showing the location and adequacy of existing and proposed sanitary sewer, storm sewer, water distribution systems and stormwater management systems;

xvi. A map or text exhibit describing the existing natural and environmental resources and features on the subject property, including its topography, vegetation, soils, geology, and attractive vistas, and the impact of the proposed Planned Development on such resources and features, including proposals to preserve or protect such resources and features;

xvii. A statement of the applicant's intent with respect to the ownership, sale and leasing of the various completed units, structures, spaces and areas within the proposed Planned Development; and

xviii. If the Planned Development is to be constructed in stages or units during a period extending beyond a single construction season, a development schedule for each stage stating the approximate beginning and completion date.

b. Hearing: The Plan Commission shall hold a public hearing on the application for a Planned Development, giving notice of the time and place not more than thirty (30) nor less than fifteen (15) days before the hearing by publishing a notice thereof at least once in a newspaper published or having general circulation within the Village.

c. Decisions by Plan Commission: Following the public hearing and review of the preliminary plat and supporting materials for conformity to this Ordinance, the Plan Commission shall, within sixty (60) days from date of public hearing, recommend approval, modification or disapproval, and the reasons therefor, to the Mayor and Board of Trustees. As a condition to the approval of the preliminary plat, the Plan Commission shall set forth in a separate communication to the Mayor and Board of Trustees findings of fact on which it bases its approval, which findings shall satisfy the Zoning District requirements and as provided herein.

d. Decisions by the Mayor and Board of Trustees: The Mayor and Board of Trustees, after receipt of the preliminary plat from the Plan Commission, shall approve, modify or disapprove the preliminary plat. In the case of approval, or approval with modification, the Mayor and Board of Trustees shall pass an ordinance approving the preliminary plat and reciting necessary findings of fact, indicate their approval of the plat, direct the recording of said documents as deemed necessary with the Recorder of Deeds and direct Zoning Map modifications as necessary. The Mayor and Board of Trustees may require such special conditions as it deems necessary to ensure conformance with the intent of all Comprehensive Plan elements and the stated purpose of the Planned Development.

e. Interpretation of Preliminary Plat Approval: Approval of a preliminary plat shall not constitute approval of the final plat. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat which will be submitted for approval of the Village and subsequent recording upon the fulfillment of the requirements of these regulations and conditions of the preliminary approval, if any. The final plat shall be approved as the final Land Use and Zoning Plat if it conforms with the preliminary plat. No Building Permit shall be issued for any structure until the approval of the final plat.

f. Concurrent Review: An applicant for Planned Development may request concurrent review of preliminary and final plats. Such request shall be approved at the sole determination of the Zoning Administrator. If concurrent review is authorized, the process shall include the public hearing required by this Section and all materials required below shall be provided prior to scheduling said hearing.

6. **Approval of Planned Development Final Plat**: The Planned Development final plat shall conform substantially to the preliminary plat as approved, and if desired by the developer, it may be submitted in stages with each stage reflecting the approved preliminary plat which is proposed to be recorded and developed; provided, however, that such stages conform to all requirements of these regulations. The required procedure for approval of a final plat shall be as follows:

   a. Submission of Final Plat: A final plat and other supporting data required for approval shall be submitted to the Plan Commission through the Village Manager. The final plat shall be submitted in accordance with agreed to scheduling from date of approval of preliminary plat, but not later than one year; in the event an application for final plat is not submitted within one year, the Village may initiate such zoning changes to rescind the preliminary plat approval or other actions as it deems necessary to preserve the public interest.
      i. Upon written request by the applicant and showing of good cause, the Mayor and Board of Trustees may extent the filing for the final plat a maximum of twelve (12) months.
      ii. Final plats and supporting data shall show, in detail, the design, location and use of all buildings and overall land development in the form of the same materials outlined in subsection b below.

   b. Required Information:
      i. An accurate legal description of the area under immediate development within the Planned Development;
      ii. An accurate survey of said area;
      iii. A subdivision plat of all subdivided lots within said area of immediate development;
      iv. Substantial conformance with the preliminary plat;
      v. Building sites with all dimensions shown on the preliminary plat shall be shown on the final plat. The actual placement or the bulk of buildings constructed shall not violate the separation between buildings, streets or lot lines as approved on the site plan;
      vi. The plat shall be certified true and correct and dated by a State of Illinois registered land surveyor;
      vii. Evidence of current title or property control; and
      viii. Revised materials as outlined in Section 5a above as required by the Zoning Administrator to accurately define and be recorded as the final plat.

   c. Certifications: The final plat and supporting data shall be submitted to the Village Manager for certification that the final plat is in conformity with these regulations and in agreement with the approved preliminary plat.

   d. Decisions of Plan Commission: After review of the final plat, the Plan Commission shall, within thirty (30) days after submittal, recommend approval or disapproval or approval subject to stated modifications and the reasons therefor to the Mayor and Board of Trustees that the final plat is in Substantial Conformance with the preliminary plat.

   e. Decisions of Mayor and Board of Trustees: The Mayor and Board of Trustees, after receipt of the final plat from the Plan Commission, shall approve or disapprove the final plat and shall pass an ordinance authorizing the issuance of any and all other necessary permits.

   f. Permits: Permits are to be issued only after the final plat and supporting data have been approved by the Mayor and Board of Trustees.

   g. Filing Preliminary and Final Plats: The ordinance authorizing the Planned Development shall be effective only upon recording by the Village Clerk, unless this Ordinance shall

otherwise provide, of the Planned Development plats and supporting data with the County Recorder of Deeds. No permit allowing construction of a building or other development shall take place until the approval of the final plat.

h. Plat Purpose: The purpose of the plats is to designate, with particularity, the land subdivided into conventional lots as well as the division of other lands not so subdivided into common open areas and building sites. The preliminary plat shall generally locate buildings whereas the final plat shall show the exact location of each building site. The recording of the final plats shall inform all who deal with the Planned Development of the restrictions placed upon the land and act as a zoning control device.

7. **Changes in the Planned Development:** The Planned Development project shall be developed only according to the approved and recorded final plat and all supporting data. The recorded final plat and supporting data, together with all recorded amendments, shall be binding on the applicants, their successors and assigns and shall limit and control the use of the premises and location of structures in the Planned Development project as set forth therein.
   a. Major Changes: Any of the following changes shall be deemed to be major changes, which may be approved only by submission of a new preliminary plan and/ or plat, and supporting data, following the procedures set forth in this Section.
      1. Increase: A greater than five percent (5%) increase, based on the approved plan and plat of Planned Development for the project, in any of the following components: total gross floor area of all of the buildings in the project, or total number of dwelling units, unless otherwise restricted by the ordinance granting the Special Use for the Planned Development.
      2. Decrease: A greater than five percent (5%) decrease, based on the approved plan and plat of Planned Development for the project, to any of the following components: total number of parking spaces, total percentage of open space, or total percentage of landscaped area, unless otherwise restricted by the ordinance granting the Special Use for the Planned Development.
      3. Building Height Increase: A greater than ten percent (10%) increase in height.
      4. Classification Change: A change in the functional classification of an area, the types of dwelling units, or the types of land uses permitted within the Planned Development.
      5. An increase in any previously approved deviation for the Planned Development that would result in a change from the original plan that exceeds the limits set forth above.

   b. Minor Changes: Minor changes shall be changes not defined as major changes. The Zoning Administrator may approve minor changes in the Planned Development, provided they do not change the concept or the intent of the development. This process does not require going through the aforementioned preliminary approval steps. However, if the Zoning Administrator deems it advisable, in their sole discretion, they may require that any such minor change be submitted to the Plan Commission for review and recommendation, without the requirement of a public hearing, prior to the minor change being submitted to the Mayor and Board of Trustees for approval.

8. **Scheduling of Development:** The Mayor and Board of Trustees, upon advice of the Village Manager, shall direct the Plan Commission to hold a public hearing for the purpose of rezoning and cancelling all Planned Development permits if the Planned Development

falls more than two (2) years behind schedule. Extensions in the scheduling of development may be granted by the Mayor and Board of Trustees by submission of evidence that there is reasonable cause for the delay and the extension sought.

5-3 - FINDINGS

5-3-A. Prior to recommending approval of preliminary or final plat for a Planned Development, the Plan Commission shall make specific findings of fact that all standards listed below have been met by the proposed development and shall report to the Mayor and Board of Trustees as to the following:

1. The standards for Special Use, as outlined in Section 8-3-E.4 of this Ordinance, shall be met by all Planned Developments;
2. The physical design of the proposed plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open space and further the amenities of light, air, recreation and visual enjoyment;
3. The effect of the proposed plan to the physical development, tax base and the economic well-being of the Village; and
4. The site plan and design of all Planned Developments shall be in keeping with the intent of the design standards defined in the Elk Grove Village Industrial Commercial Revitalization Master Plan Update.

CHAPTER 6
ZONING DISTRICTS AND MAP

6-1 - DISTRICTS ESTABLISHED

Elk Grove Village is divided into the following Zoning Districts:

R-1 Single-Family Residence District
R-2 Single-Family Residence District (District not currently used or mapped)
R-3 Single-Family Residence District
R-4 Residence District

A-1 Multiple-Family Residence District
A-2 Multiple-Family Residence District
A-3 Combined Multiple-Family Recreation District

B-1 Business District: Shopping Center
B-2 Business District: General Business
B-3 Business District: Automotive Oriented
B-4 Business District: (District not currently used or mapped)
B-5 Business District: Town Center

O-T Office/Transitional District
ITC Innovation and Technology Center District

I-1 Restricted Industrial District
I-2 General Industrial District

6-2 - ZONING MAP

The boundaries of the Zoning Districts are shown upon a map that is made a part of this Ordinance by reference, which map is designated as the Zoning Map. The Zoning Map and all notations, references and other information shown thereon were all fully set forth and described herein, the original of which Zoning Map is on file with the Village Clerk. Copies shall be available to the public and annually updated as provided by law.

6-3 - INTERPRETATION OF DISTRICT BOUNDARIES

The following rules shall be used to interpret the exact locations of the district boundaries shown on the Zoning Map:

6-3-A. Where a district boundary generally follows a street, the center line of the street is the boundary of the district;

6-3-B. Where a district boundary generally follows a lot or property line, that property line is the boundary of the district; and

6-3-C. Where a district boundary does not clearly follow any of the features mentioned above, its exact location on the ground shall be determined by measurement according to the Map scale and as determined by the Zoning Administrator.

6-4 - ZONING OF AREAS ANNEXED TO THE VILLAGE

6-4-A. Any area annexed to Elk Grove Village shall be classified in accordance with the Zoning District ascribed to it on the Official Map of the Village, which is on file with the Village Clerk.

6-4-B. Where the designated Zoning District is not specifically or definitively designated on the Official Map, such property shall be annexed to the Village and zoned as the most restrictive district in this Ordinance.

6-4-C. In the event owners of property seek to be annexed and desire a zoning classification other than ascribed to the property by the Official Map, a petition may be submitted for the zoning classification desired. The Mayor and Board of Trustees, in the event it is deemed desirable, may refer said petition to the Plan Commission for hearing and recommendation. Action on the petition for annexation shall be deferred until action is taken by the Mayor and Board of Trustees, acting upon a recommendation of the Plan Commission, as to the zoning sought.

CHAPTER 7
REGULATIONS FOR ZONING DISTRICTS

7-1 - DIMENSIONS, BULK AND AREA REGULATIONS FOR ALL ZONING DISTRICTS

No Building Permit shall be issued for construction on land in the various Zoning Districts unless such construction shall abide by the bulk restrictions set forth in the schedule below, which schedule is incorporated and made part of this Zoning Ordinance.

Table 7.1: Schedule of Bulk and Yard Requirements and Regulations

District	Maximum Height of Buildings/ Structures (ft.)	Maximum Ground Coverage	Minimum Lot Area (sq. ft.)	Max. Floor Area Ratio	Minimum Lot Width at Front Yard Line (ft.)	Minimum Required Front Yard (ft.)	Minimum Required For Each Side Yard (ft.)	Minimum Required Rear Yard (ft.)	Minimum Building Size (sq. ft.)
R-1	2 stories or 35 ft.[3]	35%	20,000	0.3	100	25	10% of Frontage or 8 ft.,[7] whichever is greater	20	1,000
R-2	2 stories or 35 ft.[3]	35%	10,000	0.4	60	25		20	1,000
R-3	2 stories or 35 ft.[3]	35%	7,500	0.4	60	25		20	1,000
R-4	2 stories or 35 ft.[3]	35%	7,500	0.4	60	25		20	1,000
A-1	35' or 60' (P.D.)[1]	35%	10,000 or as detailed in sub-section 7-2-E	1.0	60	25	8	20	2,000
A-2	35' or 60' (P.D.)[1]	35%	10,000 or as detailed in sub-section 7-2-F	1.0	60	25	8	20	2,000
A-3	As detailed in Section 7-2-G of this Ordinance								2,000

Table 7.1: Schedule of Bulk and Yard Requirements and Regulations

District	Maximum Height of Buildings/ Structures (ft.)	Maximum Ground Coverage	Minimum Lot Area (sq. ft.)	Maximum Floor Area Ratio	Minimum Lot Width at Front Yard Line (ft.)	Minimum Required Front Yard (ft.)	Minimum Required *For Each* Side Yard (ft.)	Minimum Required Rear Yard (ft.)	Minimum Building Size (sq. ft.)
B-1	2 stories or 35 ft.[3]	20%	5 acres	0.2	150	25	0 or 50[2]	0 or 50[2]	10% of Lot Area
B-2	2 stories or 35 ft.[3]	50%	22,500	1.0	150	25	0 or 75[2]	0 or 75[2]	10% of Lot Area
B-3	2 stories or 35 ft.[3]	50%	22,500	0.5	150	25	0 or 75[2]	0 or 75[2]	10% of Lot Area
B-5	50	20%	10 acres	0.2	150	25[8]	0 or 50[2]	0 or 50[2]	
O-T	3 stories or 35 ft.[3]	50%	20,000	1.0	100	25	20 or 75[2]	30 or 75[2]	Greater of 25% of Lot Area or 5,000 square feet.
ITC	Lesser of 25 stories or 375 ft.	50%	4 acres	0.50 for each level of all buildings	100	50	10	15	NA
I-1	2 stories or 45 ft.[3,4,5,6]	80%	15,000	0.8	60	25	10 or 50[2]	15 or 50[2]	Greater of 25% of Lot Area or 5,000 square feet.
I-2	6 stories or 100 ft.[3]	80%	20,000	2.0	100	25	10 or 50[2]	15 or 50[2]	Greater of 25% of Lot Area or 5,000 square feet

1 P.D. = Planned Development
2 When lot abuts residential district.
3 Whichever is more restrictive.
4 Within 200 ft. of property zoned in R Zoning Districts, the limit is 2 stories or 45 ft.
5 Greater than 200 ft. of property zoned in R Zoning Districts, the limit is 60 ft. or 6 stories. Special use is required for heights in excess of 60 ft. within 1000 ft. of property zoned in R Zoning Districts.
6 Greater than 1000 ft. from property zoned in R Zoning Districts, the limit is 100 ft.
7 Except lots east of Beisner Road, which shall have a 5' side yard requirement
8 Unless property is included in a reciprocal easement agreement with adjacent B-5 zoned property and the agreement includes ingress and egress provisions thereby negating the requirement for a minimum lot width.

7-2 - RESIDENTIAL DISTRICTS

7-2-A. R-1 Single Family Residence Zoning District:

1. **Purpose:** The R-1 Single Family Residential Zoning District is an area of the largest single-family dwelling lots in the Village, providing relatively lower density than other residential districts. As with other single-family districts, the R-1 Zoning District can accommodate community facilities such as schools, parks, and institutional uses like hospitals that, when properly sited, can enhance the Village and resident's quality of life.

2. **Permitted Uses:** Permitted Uses in the R-1 Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the R-1 Zoning District are listed in the Zoning District Use Table 7.2**.**

R-1 Single Family Residence District	
Minimum Lot Area (sq. ft.)	20,000
Minimum Lot Width at Front Yard line (ft.)	100'
Minimum Required Front Yard (ft.)	25'
Minimum Required for each Side Yard (ft.)	10% of frontage or 8 feet[1], whichever is greater
Minimum Required Rear Yard (ft.)	20'
Maximum Ground Coverage	35%
Maximum Building Height (whichever is less)	2 stories or 35'
Maximum Floor Area Ratio	0.3
1. Lots east of Beisner Road shall have a 5' side yard requirement on each side.	

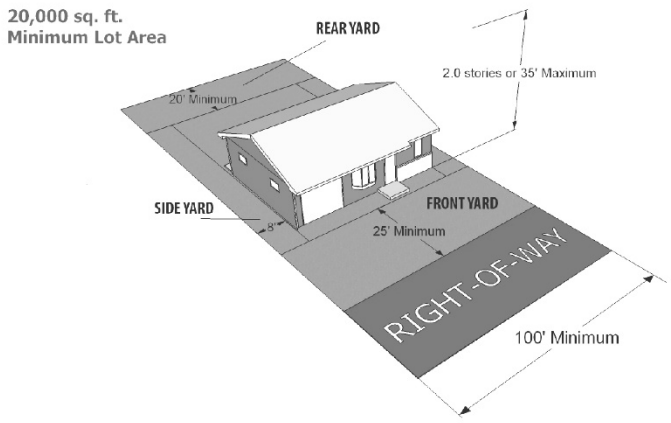
4. **Special Uses**: Special Uses in the R-1 Zoning District are listed in the Zoning District Use Table 7.2.

5. **Parking Requirements:** Parking requirements in the R-1 Zoning District are listed in Chapter 4.

6. **Bulk Space and Yard Regulations:** Bulk regulations in the R-1 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

7. **Supplemental Regulations in the R-1 Single Family Residence Zoning District:** Supplemental Regulations for the R-1 Single Family Residence Zoning District are listed in Section: 7-2-H Supplemental Regulations in Residential Districts.

Figure 7.1:
R-1 Single Family Residence District Bulk Regulations Illustration.



7-2-B. R-2 Single Family Residence Zoning District:

1. **Purpose:** The R-2 Single Family Residential Zoning District provides moderate sized lots for single-family dwellings in the Village. As with other single-family districts, the R-2 Zoning District can accommodate community facilities such as schools and parks that, when properly sited, can enhance the Village and resident's quality of life.

2. **Permitted Uses:** Permitted Uses in the R-2 Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the R-2 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the R-2 Zoning District are listed in the Zoning District Use Table 7.2.

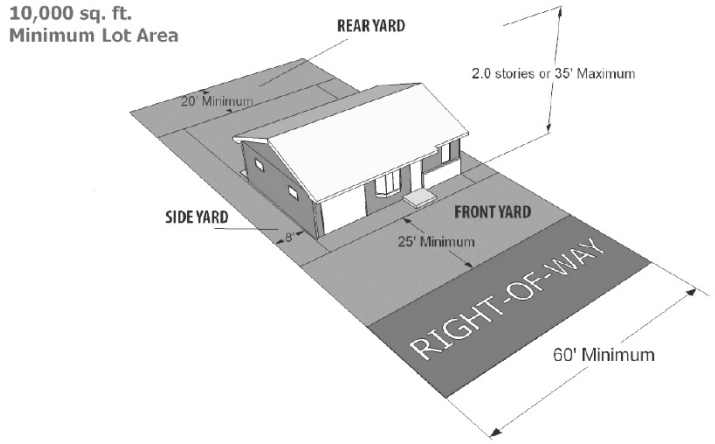
5. **Parking Requirements:** Parking requirements in the R-2 Zoning District are listed in Chapter 4.

R-2 Single Family Residence District	
Minimum Lot Area (sq. ft.)	10,000
Minimum Lot Width at Front Yard line (ft.)	60'
Minimum Required Front Yard (ft.)	25'
Minimum Required for each Side Yard (ft.)	10% of frontage or 8 feet[1], whichever is greater
Minimum Required Rear Yard (ft.)	20'
Maximum Ground Coverage	35%
Maximum Building Height (whichever is less)	2 stories or 35'
Maximum Floor Area Ratio	0.4
1. Lots east of Beisner Road shall have a 5' side yard requirement on each side.	

6. **Bulk Space and Yard Regulations:** Bulk regulations in the R-2 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

7. **Supplemental Regulations in the R-2 Single Family Residence Zoning District:** Supplemental Regulations for the R-2 Single Family Residence Zoning District are listed in Section: 7-2-H Supplemental Regulations in Residential Districts.

Figure 7.2:
R-2 Single Family Residence
District Bulk Regulations
Illustration



7-2-C. R-3 Single Family Residence Zoning District:

1. **Purpose:** The R-3 Single Family Residential Zoning District is the predominant residential Zoning District in the Village, defining the residential character of the community. As with other single-family districts, the R-3 Zoning District can accommodate community facilities such as schools and parks that, when properly sited, can enhance the Village and residents' quality of life.

2. **Permitted Uses:** Permitted Uses in the R-3 Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the R-3 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the R-3 Zoning District are listed in the Zoning District Use Table 7.2.

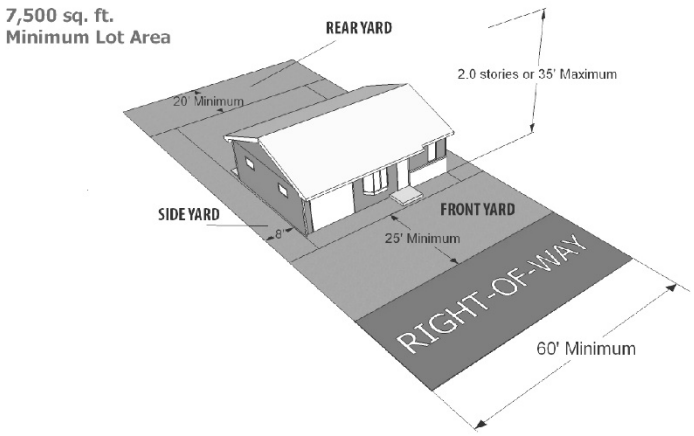
5. **Parking Requirements:** Parking requirements in the R-3 Zoning District are listed in Chapter 4.

R-3 Single Family Residence District	
Minimum Lot Area (sq. ft.)	7,500
Minimum Lot Width at Front Yard line (ft.)	60'
Minimum Required Front Yard (ft.)	25'
Minimum Required for each Side Yard (ft.)	10% of frontage or 8' feet[1], whichever is greater
Minimum Required Rear Yard (ft.)	20'
Maximum Ground Coverage	35%
Maximum Building Height (whichever is less)	2 stories or 35'
Maximum Floor Area Ratio	0.4
1. Lots east of Beisner Road shall have a 5' side yard requirement on each side.	

6. **Bulk Space and Yard Regulations:** Bulk regulations in the R-3 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

7. **Supplemental Regulations in the R-3 Single Family Residence Zoning District:** Supplemental Regulations for the R-3 Single Family Residence Zoning District are listed in Section: 7-2-H Supplemental Regulations in Residential Districts.

Figure 7.3:
R-3 Single Family Residence District
Bulk Regulations Illustration



7-2-D. R-4 Residence Zoning District (Planned Development):

1. **Purpose:** The R-4 Single Family Residential Zoning District is comparable to the R-3 Zoning District and is intended to be developed as a Planned Development, allowing for a flexible development approach with the expectation of a higher quality of development character and site design. In this context, the R-4 Single-Family Zoning District can accommodate community facilities such as schools and parks that, when property sited, can enhance the Village and resident's quality of life.

2. **Permitted Use:** Permitted Uses in the R-4 Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses.** Conditional Uses in the R-4 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the R-4 Zoning District are listed in the Zoning District Use Table 7.2.

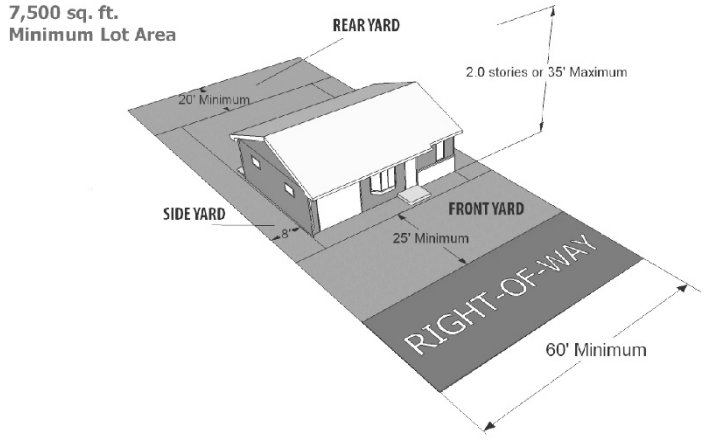
R-4 Single Family Residence District	
Minimum Lot Area (sq. ft.)	7,500
Minimum Lot Width at Front Yard line (ft.)	60'
Minimum Required Front Yard (ft.)	25'
Minimum Required for each Side Yard (ft.)	10% of frontage or 8' feet[1], whichever is greater
Minimum Required Rear Yard (ft.)	20'
Maximum Ground Coverage	35%
Maximum Building Height (whichever is less)	2 stories or 35'
Maximum Floor Area Ratio	0.4
1.Per Planned Development Regulations	

5. **Parking Requirements:** Parking requirements in the R-4 Zoning District are listed in Chapter 4.

6. **Bulk Space and Yard Regulations:** Bulk regulations in the R-4 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

7. **Supplemental Regulations in the R-4 Single Family Residence Zoning District**: Supplemental Regulations for the R-4 Single Family Residence Zoning District are listed in Section: 7-2-H Supplemental Regulations in Residential Districts.

Figure 7.4:
R-4 Residence District Bulk Regulations Illustration



7-2-E. A-1 Multiple-Family Residence Zoning District:

1. **Purpose:** The A-1 Multiple-Family Zoning District is intended to accommodate townhomes and multiple family dwellings at an overall density not to exceed ten (10) units per acre. Under provisions of a Special Use permit, senior oriented types of housing may be incorporated into this district, to the extent it is in keeping with the area and appropriately sited.

2. **Permitted Uses:** Permitted Uses in the A-1 Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the A-1 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the A-1 Zoning District are listed in the Zoning District Use Table 7.2.

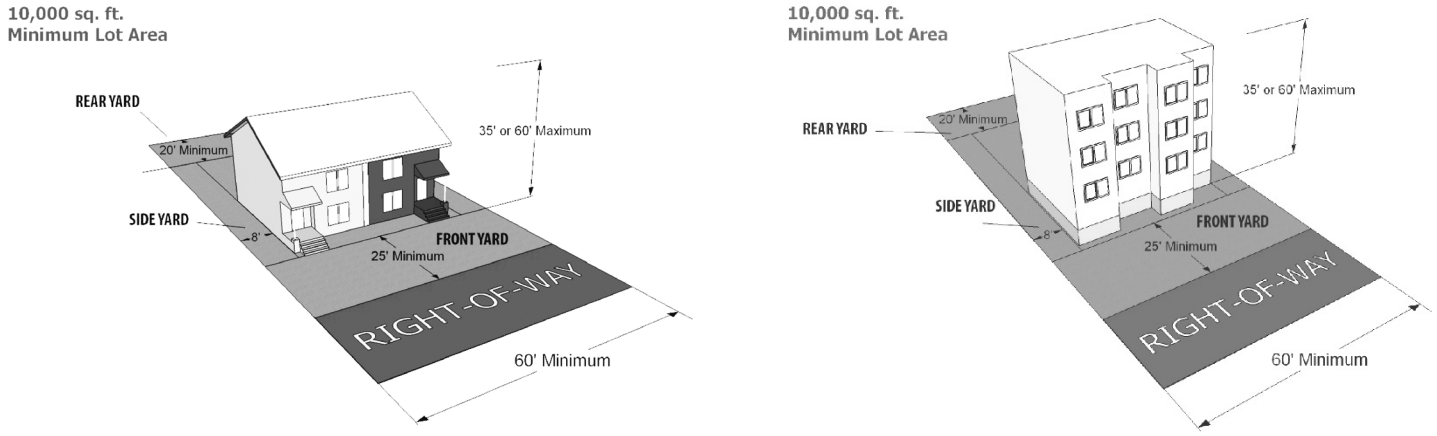
A-1 Multiple-Family Residence District[1]	
Minimum Lot Area (sq. ft.)	10,000
Minimum Lot Width at Front Yard line (ft.)	60’
Minimum Required Front Yard (ft.)	25’
Minimum Required for each Side Yard (ft.)	8’
Minimum Required Rear Yard (ft.)	20’
Maximum Ground Coverage	35%
Maximum Building Height (ft.)	35’ or 60’
Maximum Floor Area Ratio	1.0
1. Standards of the A-1 District may be varied through a Planned Development and as indicated in Subsection 7-2-H.7 and 8, Supplemental Regulations.	

5. **Parking Requirements:** Parking requirements in the A-1 Zoning District are listed in Chapter 4.

6. **Bulk Space and Yard Regulations:** Bulk regulations in the A-1 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

7. **Supplemental Regulations in the A-1 Multiple Family Residence Zoning District**: Supplemental Regulations for the A-1 Multiple Family Residence Zoning District are listed in: Section 7-2-H Supplemental Regulations in Residential Districts.

Figure 7.5: A-1 Multiple-Family Residence District Bulk Regulations Illustration



7-2-F. A-2 Multiple-Family Residence Zoning District

1. **Purpose:** The A-2 Multiple-Family Zoning District is intended to accommodate townhomes and multiple family dwellings at an overall density not to exceed fifteen (15) units per acre. Under provisions of a Special Use permit, senior oriented types of housing may be incorporated into this district, to the extent it is in keeping with the area and appropriately sited.

2. **Permitted Uses:** Permitted Uses in the A-2 Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the A-2 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the A-2 Zoning District are listed in the Zoning District Use Table 7.2.

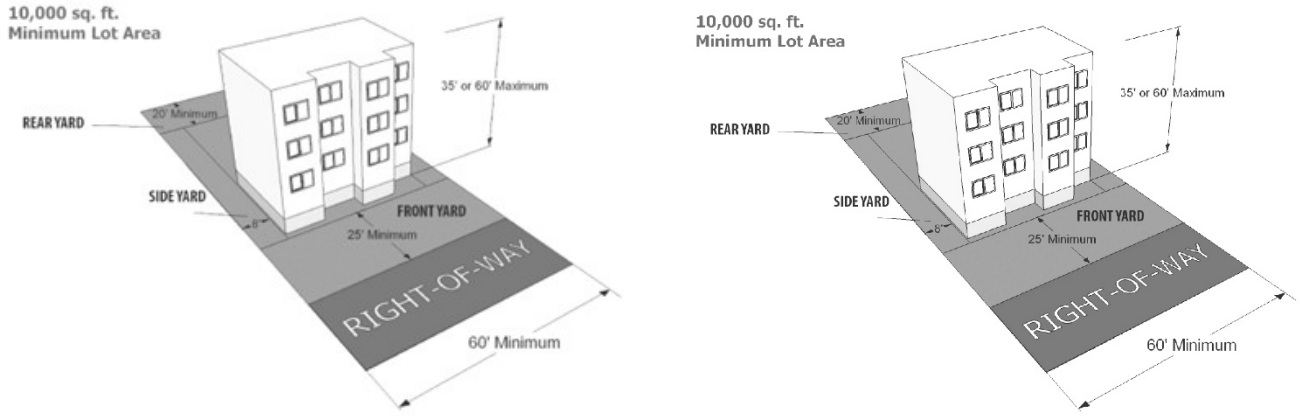
A-2 Multiple-Family Residence District [1]	
Minimum Lot Area (sq. ft.)	10,000
Minimum Lot Width at Front Yard line (ft.)	60’
Minimum Required Front Yard (ft.)	25’
Minimum Required for each Side Yard (ft.)	8’
Minimum Required Rear Yard (ft.)	20’
Maximum Ground Coverage	35%
Maximum Building Height (ft.)	35’ or 60’
Maximum Floor Area Ratio	1.0
1. Standards of the A-2 District may be varied through a Planned Development and as indicated in Subsection 7-2-H. 9 & 10, Supplemental Regulations.	

5. **Parking Requirements:** Parking requirements in the A-2 Zoning District are listed in Chapter 4.

6. **Bulk Space and Yard Regulations:** Bulk regulations in the A-2 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

7. **Supplemental Regulations in the A-2 Multiple Family Residence Zoning District**: Supplemental Regulations for the A-2 Multiple Family Residence Zoning District are listed in Section: 7-2-H Supplemental Regulations in Residential Districts.

Figure 7.6: A-2 Multiple-Family Residence District Bulk Regulations Illustration



7-2-G. A-3 Combined Multiple-Family Recreational Zoning District:

1. **Purpose:** The A-3 Multiple-Family Recreational Zoning District is designated for integrated development of multi-family dwellings and recreational use. It is of such substantially different character from other developments within Elk Grove Village so that specific procedures, additional standards and exceptions are applied in this comprehensively planned format, whether in phases or otherwise, by private developers and/or Municipal corporations. The intent of this District is to permit flexibility and creativity in design as well as diversification in use, to promote the efficient use of land and to facilitate the economic arrangement of buildings, vehicular circulation systems, recreational facilities, and land use.

A-3 Combined Multiple-Family Recreational District	
Minimum Required District Size	20 Acres
Minimum Lot Area[1]	
Minimum Lot Width[1]	
Minimum Required Yards[1]	
Maximum Ground Coverage[1]	
Maximum Building Height[1]	
Maximum Floor Area Ratio[1]	
1. See Supplemental Regulations Section 7-2-H.11	

2. **Permitted Uses:** Permitted Uses in the A-3 Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the A-3 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the A-3 Zoning District are listed in the Zoning District Use Table 7.2.

5. **Parking Requirements:** Parking requirements in the A-3 Zoning District are listed in Chapter 4.

6. **Bulk Space and Yard Regulations:** Bulk regulations in the A-3 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Section 7-2-H-11.

7. **Supplemental Regulations in the A-3 Multiple Family Recreational Zoning District:** Supplemental Regulations for the A-3 Multiple Family Recreational Zoning District are listed in Section: 7-2-H Supplemental Regulations in Residential Districts.

7-2-H. Supplemental Regulations in Residential Districts

1. **Supplemental Regulations for Conditional Uses in the R-1, R-2, R-3, and R-4 Single Family Residential Zoning Districts:** In addition to the requirements for all Conditional Uses, the following uses shall meet the additional specified standards:
   - **a.** Family Community Residences shall:
     - **i.** Be located at least six hundred and sixty feet (660') from another Community Residence; and
     - **ii.** Have obtained, by the applicant or sponsoring agency, a state license or certification or that the sponsoring agency is licensed by the state to operate Community Residences.
   - **b.** Group Community Residences shall:
     - **i.** Be located at least six hundred and sixty feet (660') from other Community Residence; and
     - **ii.** Have obtained, by the applicant or sponsoring agency, a state license or certification or that the sponsoring agency is licensed by the state to operate Community Residences.

2. **Supplemental Regulations for Special Uses in the R-1, R-2, R-3 and R-4 Single Family Residence Zoning Districts:** In addition to the requirements for all Special Uses, the following uses shall meet the additional specified standards.
   - **a.** Ambulatory Surgical Treatment Centers shall:
     - **i.** Be restricted to a free-standing building, which building shall exclude all retail uses but shall permit medical offices and a pharmacy as permissible accessory uses of the Ambulatory Surgical Treatment Center;
     - **ii.** Provide, as part of the building, a loading facility for the use of ambulances, which facility shall not be used for other vehicles;
     - **iii.** Provide an approved plan for vehicular ingress and egress, said approval to take the form of a certificate signed by the Police Chief, Fire Chief and the Director of Community Development, certifying that the plan for ingress and egress proposed by the user will not interfere with either highway or abutting users' traffic or increase the risk to persons or property; and
     - **iv.** Meet the requirements of this Chapter as they apply to the OT Zoning District.
   - **b.** Family Community Residences located within six hundred and sixty feet (660') from other Community Residences shall meet the following standards:
     - **i.** The Mayor and Board of Trustees find that the cumulative effect of such uses would not alter the residential character of the neighborhood, would not create an institutional setting, and its operation would not create an adverse effect on surrounding properties; and
     - **ii.** The Community Residence shall have obtained, by the applicant or sponsoring agency, a state license or certification or that the sponsoring agency is licensed by the state to operate Community Residences.

c. Group Community Residences located within six hundred and sixty feet (660') from other Community Residences shall meet the following standards:

- **i.** The Mayor and Board of Trustees find that the cumulative effect of such uses would not alter the residential character of the neighborhood, would not create an institutional setting and, by its operation, would not create an adverse effect on surrounding properties;
- **ii.** Prior to admitting residents, the operator of such residences shall demonstrate that the dwelling will comply with all applicable licensing and Village Code standards;
- **iii.** The applicant shall submit a statement of the exact nature of the residence, the qualifications of the agency that will operate the residence, the number and type of personnel who will be employed and the number and nature of the residents who will live in the residence;
- **iv.** The residence shall, to the extent possible, conform to the type and outward appearances of the residences in the area in which it is located, and
- **v.** The Community Residence shall have obtained, by the applicant or sponsoring agency, a state license or certification or that the sponsoring agency is licensed by the state to operate Community Residences.

3. Supplemental Regulations in the R-3 Single Family Residence Zoning District for Special Uses: In addition to the requirements for all Special Uses, the following uses shall meet the additional specified standards.

a. Single-family detached units within the area designated on Figure 7.4 shall be subject to the regulations of the Special Use under which they were developed, including the following site properties:

- **i.** Minimum Lot Area - 7,000 square feet; providing, however, that in tracts containing more than fifty (50) lots, fifty (50%) percent of said lots may have a minimum lot area of six thousand (6,000) square feet.
- **ii.** Minimum Lot Width – Sixty (60') feet, as measured at front building setback line.
- **iii.** Front Building Setback Line – Twenty (20') feet, with minimum driveway length of twenty-five (25') feet. No driveway shall be permitted on the fifteen (15') feet setback side of corner lots.
- **iv.** Corner Lot Side Yard Setback from adjacent street – Fifteen (15') feet.

Figure 7.4

b. Modifications to the Subdivision Control Ordinance may be granted as part of a Special Use permit within the R-3 Zoning District as follows:

- **i.** Local Street Rights-of-Way - Minimum fifty (50') feet, except a residential collector street shall have an eighty (80') foot right-of-way with forty (40') feet back of curb to back of curb pavement.
- **ii.** Cul-de-sac end Right-of-way – Forty-five (45') feet radius.
- **iii.** Street trees - Location and number as approved by the Village but in no event less than the equivalent required under the Subdivision Control Ordinance

4. **Supplemental Regulations in the R-4 Single Family Residence Zoning District for Special Uses**: In addition to the requirements for all Special Uses, the following uses shall meet the additional specified standards.
   - **a.** Skilled Care Housing shall be in accordance with the following requirements:
     - **i.** Have a minimum lot size of sixty thousand (60,000) square feet in area;
     - **ii.** Not exceed thirty-five feet (35') or three (3) stories in height;
     - **iii.** Maintain a minimum front, side, and rear yard of thirty feet (30');
     - **iv.** Have a floor area ratio not exceeding 0.5;
     - **v.** Provide central kitchen and food preparing facilities; no kitchens to be constructed in conjunction with rooms or apartments;
     - **vi.** Each sleeping room shall be provided with individual bathrooms and toilet facilities;
     - **vii.** Provide vehicular parking as follows: One parking space for each three (3) beds, plus an additional parking space for each two (2) employees on duty, but in no event shall the number of parking spaces be less than one space for each eight hundred (800) square feet of building area;
     - **viii.** Be equipped with automatic sprinkler systems directly connected to the Fire Department communications center, and
     - **ix.** Provide twenty-four (24) hour nursing supervision of the patients.
   - **b.** Special Use may be granted for the R-4 Zoning District (Planned Development) permitting a density not to exceed five (5) dwelling units per acre; said dwelling units to represent a combination of single-family detached and attached and multi-family units, provided the Planned Development procedures set forth in Chapter 5 of this Ordinance are followed, and provided the following standards are met by the developer:
     - **i.** The tract of land must be under single ownership and/or unified control, having not less than one hundred (100) acres or be a parcel adjoining an existing area which has already been placed under the Planned Development procedures;
     - **ii.** The area in question must be determined to be eligible for Planned Development as determined by the Village Comprehensive Plan;
     - **iii.** The uses proposed in the Planned Development must be of the type and so located as to exercise no undue detrimental influence upon surrounding properties;
     - **iv.** All detached dwelling units shall be placed on subdivided lots and adhere to the requirements of the R-3 Zoning District; and
     - **v.** Regulations of the area of the Planned Development not subdivided into lots, shall be as follows:
       1. Fifty percent (50%) or more of said area not subdivided into lots shall remain common open space;
       2. No building shall be placed within fifteen feet (15') of any street, road, private or public right-of-way or parking lot for motor vehicles. Delivery and service lanes are not excluded;
       3. The space between one story buildings shall be a minimum of sixteen feet (16');
       4. The minimum distance between buildings of any other classification shall be equal to the height of the taller building; provided, however, that if the shortest distance between buildings is measured from the corner of one to the corner of the other, and the walls of the two (2) buildings do not overlap, then the distance between the two buildings shall be not less than fifty percent (50%) of the height of the taller building;
       5. No attached dwelling shall contain more than eight (8) dwelling units. This requirement shall not apply to single- or multi-story apartment buildings where

all living space is located on one floor;

6. No building shall exceed sixty feet (60') or six (6) stories in height;
7. Elevators shall be provided as required by the current State of Illinois Accessibility Code and other applicable federal codes;
8. The number of apartments and single-family attached units shall not exceed the number of single-family detached dwelling units unless one-half ($^1/_2$) of the latter has been constructed;
9. All common open space, streets, parking areas and recreational facilities shall be conveyed to a Municipal corporation or to a not-for-profit corporation or like entity and shall be subject to the right of said corporation to impose a legally enforceable lien for maintenance and improvement of the common open space and other facilities intended for private use and which are not publicly maintained; and
10. The area within the Planned Development proposed for commercial convenience uses shall not exceed twenty thousand (20,000) square feet or one and one-half percent (1.5%), whichever is less, of the total building floor area of the Planned Development.

5. **Supplemental Regulations in the A-1, A-2, and A-3 Multiple-Family Residence Zoning Districts Special Uses:** In addition to the requirements for all Special Uses, the following uses shall meet the additional specified standards**.**

a. Ambulatory Surgical Treatment Centers shall:

- **i.** Be restricted to a free-standing building, which building shall exclude all retail uses but shall permit medical offices and a pharmacy as permissible accessory uses of the Ambulatory Surgical Treatment Center;
- **ii.** Provide, as part of the building, a loading facility for the use of ambulances, which facility shall not be used for other vehicles;
- **iii.** Provide an approved plan for vehicular ingress and egress, said approval to take the form of a certificate signed by the Police Chief, Fire Chief and the Director of Community Development, certifying that the plan for ingress and egress proposed by the user will not interfere with either highway or abutting users' trafficor increase the risk to persons or property; and
- **iv.** Meet the requirements of this Chapter as they apply to the OT Zoning District.

b. Family Community Residences shall meet the following standards:

- **i.** The Mayor and Board of Trustees find that the cumulative effect of such uses would not alter the residential character of the neighborhood, would not create an institutional setting, and its operation would not create an adverse effect on surrounding properties; and
- **ii.** The Community Residence shall have obtained, by the applicant or sponsoring agency, a state license, or certification or that the sponsoring agency is licensed by the state to operate Community Residences.

c. Group Community Residences shall meet the following standards:

- **i.** The Mayor and Board of Trustees find that the cumulative effect of such uses would not alter the residential character of the neighborhood, would not create an institutional setting and, by its operation, would not create an adverse effect on surrounding properties;
- **ii.** Prior to admitting residents, the operator of such residences shall demonstrate that the dwelling will comply with all applicable licensing and Village Code standards;
- **iii.** The applicant shall submit a statement of the exact nature of the residence, the

qualifications of the agency that will operate the residence, the number and type of personnel who will be employed and the number and nature of the residents who will live in the residence;

iv. The residence shall, to the extent possible, conform to the type and outward appearances of the residences in the area in which it is located, and

v. The Community Residence shall have obtained, by the applicant or sponsoring agency, a state license, or certification or that the sponsoring agency is licensed by the state to operate Community Residences.

6. Supplemental Regulations in the A-1 and A-2 Multiple-Family Residence Zoning Districts Special Uses: In addition to the requirements for all Special Uses, the following uses shall meet the additional specified standards.

a. Skilled Care Housing shall be in accordance with the following requirements:

i. Have a minimum lot size of sixty thousand (60,000) square feet in area;

ii. Not exceed thirty-five feet (35') or three (3) stories in height;

iii. Maintain a minimum front, side, and rear yard of thirty feet (30');

iv. Have a floor area ratio of not exceeding 0.5;

v. Provide central kitchen and food preparing facilities; no kitchens to be constructed in conjunction with rooms or apartments;

vi. Each sleeping room shall be provided with individual bathrooms and toilet facilities;

vii. Provide vehicular parking as follows: One parking space for each three (3) beds, plus an additional parking space for each two (2) employees on duty, but in no event shall the number of parking spaces be less than one space for each eight hundred (800) square feet of building area;

viii. Be equipped with automatic sprinkler systems directly connected to the Fire Department communications center; and

ix. Provide twenty-four (24) hour nursing supervision of the patients.

7. Supplemental Regulations in the A-1 Multiple-Family Residence Zoning District for Conditional Uses: Single family attached dwellings may be permitted in the A-1 Zoning District, provided the number of dwelling units shall not exceed an average of ten (10) units per acre.

8. Supplemental Regulations in the A-1 Multiple-Family Residence Zoning District Special Uses: In addition to the requirements for all Special Uses, the following uses shall meet the additional specified standards.

a. Multi-Family Dwelling Units may be considered as a Special Use, provided:

i. The number of dwelling units shall not exceed an average of ten (10) units per acre;

ii. Multi-family and/or single-family dwellings at a density up to thirteen (13) dwelling units per acre may be considered per the Planned Development process in Chapter 5 if on a tract of land under single ownership and/or unified control and not less than ten (10) acres, or a parcel adjoining an existing area developed under Planned Development;

iii. The area in question must be determined to be eligible for Planned Development as determined by the Village Comprehensive Plan;

iv. The proposed Planned Development must be of the type and so located as to exercise no undue detrimental influence upon surrounding properties;

v. All detached dwelling units shall be placed on subdivided lots and adhere to the requirements of the R-3 Zoning District; and

vi. Regulations of the area of the Planned Development not subdivided into lots, shall

be as follows:

1. Fifty percent (50%) or more of said area not subdivided into lots shall remain common open space;
2. No building shall be placed within fifteen feet (15') of any street, road, private or public right-of-way or parking lot for motor vehicles. Delivery and service lanes are not excluded;
3. The space between one story buildings shall be a minimum of sixteen feet (16');
4. The minimum distance between buildings of any other classification shall be equal to the height of the taller building; provided, however, that if the shortest distance between buildings is measured from the corner of one to the corner of the other, and the walls of the two (2) buildings do not overlap, then the distance between the two (2) buildings shall be not less than fifty percent (50%) of the height of the taller building;
5. No attached dwelling shall contain more than eight (8) dwelling units. This requirement shall not apply to single- or multi-story apartment buildings where all living space is located on one floor;
6. No building shall exceed sixty feet (60') or six (6) stories in height;
7. Elevators shall be provided as required by the current State of Illinois Accessibility Code and other applicable federal codes;
8. All common open space, streets, parking areas and recreational facilities shall be conveyed to a Municipal corporation or to a not-for-profit corporation or like entity and shall be subject to the right of said corporation to impose a legally enforceable lien for maintenance and improvement of the common open space and other facilities intended for private use and which are not publicly maintained; and
9. The area within the Planned Development proposed for commercial convenience uses shall not exceed twenty thousand (20,000) square feet or one and one-half percent (1.5%), whichever is less, of the total building floor area of the Planned Development.

9. **Supplemental Regulations in the A-2 Multiple-Family Residence Zoning District for Conditional Uses:**
   - **a.** Multi-Family Dwelling Units shall be permitted, provided:
     - **i.** The number of dwelling units shall not exceed an average of fifteen (15) units per acre and
     - **ii.** The maximum height of buildings and structures shall be as provided in Section 7-1 of this Chapter; provided that, where at least fifty percent (50%) of the off-street parking spaces required under the terms of this Ordinance are provided in an underground garage, then said maximum height limitation may be exceeded by one foot (1') for each additional one and one-half feet ($1^1/_2$') by which all minimum yard requirement of Section 7-1 are exceeded; provided, that the maximum height permitted shall not exceed sixty feet (60').

10. **Supplemental Regulations in the A-2 Multiple-Family Residence Zoning District for Special Uses.** In addition to the requirements for all Special Uses, the following uses shall meet the additional specified standards:
    - **a.** Multi-Family and/or Single-Family Dwellings: A Special Use may be issued in the A-2 Zoning District permitting Multi-family and/or single-family dwellings at a density not to exceed twenty (20) dwelling units per acre; provided, however, that the Planned Development procedures as set forth in Chapter 5 of this Ordinance are abided by,

and provided the following standards are met:

- **i.** The tract of land under consideration be under single ownership and/or unified control having not less than ten (10) acres or be a parcel adjoining an existing tract under the Planned Development procedure;
- **ii.** The area in question must be determined to be eligible for Planned Development as determined by the Village Comprehensive Plan;
- **iii.** The proposed Planned Development must be of the type and so located as to exercise no undue detrimental influence upon surrounding properties; and
- **iv.** All detached dwelling units shall be placed on subdivided lots and adhere to the requirements of the R-3 Zoning District.
- **v.** Regulations of the area of the Planned Development not subdivided into lots, shall be as follows:
    1. Fifty percent (50%) or more of said area not subdivided into lots shall remain common open space;
    2. No building shall be placed within fifteen feet (15') of any street, road, private or public right-of-way or parking lot for motor vehicles. Delivery and service lanes are not excluded;
    3. The space between one story buildings shall be a minimum of sixteen feet (16');
    4. The minimum distance between buildings of any other classification shall be equal to the height of the taller building; provided, however, that if the shortest distance between buildings is measured from the corner of one to the corner of the other, and the walls of the two (2) buildings do not overlap, then the distance between the two (2) buildings shall be not less than fifty percent (50%) of the height of the taller building;
    5. No attached dwelling shall contain more than eight (8) dwelling units. This requirement shall not apply to single- or multi-story apartment buildings where all living space is located on one floor;
    6. No building shall exceed sixty feet (60') or six (6) stories in height;
    7. Elevators shall be provided as required by the current State of Illinois Accessibility Code and other applicable federal codes;
    8. All common open space, streets, parking areas and recreational facilities shall be conveyed to a Municipal corporation or to a not-for-profit corporation or like entity and shall be subject to the right of said corporation to impose a legally enforceable lien for maintenance and improvement of the common open space and other facilities intended for private use and which are not publicly maintained; and
    9. The area within the Planned Development proposed for commercial convenience uses shall not exceed twenty thousand (20,000) square feet or one and one-half percent (1.5%), whichever is less, of the total building floor area of the Planned Development.

b. Senior Independent Living: A Special Use permit may be issued in the A-2 Zoning District to permit Senior Independent Living, provided the standards and conditions hereinafter set forth are adhered to. Such housing may include planned housing environment for adults that caters to the special needs of senior residents, who are capable of independent living, yet may need certain supportive, recreational, and social facilities or services to compensate for declining social networks, physical mobility, perception, and cognition.

- **i.** Standards:
    1. The tract of land which may be made up of smaller parcels must be under single ownership and/or unified control, having at least two and one-half (2.5)

acres, or be a parcel adjoining an existing area which has already received Special Use within the A-2 Zoning District;

2. The area must be comprehensively planned and designed as one development, though it may be built in phases;
3. Senior Independent Living shall provide space for common supportive, recreational, and social facilities or services of not less than sixty (60) square feet per dwelling unit in order to support the residential function and enhance the lives of the residents;
4. The following shall not be included in the calculation of space for common, supportive, recreational, and social services: hallways, stairwells, elevators, mechanical rooms, offices, storage, employee areas and public restrooms;
5. A commercial kitchen and common dining room shall be required;
6. Related ancillary uses may include, but not be limited to, barber/beauty shop, doctor's office and other such service providers to enhance the well-being of residents; and
7. All standards as required by the licensing provisions as established elsewhere in the Elk Grove Village Code.

c. Mobile Home Parks: In addition to other standards for a Special Use, the following standards also apply when considering a Special Use permit for a Mobile Home Park in the A-2 Zoning District.

i. Lot and Setback Requirements:

1. Minimum Lot Area: Eight (8) acres
2. Minimum Lot Width at Front Yard Line: Forty (40') Feet
3. Minimum Front Yard Setback: Fifteen (15') Feet
4. Minimum Interior Side Yard Setback: Six (6') Feet
5. Minimum Corner Side Yard Setback: Fifteen (15') Feet
6. Minimum Rear Yard Setback: Fifteen (15') Feet

ii. Boundary Landscaping: Twenty-five (25') feet boundary landscaping is required around the perimeter of all newly developed Mobile Home Parks. This buffer yard shall be in addition to any other setback or yard area requirement and must be approved by the Village;

iii. Landscape Screening: Landscape screening by trees or compact hedge of at least seventy-five (75%) percent opacity shall be provided along all property lines of the Mobile Home Park;

iv. Minimum Separation: A minimum separation of ten feet (10') shall be maintained between a mobile home and any other structure;

v. Access: Every mobile home lot shall have access to and abut a private driveway. The driveway shall have an unobstructed access to a public thoroughfare;

vi. Street and Driveways: All streets and driveways, in every Mobile Home Park shall be paved with a minimum width of twenty-four feet (24');

vii. Common Open Space: Common Open Space equal to two hundred fifty (250) square feet per home shall be provided at common locations within the Mobile Home Park.

viii. Designated Operator: Every Mobile Home Park shall have a designated operator. The operator shall provide the Zoning Administrator with their name, office hours, office mailing address, and emergency contact persons and numbers;

ix. Maintenance: It shall be the duty of the Mobile Home Park Operator to secure The maintenance of the park and ensure that the park meets all applicable state or local laws, ordinances, or regulations;

x. Incidental Retail Sales: Incidental retail sales of mobile homes may be permitted in a Mobile Home Park provided no mobile home models are located on the site of the Mobile Home Park;

xi. One for One Replacement: For the purposes of this title, the one to one replacement of a mobile home with another mobile home shall be permitted unless otherwise prohibited by Village Ordinance;

xii. Signs: A map, directory or sign shall be erected at each entrance to the Mobile Home Park, which identifies the exact location of each mobile home and mobile home site; and

xiii. Accessory Buildings: Accessory buildings, structures and uses, such as laundry facilities and storage areas, shall be for the sole use of the residents of the Mobile Home Park. Offices shall be used only in the management and operation of the Mobile Home Park.

11. Supplemental Regulations in the A-3 Multiple-Family Recreational Zoning District:

a. The following general requirements shall be applicable:

i. A-3 Zoning Districts shall encompass not less than twenty (20) acres in area;

ii. Initially, fifty-five percent (55%) or more of the total acreage is intended to be dedicated or conveyed to a Municipal entity and used for general recreational purposes for residents of Elk Grove Village and the public at large;

iii. All present and future open space or recreational requirements for a Multi-Family Recreational Zoning District shall be met by those portions of a Multi-Family Recreational Zoning District designated for general recreational purposes, and no separate open space or recreational requirements shall exist for those portions of the Zoning District designated for multi-family dwellings, except as specifically required as a condition of rezoning or as a condition for approval of the conceptual use and Zoning Map;

iv. The aggregate number of dwelling units within all portions of the zoning district shall not exceed six (6) units per acre, such acreage to include the total land within the Multi-Family Recreational Zoning District based upon the perimeter boundaries of the legal description of the zoning district taken as a whole including all rights-of-way; provided, however, any individual phase of development can have a greater or lesser density per acre so long as the maximum density for the total zoning district does not exceed the aggregate units set forth herein;

v. The total number of bedrooms shall not exceed three (3) bedrooms multiplied by the aggregate number of dwelling units actually built within the zoning district; provided, however, any individual phase of development can have a greater or lesser number of bedrooms per unit so long as the maximum number of bedrooms actually built for the total zoning district does not exceed the aggregate limit set forth within;

vi. No building shall be placed within a) twenty-five feet (25') from a State or County right-of-way or b) a distance equal to the height of any building located in proximately to a State or County right-of-way, whichever is greater. The minimum distance from any building to any other street, road, private or public right-of-way, parking lot or delivery and service lanes for motor vehicles shall be fifteen feet (15');

vii. The space between two (2) one story buildings shall be a minimum of sixteen feet (16'). The minimum distance between buildings, either one of which is greater than one story, shall be equal to the height of the taller building; provided, however, that if the shortest distance between buildings is measured from the corner of one to the corner of the other and the walls of the two (2) buildings do not overlap, then the distance between the two (2) buildings shall be not less than fifty percent (50%) of the height of the taller building;

viii. There shall be no setback or yard requirements for multi-family dwelling parcels within a Multi-Family Recreational Zoning District except as otherwise set forth herein as it relates to such zoning district.

ix. No building shall exceed the lesser of sixty feet (60') or six (6) stories in height.

x. Elevators shall be provided as required by the current State of Illinois Accessibility Code and other applicable federal codes;

xi. All buildings must adhere to applicable State or Federal accessibility standards;

xii. In a two (2) story building uniformly having two (2) story attached dwelling units throughout, there shall be no more than eight (8) dwelling units. However, in such a two (2) story building two (2) one story units stacked one over the other may be substituted for one two (2) story unit up to a maximum of fifteen (15) units in a building. At the time of the approval of the final land Use map, the Mayor and Board of Trustees may impose upon two (2) story buildings not described herein such dwelling unit limitations as it deems appropriate;

xiii. All streets, driveways, parking areas, open space and recreational facilities, if any, intended for public use shall be conveyed to a Municipal corporation;

xiv. All driveways, parking areas, open space, and recreational facilities, if any, intended for private use shall be conveyed to a not-for-profit corporation or like entity and shall be subject to the right of such corporation to impose a legally enforceable lien for maintenance and improvement of the open space and other facilities intended solely for private use and which are not publicly maintained;

xv. The provisions of Chapter 4 of this Ordinance, Off-Street Parking and Loading, are specifically applicable to the Multi-Family Recreational Zoning District. The Mayor and Board of Trustees may establish greater or lesser parking requirements or limitations as conditions to the approval of the conceptual land use and Zoning Map;

xvi. The provisions of Section 8-12-5 of the Elk Grove Village Code shall be specifically applicable to the Multi-Family Recreational Zoning District; and

xvii. For the purpose of the Multi-Family Recreational Zoning District, the height of the building shall mean the vertical distance from the highest finished grade at the building foundation to the top of the highest roof beams of a flat roof or the mean elevation of the highest gable or slope of a hip roof. If the highest finished grade is artificially created by berming against the building foundation, then the highest finished grade shall not be more than three feet (3') above finished grade at a point located twenty-five feet (25') from the building foundation along a line perpendicular to the foundation at the point of highest finished grade.

b. Subdivision Control: The provisions of the Subdivision Control Ordinance of the Village of Elk Grove Village shall govern the Multi-Family Recreational Zoning District except as set forth in any conditions to the conceptual land use and Zoning Map.

7-3 - BUSINESS DISTRICTS

7-3-A. B-1 Business Zoning District: Shopping Center

1. **Purpose:** The B-1 Shopping Center Zoning District provides for convenience shopping primarily for persons residing in nearby residential areas, and generally are located along major and arterial streets.

   Uses in the B-1 Zoning District are generally retail and service oriented and intended to be compatible with each other. Development in this district is intended to be developed in such a way to support local shopping and mitigate potential traffic impacts.

B-1 Business District: Shopping Center	
Minimum Lot Area (sq. ft.)	5 Acres
Minimum Lot Width at Front Yard line (ft.)	150
Minimum Required Front Yard (ft.)	25
Minimum Required for each Side Yard (ft.)	0 or 50[1]
Minimum Required Rear Yard (ft.)	0 or 50[1]
Maximum Ground Coverage	20%
Maximum Building Height (ft.)	2 stories or 35[2]
Maximum Floor Area Ratio	0.2
1. When lot abuts residential zoning district 2. Whichever is more restrictive.	

2. **Permitted Uses:** Permitted Uses in the B- 1 Zoning District are listed in the Zoning District Use Table 7.2.

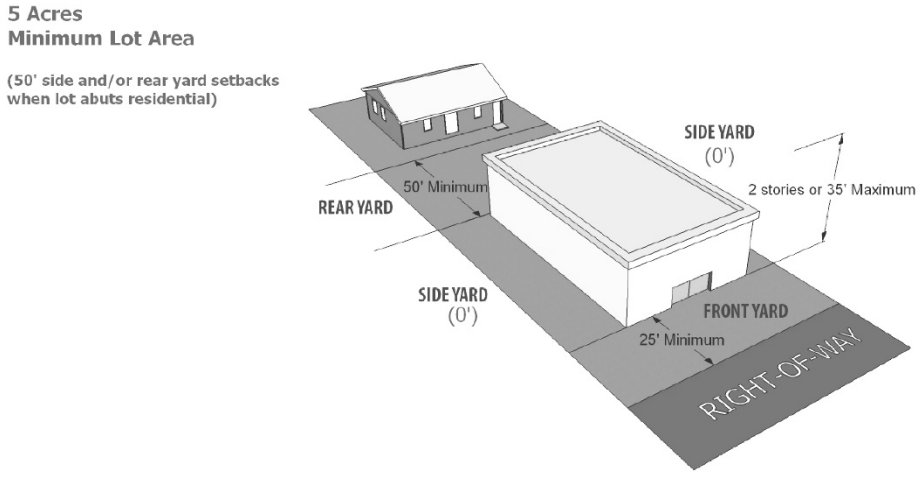
3. **Conditional Uses:** Conditional Uses in the B-1 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the B-1 Zoning District are listed in the Zoning District Use Table 7.2.

5. **Parking Requirements.** Parking requirements in the B-1 Zoning District are listed in Chapter 4.

6. **Bulk Space and Yard Regulations.** Bulk regulations in the B-1 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

Figure 7.8: B-1 Business District: Shopping Center Bulk Regulations Illustration



7. Supplemental Regulations for all Uses in the B-1 Zoning District:

a. All uses, as listed in the Land Use Table 7.2, in the B-1 Zoning District shall be for retail trade or services dealing directly with the customer. All goods produced or processed on the premises will be sold, at retail, on the premises where produced or processed. Processes in connection with consumer services to be permitted only if performed for a consumer served upon the premises.

b. All sales, services and display shall take place within completely enclosed buildings, unless otherwise specified in this Ordinance or, in the case of outdoor sales, is authorized by the Mayor and Board of Trustees.

c. Parking areas shall be located on the same lot or parcel of land as the shopping facilities.

d. All developments requiring Site Plan Review per Section 8-3-G of this Ordinance shall be subject to that process prior to issuance of a Building Permit.

8. Supplemental Regulations for Conditional Uses in the B-1 Zoning District:

a. Parking: Provisions for parking in accordance with Chapter 4 of this Ordinance unless premises are part of a shopping center, in which event, parking requirements shall be additional to those made for the shopping center, unless the owner of the shopping center and proposed uses satisfy the Mayor and Board of Trustees by competent evidence that the needs of the user can be satisfied from the parking allocated to the shopping center itself.

b. Ingress and Egress**:** An approved plan for ingress and egress shall be required for all Conditional Uses not otherwise subject to Site Plan Review, as defined in Section 8-3-G of this Ordinance. Said approval to take the form of a certificate signed by the Police Chief, Fire Chief and Director of Community Development certifying that the plan for ingress and egress proposed by the user will not interfere with either highway, shopping center, or abutting users' traffic nor increase the risk of danger to persons or property.

c. All Outdoor Dining and Outdoor Sales shall be subject to review and approval by the Village.

d. Microbrewery/Brew Pub, Microdistillery and Microwinery with Tasting Rooms:

i. Parking requirements shall be in accordance with Chapter 4 for establishments with tasting rooms along with one parking space per employee on largest shift plus one parking space per company vehicle.

ii. Outdoor dining and seating areas shall include, at a minimum, the following:

1. Emergency exits;
2. Decorative fencing to restrict access; and
3. Trash and recycling receptacles.

Outdoor dining and seating areas are subject to the review and approval of the Zoning Administrator. Additional considerations such as proximity to adjacent properties, hours of operation, size of the area along with other factors must be reviewed on a case-by-case basis.

iii. No more than fifty percent (50%) of the floor area may be utilized for manufacturing.

9. **Supplemental Regulations for Special Uses in the B-1 Zoning District:** In addition to other standards to be considered for a Special Use in the B-1 Zoning District, the following uses shall meet the additional specified standards:

   a. Warehousing and Distribution of Goods:
      i. All storage shall be inside;
      ii. Not more than forty percent (40%) of the floor area of the building may be utilized for warehousing and distribution;
      iii. Shipments of goods, products and supplies may be broken down and repackaged for warehousing and distribution purposes;
      iv. All loading docks used for the warehousing and distribution of goods, products and supplies shall be landscaped or otherwise screened in a manner approved by the Plan Commission; and
      v. No motor freight terminals shall be permitted as a part of the Special Use.

   b. Veterinary Outpatient Clinics:
      i. There shall be no boarding of animals of any kind except for those animals so ill that the personal attention of a doctor of veterinary medicine is required or those animals recovering from surgery; providing, that any such boarding facility permitted be situated in the clinic and not attached thereto;
      ii. All business must be conducted within a completely enclosed building, and no outdoor kennel of any kind shall be permitted;
      iii. Side and rear yard requirements shall be in accordance with the I-1 Zoning District; and
      iv. Incinerators, lime pits or other facilities for the destruction of animal waste or corpse of any type shall not be permitted.

   c. Brew Pubs, Microbreweries, Microwineries and Microdistilleries utilizing more than fifty percent (50%) of the floor area for manufacturing or similar production of products:
      i. All storage must be inside; and
      ii. All loading docks used for the warehousing and distribution of goods, products and supplies shall be landscaped or otherwise screened in a manner approved by the Plan Commission.

7-3-B. B-2 Business Zoning District: General Business

1. **Purpose:** The B-2 General Business Zoning District permits a wider range of retail business and consumer service uses. It is not intended for wholesale uses or wholesale storage of merchandise, unless in connection with an approved use. The district generally is located on major arterial

streets.

Uses in the B-2 Zoning District are intended as retail trade or services dealing directly with the consumer. Any goods produced or processed on the premises are sold, at retail, on the premises where produced or processed. Similarly, processing in connection with consumer services, if performed, are for consumers served on the premises.

2. Permitted Uses: Permitted Uses in the B- 2 Zoning District are listed in the Zoning District Use Table 7.2.

3. Conditional Uses: Conditional Uses in the B-2 Zoning District are listed in the Zoning District Use Table 7.2.

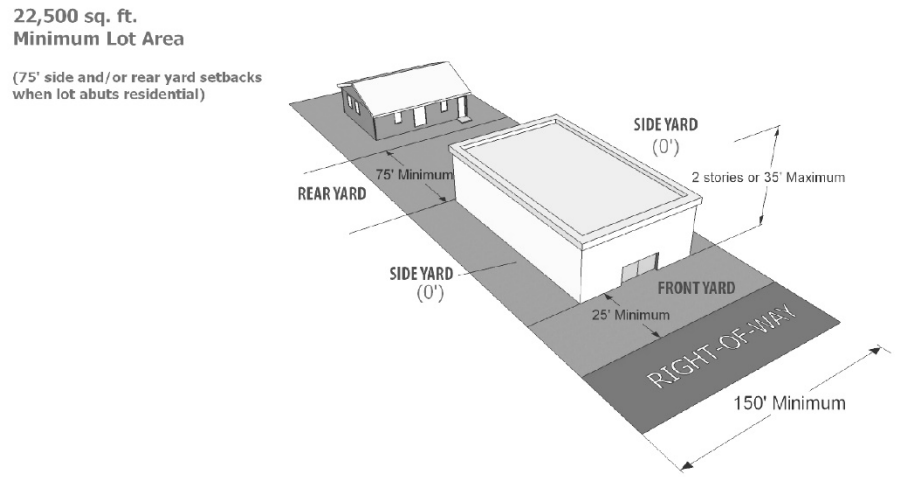
4. Special Uses: Special Uses in the B-2 Zoning District are listed in the Zoning District Use Table 7.2.

B-2 Business District: General Business	
Minimum Lot Area (sq. ft.)	22,500
Minimum Lot Width at Front Yard line (ft.)	150
Minimum Required Front Yard (ft.)	25
Minimum Required for each Side Yard (ft.)	0 or 75[1]
Minimum Required Rear Yard (ft.)	0 or 75[1]
Maximum Ground Coverage	50%
Maximum Building Height (ft.)	2 stories or 35[2]
Maximum Floor Area Ratio	1.0
1. When lot abuts residential district 2. Whichever is more restrictive	

5. Parking Requirements: Parking requirements in the B-2 Zoning District are listed in Chapter 4.

6. Bulk Space and Yard Regulations: Bulk regulations in the B-2 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

Figure 7.9:
B-2 Business District: General Business Bulk Regulations Illustration



7. **Supplemental Regulations for all Uses in the B-2 Zoning District:** Yard Requirements: No building shall be constructed within twenty-five feet (25') of any front lot line in the B-2 Zoning District; no other yard requirement shall apply to the location of buildings and structures in said zone unless it adjoins a residential zoning district, in which event, no structure shall be placed within seventy-five feet (75') of the boundary of said residential district.

8. **Supplemental Regulations for Conditional Uses in the B-2 Zoning District:**

a. All sales, services and display shall take place within completely enclosed buildings, unless otherwise specified in this Ordinance or, in the case of outdoor sales, is authorized by the Mayor and Board of Trustees.

b. Business and Trade Schools:

- **i.** Instruction and/or training shall be limited to classroom activities only;
- **ii.** All on site instruction and/or training shall be conducted within completely enclosed buildings;
- **iii.** There shall be no use of on-site industrial machinery for training purposes;
- **iv.** No industrial vehicle other than passenger cars, pickup trucks or vans shall be permitted;
- **v.** Parking requirements shall be in accordance with Chapter 4; and
- **vi.** No dormitories or resident facilities shall be permitted.

c. Microbrewery/Brew Pub, Microdistillery and Microwinery with Tasting Rooms:

- **i.** Parking requirements shall be in accordance with Chapter 4 for establishments with tasting rooms along with one parking space per employee on largest shift plus one parking space per company vehicle.
- **ii.** Outdoor dining and seating areas shall include, at a minimum, the following:
  1. Emergency exits;
  2. Decorative fencing to restrict access; and
  3. Trash and recycling receptacles.

  Outdoor dining and seating areas are subject to the review and approval of the Zoning Administrator. Additional considerations such as proximity to adjacent properties, hours of operation, size of the area along with other factors must be reviewed on a case-by-case basis.
- **iii.** No more than fifty percent (50%) of the floor area may be utilized for manufacturing.

d. Sexually Oriented Businesses:

- **i.** Subject to the following conditions a sexually oriented business is a Conditional Use in the portions of the B-2 Zoning District east of Busse Road and south of Landmeier Road, provided no such use shall be established, or maintained within a premises which is located within five hundred feet (500') of:
  1. A religious institution;
  2. A school;
  3. A boundary of a residential zoning district as shown by the Village's official Zoning Map;
  4. A public park as shown by the Village's official Zoning Map;
  5. The property line of a lot devoted to residential use; and
  6. Another sexually oriented business whether such other business is or is not within the corporate limits of the Village.

ii. For the purposes of this use, measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a religious institution or school, or to the nearest boundary of an affected public park, residential zoning district, or residential lot.

iii. For purposes of this use, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects from the closest exterior wall of the structure in which each business is located.

iv. Sexually oriented businesses are prohibited in all other zoning districts and locations other than the areas set forth in this Ordinance.

9. Supplemental Regulations for Special Uses in the B-2 Zoning District: In addition to other standards to be considered for a Special Use in the B-2 Zoning District, the following conditions and procedures shall be required as a minimum for such Special Use to be granted:

a. Drive-thru facilities:

i. The drive-thru facilities shall be adequately screened from any adjoining property zoned as a residential zoning district and

ii. If there are other establishments within the building in which the drive-thru facility is located, the area devoted to the drive-thru facility shall be at the end of the building.

b. Manufacturing (Limited) of goods which will be sold at retail on the premises where produced and which will be distributed to company owned retail facilities off the premises:

i. The use shall only be permitted on a parcel of land two (2.0) acres or greater in area.

ii. The use shall only be permitted on a parcel of land having direct access to one of the industrial or commercial major arterial streets listed below:

1. Busse Road
2. Devon Avenue (east of Ridge Avenue)
3. Elmhurst Road
4. Higgins Road
5. Landmeier Road (east of Lively Boulevard)
6. Oakton Street (east of Lively Boulevard)

iii. All loading docks used for the warehousing and distribution of goods, products and supplies shall be landscaped or otherwise screened in a manner approved by the Plan Commission.

c. Veterinary Outpatient Clinics:

i. There shall be no boarding of animals of any kind except for those animals so ill that the personal attention of a doctor of veterinary medicine is required or those animals recovering from surgery; providing, that any such boarding facility permitted be situated in the clinic and not attached thereto;

ii. All business must be conducted within a completely enclosed building, and no outdoor kennel of any kind shall be permitted;

iii. Side and rear yard requirements shall be in accordance with the I-1 Zoning District; and

iv. Incinerators, lime pits or other facilities for the destruction of animal waste or corpse of any type shall not be permitted.

d. Warehousing and distribution of goods, products, and supplies, provided such use is an accessory use to a Permitted Use within the zoning district:

- **i.** All storage shall be inside;
- **ii.** Not more than forty percent (40%) of the floor area of the building may be utilized for warehousing and distributions;
- **iii.** Shipments of goods, products and supplies may be broken down and repackaged for warehousing and distribution purposes;
- **iv.** All loading docks used for the warehousing and distribution of goods, products and supplies shall be landscaped or otherwise screened in a manner approved by the Plan Commission; and
- **v.** No motor freight terminals or other prohibited uses shall be permitted as a part of the Special Use.

e. Brew Pubs, Microbreweries, Microwineries and Microdistilleries utilizing more than fifty percent (50%) of the floor area for manufacturing or similar production of products.

- **i.** All storage must be inside; and
- **ii.** All loading docks used for the warehousing and distribution of goods, products and supplies shall be landscaped or otherwise screened in a manner approved by the Plan Commission.

7-3-C. B-3 Business Zoning District: Automotive Oriented

1. **Purpose:** The B-3 Automotive Oriented Business Zoning District is intended to provide products and services that relate to the automobile, accompany its use or where the automobile is necessary to the transaction of business. This district is located along major arterial roads. The uses are to be compatible with each other and located in such a way to afford ease of access and traffic safety.

   Uses in the B-3 Business Zoning District are for retail trade or services dealing directly with the consumer. All goods produced or processed on the premises are sold, at retail, on the premises where produced or processed. Similarly, processing in connection with consumer services, if performed, are for consumers served on the premises.

B-3 Business District: Automotive Oriented	
Minimum Lot Area (sq. ft.)	22,500
Minimum Lot Width at Front Yard line (ft.)	150
Minimum Required Front Yard (ft.)	25
Minimum Required for each Side Yard (ft.)	0 or 75[1]
Minimum Required Rear Yard (ft.)	0 or 75[1]
Maximum Ground Coverage	50%
Maximum Building Height (ft.)	2 stories or 35[2]
Maximum Floor Area Ratio	0.5
1. When lot abuts residential district 2. Whichever is more restrictive	

2. **Permitted Uses:** Permitted Uses in the B-3 Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the B-3 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the B-3 Zoning District are listed in the Zoning District Use Table 7.2.

5. **Parking Requirements:** Parking requirements in the B-3 Zoning District are listed in Chapter 4.

6. **Bulk Space and Yard Regulations:** Bulk regulations in the B-3 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

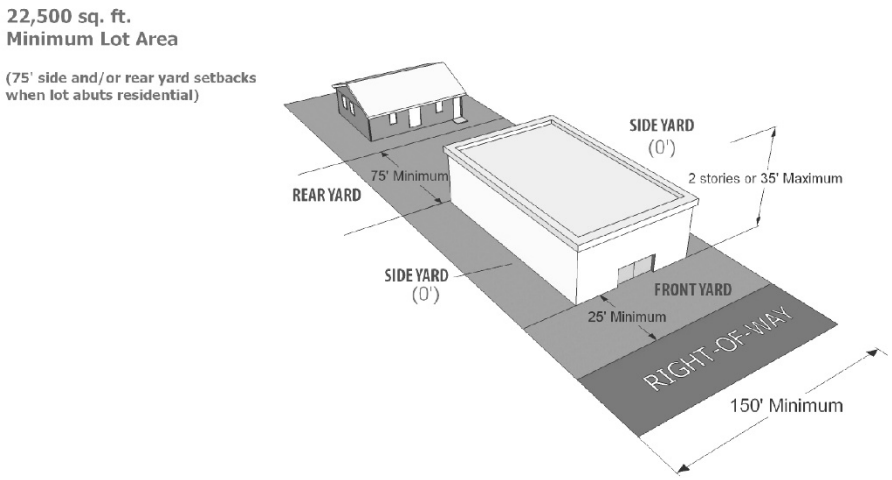


Figure 7.10: B-3 Business District: Automotive Oriented Bulk Regulations Illustration

7. Supplemental Regulations for all Uses in the B-3 Zoning District:

a. Yard Requirements: No building shall be constructed within twenty-five feet (25') of any front lot line in the B-3 Zoning District; no other yard requirement shall apply to the location of buildings in said zoning district unless it adjoins a residential zoning district, in which event, no structure shall be placed within seventy-five feet (75') of the boundary of any such residential district.

b. All sales, services and display shall take place within completely enclosed buildings, unless otherwise specified in this Ordinance or, in the case of outdoor sales, is authorized by the Mayor and Board of Trustees.

8. Supplemental Regulations for Conditional Uses in the B-3 Zoning District:

a. Regulations for all B-3 Zoning District Conditional Uses:

i. All B-3 Zoning District Conditional Uses shall front on one of the major arterial streets listed below, or be adjacent to another B-3 Zoning District Conditional Use:

1. Busse Road
2. Devon Avenue
3. Elmhurst Road
4. Higgins Road
5. Landmeier Road (east of Lively Boulevard)
6. Nerge Road (east of Rohlwing Road)
7. Oakton Street (east of Lively Boulevard)

ii. An approved plan for ingress and egress shall be required for all Conditional Uses not otherwise subject to Site Plan Review, as defined in Section 8-3-G of this Ordinance. Said approval to take the form of a certificate signed by the Police Chief, Fire Chief, and Director of Community Development certifying that the plan for ingress and egress proposed by the user will not interfere with either highway, shopping center, or abutting users' traffic nor increase the risk of danger to persons or property.

iii. Any Conditional Use granted herein may be located adjacent to or in the same building as other B-3 Zoning District uses and I-1 and I-2 Zoning District uses.

b. Microbrewery/Brew Pub, Microdistillery and Microwinery with Tasting Rooms:

i. Parking requirements shall be in accordance with Chapter 4 for establishments with tasting rooms along with one parking space per employee on largest shift plus one parking space per company vehicle.

ii. Outdoor dining and seating areas shall include, at a minimum, the following:

1. Emergency exits;
2. Decorative fencing to restrict access; and
3. Trash and recycling receptacles.

Outdoor dining and seating areas are subject to the review and approval of the Zoning Administrator. Additional considerations such as proximity to adjacent properties, hours of operation, size of the area along with other factors must be reviewed on a case-by-case basis.

iii. No more than fifty percent (50%) of the floor area may be utilized for manufacturing.

c. Sexually Oriented Businesses:

i. Subject to the following conditions a sexually oriented business is a Conditional Use in the portions of the B-3 Zoning District east of Busse Road and south of Landmeier Road, provided no such use shall be established, or maintained within a premises which is located within five hundred feet (500') of:

1. A religious institution;
2. A school;
3. A boundary of a residential zoning district as shown by the Village's Official Zoning Map;
4. A public park as shown by the Village's Official Zoning Map;
5. The property line of a lot devoted to residential use;
6. Another sexually oriented business whether such other business is or is not within the corporate limits of the Village.

ii. For the purposes of this use, measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a religious institution or school, or to the nearest boundary of an affected public park, residential zoning district, or residential lot.

iii. For purposes of this use, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects from the closest exterior wall of the structure in which each business is located.

iv. Sexually oriented businesses are prohibited in all other zoning districts and locations other than the areas set forth for this use.

d. Vehicle Repair/Maintenance subject to the following conditions:

i. All open storage areas for automotive vehicles waiting to be serviced shall be located behind the principal structure and screened by an eight foot (8') solid fence or wall. The fence or wall must be black in color when facing a public street. The type of fence or wall shall be reviewed and approved by the Zoning Administrator;

ii. No vehicle shall be stored for more than thirty (30) days and no vehicle shall be disassembled on the site except for the purpose of repairing or replacement of damaged or unusable components thereof;

iii. No vehicle or parts thereof shall be rented, leased, sold or auctioned from the site;

iv. All buildings shall meet Building and life safety code requirements related to auto repair facilities at all times;

v. All site, building, and parking lot areas shall be maintained in good repair at all times;

vi. On-site inspections by the Village may be conducted to secure compliance with these conditions; and

vii. Site plans subject to Site Plan Review per Section 8-3-G and confirmation through that process that the site can support said use without adversely impacting adjacent and nearby properties.

9. Supplemental Regulations for Special Uses in the B-3 Zoning District: In addition to other standards to be considered for a Special Use in the B-3 Zoning District, the following conditions and procedures shall be required as a minimum for such Special Use to be granted:

a. Manufacturing (Limited) of goods which will be sold at retail on the premises where produced and which will be distributed to company owned retail facilities off the premises.

i. The use shall only be permitted on a parcel of land two (2.0) acres or greater in area.

ii. The use shall only be permitted on a parcel of land having direct access to one of the industrial or commercial major arterial streets listed below:

1. Busse Road
2. Devon Avenue (east of Ridge Avenue)
3. Elmhurst Road
4. Higgins Road
5. Landmeier Road (east of Lively Boulevard)
6. Oakton Street (east of Lively Boulevard)

iii. All loading docks used for the warehousing and distribution of goods, products and supplies shall be landscaped or otherwise screened in a manner approved by the Plan Commission.

b. Warehousing and distribution of goods, products, and supplies, provided such use is an accessory use to a Permitted Use within the zoning district.

i. All storage shall be inside;

ii. Not more than forty percent (40%) of the floor area of the building may be utilized for warehousing and distributions;

iii. Shipments of goods, products and supplies may be broken down and repackaged for warehousing and distribution purposes;

iv. All loading docks used for the warehousing and distribution of goods, products and supplies shall be landscaped or otherwise screened in a manner approved by the Plan Commission; and

v. No motor freight terminals or other prohibited uses shall be permitted as a part of the Special Use.

c. Brew Pubs, Microbreweries, Microwineries and Microdistilleries utilizing more than fifty percent (50%) of the floor area for manufacturing or similar production of products.

i. All storage must be inside; and

ii. All loading docks used for the warehousing and distribution of goods, products and supplies shall be landscaped or otherwise screened in a manner approved by the Plan Commission.

7-3-D. B-5 Town Center Shopping District

1. **Purpose**: This B-5 Town Center Shopping District provides an upscale retail area containing considerable private and public recreational amenities and landscaping located adjacent to a municipal complex so as to create a Town Center environment. The uses permitted shall be high quality commercial and service uses housed in architecturally enhanced structures which shall be compatible with each other and with the Town Center environment.

   All uses in the B-5 Town Center Shopping District shall be for retail trade or services dealing directly with the consumer. All goods produced or processed on the premises are sold, at retail, on the premises where produced or processed.

2. **Permitted Uses:** Permitted Uses in the B- 5 Zoning District are listed in the Zoning District Use Table 7.2.

B-5 Town Center District	
Minimum Lot Area	10 acres
Minimum Lot Width at Front Yard line (ft.) (1)	150[1]
Minimum Required Front Yard (ft.)	25
Minimum Required for each Side Yard (ft.) (2)	0 or 50[2]
Minimum Required Rear Yard (ft.) (2)	0 or 50[2]
Maximum Ground Coverage	20%
Maximum Building Height (ft.)	50
Maximum Floor Area Ratio	0.2

1. If property is included in a reciprocal easement agreement with adjacent B-5 zoned property and the agreement includes ingress and egress provisions, there is no requirement for a minimum lot width.
2. 50 feet when adjacent to single-family residential.

3. **Conditional Uses**: Conditional Uses in the B-5 Zoning District are listed in Table 7.2 or are uses as determined by action and establishment of conditions by the Mayor and Board of Trustees.

4. **Special Uses:** Special Uses in the B-5 Zoning District are listed in the Zoning District Use Table 7.2.

5. **Parking Requirements:** Parking requirements in the B-5 Zoning District are listed in Section 7-3- D-7. a

6. **Bulk Space and Yard Regulations:** Bulk regulations in the B-5 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

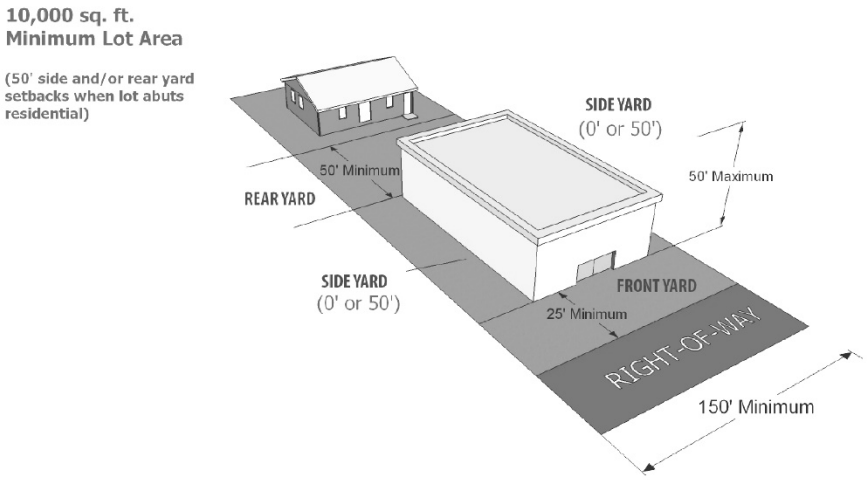


Figure 7.11: B-5 Town Center District Bulk Regulations Illustration

7. Supplemental Regulations for all Uses in the B-5 Town Center Shopping District:

a. Parking: Five (5) parking spaces shall be required per one thousand (1,000) square feet of gross floor area and, except as modified herein, shall be in conformance with the provisions of Chapter 4 of this Ordinance. Parking spaces shall be not less than nine feet by nineteen feet (9' x 19') except where parking abuts continuous curbing, in which case the curb offset area may be landscaped and exempt from paving.

b. Landscaping: All landscaping shall be in conformance with an approved landscaping plan, which plan must be submitted and approved by the Mayor and Board of Trustees prior to the issuance of any Building Permit for structures to be located on the property. The landscaping requirements and plan shall take into consideration the upscale nature of the B-5 Town Center Shopping District and the Town Center environment created therein. If the required number of parkway trees cannot be located in the designated parkway areas, the owner shall satisfy this requirement by placing said trees within or immediately adjacent to the owner's property. No shrubbery, hedging or planting shall interfere with clear vision pursuant to section 3-2-A of this Ordinance.

c. Signs: All signs identifying the B-5 Town Center Shopping District, any businesses located in the Shopping Center, or such other informational or directional signage, whether permanent or temporary, shall require a permit. Any individual, firm or corporation requesting a sign permit shall submit an application to the Director of Community Development. The application shall include a sign location plan setting forth the number of signs requested, the size of each sign and the proposed location of all monument or freestanding identification signs. If applicable, the applicant shall include a request for any wall signs, projecting signs, canopy or marquee signs or such other incidental signs which may be requested. Upon a review of the application and the subject property, the Director of Community Development shall forward a recommendation to the Mayor and Board of Trustees for their review and approval. Criteria for the approval of any application for a sign permit and sign plan may, by ordinance, be set forth in Title 8, Chapter 4 of the Village Code or, in the alternative, may be established on a case by case basis in the review process set forth herein.

d. Loading: In lieu of the off-street loading space requirements set forth in Chapter 4 of this Ordinance, off-street loading spaces shall be provided in designated locations throughout the entire area as approved by the Director of Community Development. The Director shall base any such approval in part on the off-street loading space requirements in this Ordinance, screening requirements for off-street loading, and such other considerations which are in conjunction with the intent of this zoning district to create an upscale Town Center environment.

e. Rezoning: Any application for rezoning to the B-5 Town Center Shopping District shall include a preliminary site plan, which plan shall set forth the anticipated location of all structures to be constructed on the subject property. The preliminary plan shall also include ingress and egress to and from the subject property, traffic regulation including driveway and parking location, and such other information necessary to show compliance with the provisions of this zoning district. Prior to the issuance of a Building Permit for the property to be rezoned to the B-5 Town Center Shopping District, a final site plan shall be submitted to the Village. The final site plan shall conform substantially to the preliminary plan. The final site plan shall be reviewed by the Plan Commission and the Mayor and Board of Trustees at a joint meeting and thereafter shall be formally approved by the Mayor and Board of Trustees. In approving the final site plan, the Mayor and Board of Trustees may require such special conditions as it deems necessary to ensure conformance with the intent and the stated purpose of the B-5 Town Center Shopping District.

f. Outdoor Uses: The Mayor and Board of Trustees may, by permit, allow a B-5 Town Center Shopping District use to extend to and be located outside the premises including outdoor sales or displays, provided the proposed outside location is immediately adjacent to the building in which the B-5 Town Center Shopping District use is housed. Depending on the nature of the outdoor use, the permit may be temporary or permanent in nature. In determining whether to issue any such permit, the Mayor and Board of Trustees shall consider certain factors, including, but not limited to, the following:

- **i.** Aesthetics;
- **ii.** Compatibility with neighboring uses;
- **iii.** The need or benefit derived from the outdoor use;
- **iv.** The impact on the shopping center as a whole and the Town Center concept established by the B-5 Zoning District; and
- **v.** The length of time the permit is being requested and the specific hours of operation.

The outdoor use shall cease upon the expiration of the date set forth on the permit or at such earlier date if the outdoor use is negatively impacting neighboring uses, the shopping center as a whole, or has changed in nature to the extent that it no longer meets the approved criteria set forth above. In such event, the Village shall notify the user in writing of the decision to terminate or revoke the outdoor use permit. The user may appeal, in a timely manner, such decision to the Mayor and Board of Trustees. The decision of the Mayor and Board of Trustees with respect to any such appeal shall be deemed final.

8. Supplemental Regulations for Conditional Uses in the B-5 Town Center Shopping District:

a. Applications for a B-5 Conditional Use shall be submitted to the Director of Community Development. Copies of the application shall be submitted to the Police Chief, Fire Chief and Village Manager. The departments shall review and consider whether the proposed Conditional Use is consistent with the purpose statement of this zoning district in addition to the following considerations:

- **i.** Aesthetics;
- **ii.** Parking; traffic generation, automobile, and truck; vehicle stacking;
- **iii.** Compatibility with neighboring uses;
- **iv.** Ingress and egress; and
- **v.** Landscaping and/or screening requirements.

b. Based on the review by the various departments, a recommendation shall be made to the Mayor and Board of Trustees concerning the issuance of a Conditional Use permit.

c. Final approval for such Conditional Use shall be made by the Mayor and Board of Trustees. Said Conditional Use permit may supersede or provide a variation to the stacking or parking provisions of this Ordinance.

7-3-E. O-T Office/Transitional Zoning District

1. **Purpose:** The O-T Office/Transitional Zoning District provides area used primarily for office spaces and commercial uses, including institutional uses that conform to the pattern of the zoning district. Uses allowed in the zoning district are characterized by a low volume of traffic and limited outdoor advertising so as to mitigate impacts on any nearby residential zoning districts. This zoning district can be a buffer between residential and commercial areas

2. **Permitted Uses:** Permitted Uses in the O-T Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the O-T Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the O- T Zoning District are listed in the Zoning District Use Table 7.2.

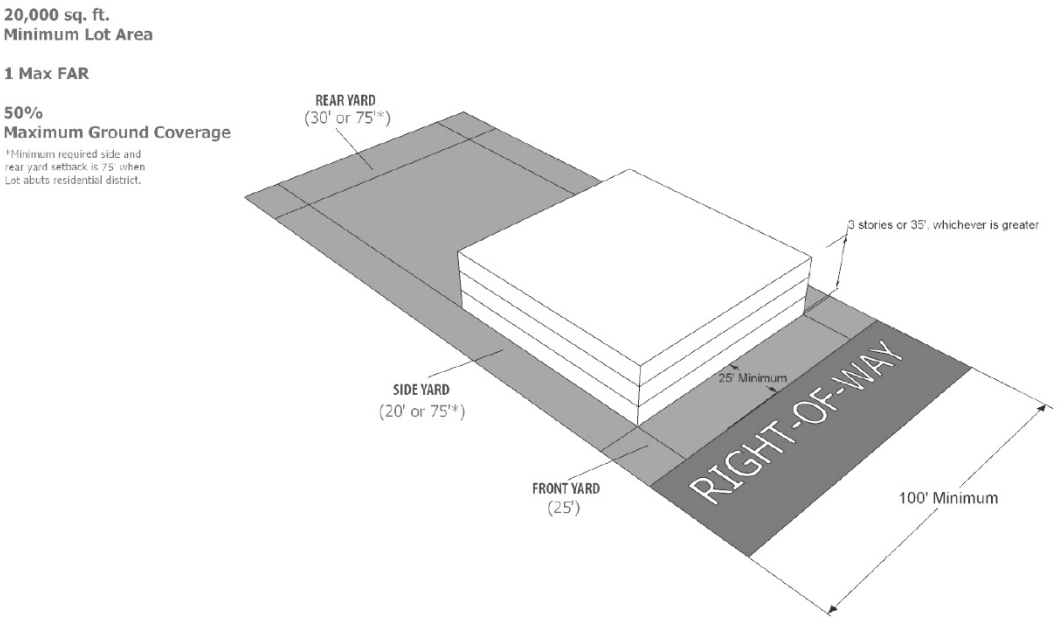
O-T Office/Transitional District	
Minimum Lot Area (sq. ft.)	20,000
Minimum Lot Width at Front Yard line (ft.)	100’
Minimum Required Front Yard (ft.)	25’
Minimum Required for each Side Yard (ft.)	20 or 75[1]
Minimum Required Rear Yard (ft.)	30 or 75[1]
Maximum Ground Coverage	50%
Maximum Building Height (ft.)	3 stories or 35’[2]
Maximum Floor Area Ratio	1.0

1. When lot abuts residential district
2. Whichever is greater

5. **Parking Requirements:** Parking requirements in the O-T Zoning District are listed in Chapter 4.

6. **Bulk Space and Yard Regulations:** Bulk regulations in the O-T Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

Figure 7.12: OT District Bulk Regulations Illustration



7. Supplemental Regulations for all Uses in the O-T Zoning District:

a. Enclosure of Operations: All business, servicing or processing shall be conducted within completely enclosed buildings, except:

i. Off-street parking or loading and

ii. Accessory uses.

b. The parking of trucks, when accessory to the conduct of a Permitted Use, shall be limited to vehicles not over one and one-half (1.5) tons' capacity, except for pickup and delivery services.

c. For any charitable, organizational, and business association offices, associated lodge, hall, conference and meeting facilities may not exceed twenty percent (20%) of the gross floor area of the Permitted Use.

8. Supplemental Regulations for Special Uses in the O-T Zoning District: In addition to the requirements for all Special Uses, the following uses shall meet the additional specified standards.

a. All Special Uses: In granting a Special Use for a property adjacent to the I-1 or I-2 Zoning District, the Plan Commission may recommend and the Mayor and Board of Trustees may approve that any or all the bulk and yard requirements of the subject property be modified to conform, in whole or in part, to the requirements for the adjacent I-1 or I-2 Zoning District.

b. Ambulatory Surgical Treatment Centers shall:

i. Be restricted to a free-standing building, which building shall exclude all retail uses, except those allowed as accessory uses per the Land Use table in this Chapter;

ii. Provide, as part of the building, a loading facility for the use of ambulances, which facility shall not be used for other vehicles; and

iii. Provide an approved plan for vehicular ingress and egress, said approval to take the form of a certificate signed by the Police Chief, Fire Chief and Director of Community Development, certifying that the plan for ingress and egress proposed by the user will not interfere with either highway or abutting users' traffic or increase the risk to persons or property.

c. Warehousing and distribution of goods, products, and supplies, conducted as an accessory use to a permitted office, warehousing, or distribution use within the zoning district shall be considered a Special Use. The following conditions shall be required as a minimum for such Special Use to be granted:

i. All storage shall be inside;

ii. Not more than forty percent (40%) of the floor area of the building may be utilized for warehousing and distributions;

iii. Shipments of goods, products and supplies may be broken down and repackaged for Warehousing and distribution purposes;

iv. All loading docks used for the warehousing and distribution of goods, products and supplies shall be landscaped or otherwise screened in a manner approved by the Plan Commission; and

v. No motor freight terminals or other prohibited uses shall be permitted as a part of the Special Use.

d. Warehousing and light assembly and/or packaging, conducted as an accessory use to a permitted office, warehousing or distribution use within the zoning district shall be considered a Special Use. The following conditions shall be required as a minimum for such Special Use to be granted.

i. Property must be located adjacent to property zoned as an I-1 or I-2 Industrial District;

ii. Property may be located adjacent to property zoned as an A-1, A-2 and A-3 Residential Zoning District;

iii. Property may not be located adjacent to property zoned as R-1, R-2, R-3 or R-4 Residential Zoning Districts, except where separated by a street or right-of-way of not less than sixty feet (60'); and

iv. All activities must be conducted solely within a building or group of buildings and will not cause or result in:

a) A violation of the performance standards set forth this Ordinance;
b) Hazard of fire or explosion or other physical hazard to any person, building or vegetation;
c) Radiation or interference with radio or television reception beyond the boundaries of the immediate site of the building in which such use is conducted; and
d) Scientific testing of instruments which requires the flying of aircraft in the vicinity in such manner as to constitute a public nuisance.

7-3-F: Innovation and Technology Center Zoning District

1. Purpose

The Innovation and Technology Center Zoning (ITC) District has specific standards and expectations incorporating innovation, technology, and entrepreneurship. The intent of the district is to allow flexibility and creativity in design, as well as diversification in the planning, location, design, and use of structures. The district serves as an engine for economic growth and reinforces the Village's role as an innovation and technology-based employment center.

ITC – Innovation and Technology Center Zoning District	
Minimum Lot Area (acres)	4 acres
Minimum Lot Width at Front Yard line (ft.)	100 ft.
Minimum Required Front Yard (ft.)	50 ft.
Minimum Required for each Side Yard (ft.)	10 ft.
Minimum Required Rear Yard (ft.)	15 ft.
Maximum Ground Coverage	50%
Maximum Building Height (ft.)	Greater of twenty-five (25) stories or three hundred and seventy- five (375') feet
Maximum Floor Area Ratio	0. 50 for each level of all buildings[1]
[1] For example, a single-story building may have a FAR of 0. 50, a two-story building a FAR of 1. 00, a three- story building a FAR of 1. 50, etc.	

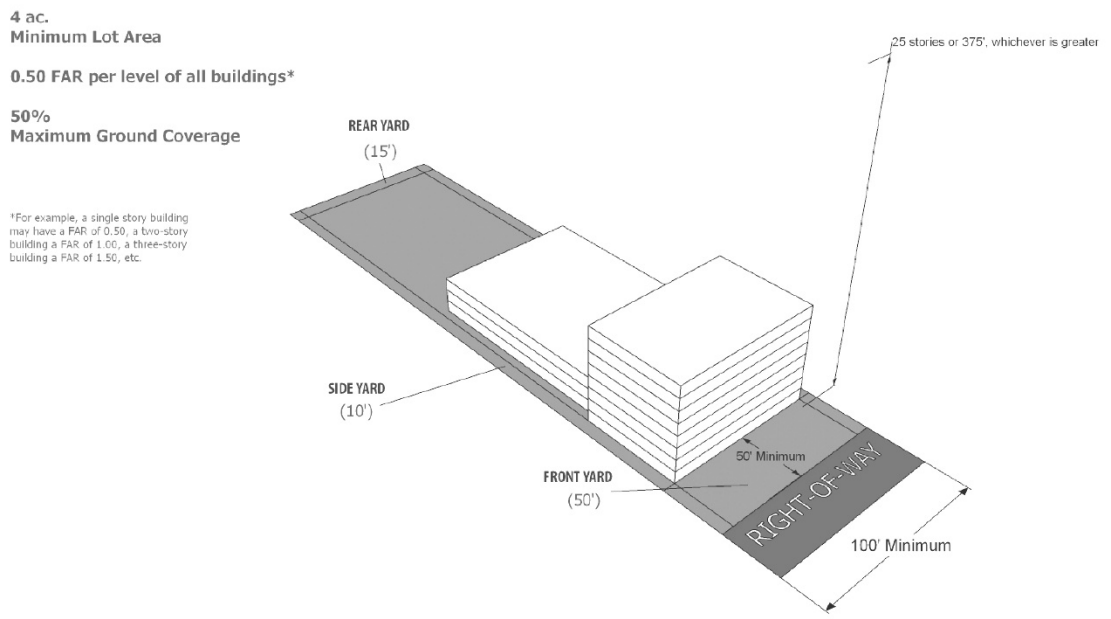
2. **Permitted Uses:** Permitted Uses in the ITC Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the ITC Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the ITC Zoning District are listed in the Zoning District Use Table 7.2.

5. **Prohibited Uses**: Prohibited uses are those uses identified in the Innovation and Technology Center Design Guidelines. Additionally, unless it is an expressly Permitted, Conditional or Special Use, the use will be deemed prohibited.

Figure 7.13: Innovation and Technology Center Zoning District Bulk Regulations Illustration



6. **Use Regulations:**
   - **a.** General Conditions:
     - **i.** All uses in the Innovation and Technology Center Zoning District shall relate to operations and functions associated with innovation, advanced technology, and entrepreneurship.
     - **ii.** All uses shall meet the Industrial Zoning District performance standards as set forth in this Code.
     - **iii.** All uses shall meet the Innovation and Technology Center Design Guidelines, which guidelines by this reference are incorporated herein, a copy of which is on file in the Office of the Village Clerk.

   - **b.** Prerequisites for Conditional Uses: Applications for Conditional Uses shall be submitted to the Director of Community Development and will be distributed to the Police, Fire, and Public Works Departments along with a copy to the Village Managers Office. The Departments shall review and consider whether the proposed Conditional Use is consistent with the criteria set forth in Section 7-3-F-1 of this Code and with the following considerations:
     - **i.** Aesthetics in compliance with the Innovation and Technology Center Design Guidelines;
     - **ii.** Parking, number and location of loading dock areas and drive in doors in compliance with the Innovation and Technology Center Design Guidelines;
     - **iii.** Traffic generation onsite and along Northwest Point Boulevard;
     - **iv.** Compatibility with neighboring uses and overall uses within the Innovation and Technology Center Zoning District;
     - **v.** Ingress and egress into the site; and
     - **vi.** Landscaping and screening requirements in compliance with the Innovation and Technology Center Design Guidelines.

   - **c.** Based upon review by the various Departments, a recommendation shall be made to the Mayor and Board of Trustees concerning the acceptance or denial of the Conditional Use. Final approval for such Conditional Use shall be made by the Mayor and Board of Trustees. Said Conditional Use may supersede or provide variations to provisions of this Code.

7. **Supplemental Regulations for all Uses in the ITC Zoning District**

   - **a.** Parking and Loading Requirements:
     - **i.** The location of parking facilities shall be deemed to comply with subsection 4-2-F-2 of this Code so long as the closest parking space servicing a building is within two hundred (200') feet of such building. Further, no portion of parking facilities shall be separated by a public street.
     - **ii.** Parking requirements shall be satisfied by:
       a) Providing one parking stall for every one thousand (1,000) square feet of building area, with the exception of data centers which can be parked at a ratio no less than one parking stall for every three thousand (3,000) square feet of building area; or
       b) Demonstrating that the parking requirements of subsection ii-a above shall be available on the subject property in the form of land banking an equivalent area on the parcel for future use. If existing parking is deemed inadequate by the Director of Community Development, the land banked parking shall be constructed.

c) Parking requirements for hotels shall be as set forth in Chapter 4 of this Code.

iii. Loading spaces:

a) Loading and service docks shall be permitted within the Innovation and Technology Center Zoning District. Loading and service docks shall be limited to no more than one (1) per ten thousand (10, 000) square feet of building space per parcel.

b) All buildings shall have at least one loading or service dock area which is twelve (12') feet wide by sixty (60') feet long.

b. Signs:

i. A single monument sign is permitted on each parcel. Standards for size and design are reflected in the Innovation and Technology Center Design Guidelines.

ii. Wall signs shall be permitted, provided the same do not exceed three (3) square feet for each lineal foot of building frontage or extend above the facia or parapet line. Standards for size and design are reflected in the Innovation and Technology Center Design Guidelines.

iii. Signs identifying the Innovation and Technology Center shall be permitted to be located at the ingress and egress to said parcels located along Arlington Heights Road and King Street or fronting Interstate 90 as approved by the Director of Community Development. No such sign shall exceed three hundred and fifty (350) square feet.

c. Fence, Screening and Landscaping Requirements and Restrictions:

i. Height and location of Fences: No fence shall be erected in excess of eight (8') feet or be located in the front yard or ahead of any building except as permitted by Section 3-3-E.

ii. Prohibited Fences: Chain link, barbed wire, electrically charged, cinder block, and wooden fences are strictly prohibited.

iii. Screening:

a) Screening is required within any new development or redevelopment. Screening shall be designed with a combination of elements including low solid masonry or stone walls, precast walls, outcropping, berms, and landscaping;

b) Facilities and equipment located externally must be enclosed and screened with landscaping to minimize views from adjoining streets, buildings, or open space;

c) The method of screening should be architecturally integrated with the adjacent building in terms of materials, colors, shape, and proportion;

d) All loading docks, service docks and refuse areas must be screened from public view; and

e) Screening shall comply with the Innovation and Technology Center Design Guidelines.

iv. Landscaping:

a) Landscaping shall comply with Section 8- 6 of the Municipal Code;

b) Landscape plantings should complement the architectural style of the buildings on said parcel. The landscaping of buildings should be designed using simple forms and aesthetic combinations of plant material in rich, vertical layers; and

c) All landscaped areas shall be irrigated.

d. Common Site Amenities: Site amenities such as ponds, fountains, statuary, plazas, and outdoor areas for gathering, walking paths and similar attractions shall be incorporated into the development of all sites.

e. Building Design, Architectural Elements and Materials: All new and renovated buildings shall comply with the Innovation and Technology Center Design Guidelines.

7-4 - INDUSTRIAL DISTRICTS

7-4-A. I-1 Restricted Industrial District

1. **Purpose:** The I-1 Restricted Industrial Zoning District provides for a range of manufacturing, industrial, and warehousing activities. While some retail elements may be part of businesses, such activity is limited and only for items produced on the premises. Development in the zoning district may be nearby to residential or business uses, and are intended to be sited and developed in a manner so as to have limited potential adverse impacts on non-industrial uses.

2. **Permitted Uses:** Permitted Uses in the I-1 Zoning District are listed in the Zoning District Use Table 7.2.

3. **Conditional Uses:** Conditional Uses in the I-1 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the I-1 Zoning District are listed in the Zoning District Use Table 7.2.

5. **Parking Requirements:** Parking requirements in the I-1 Zoning District are listed in Chapter 4.

I-1 Restricted Industrial District	
Minimum Lot Area (sq. ft.)	15,000
Minimum Lot Width at Front Yard line (ft.)	60
Minimum Required Front Yard (ft.)	25
Minimum Required for each Side Yard (ft.)	10 or 50[1]
Minimum Required Rear Yard (ft.)	15 or 50[1]
Maximum Ground Coverage	80%
Maximum Building Height (ft.)	100 [2]
Maximum Floor Area Ratio	0.8

1. When lot abuts residential district
2. Lower maximum height may apply. See Figure 7.15.

6. **Bulk Space and Yard Regulations:** Bulk regulations in the I-1 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7.1, the table on this page, and illustrated below.

Figure 7.14: I-1 Restricted Industrial District Bulk Regulations Illustration

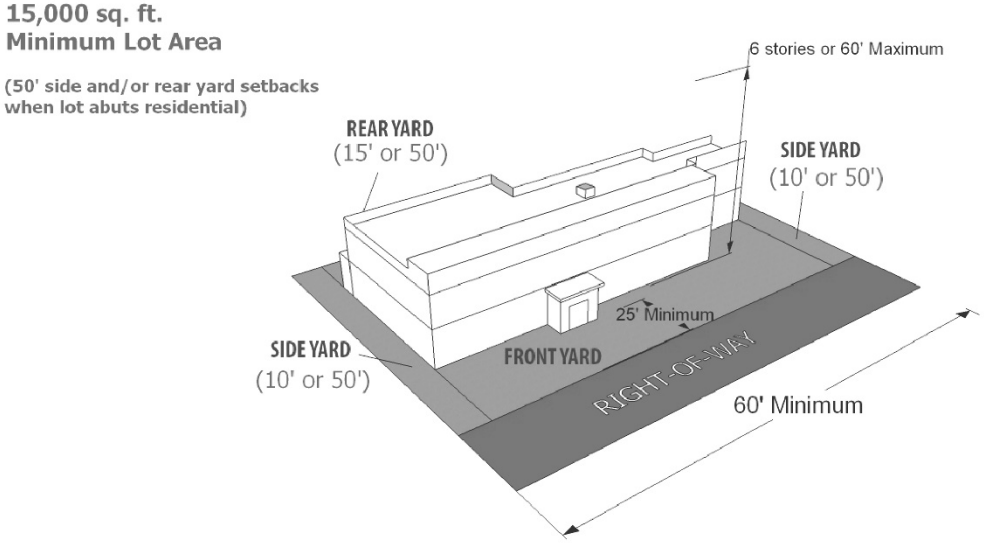
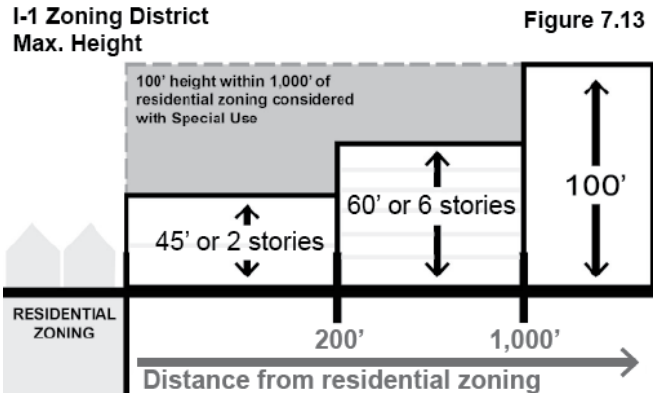


Figure 7.15:
I-1 Zoning District
Height Alternatives



7. Supplemental Regulations for Conditional Uses in I-1 Zoning Districts:

a. Retail uses, accessory to the primary use located on the premises, subject to the following conditions:

- **i.** Accessory retail use shall not occupy more than fifty percent (50%) of the floor area of the principal building or structure located on the lot or parcel involved;
- **ii.** No outside storage or sales area shall be allowed in relation to said retail sales;
- **iii.** No signage other than an identification sign not exceeding ten (10) square feet, and otherwise in accordance with the Sign Ordinance of the Village, is allowed in relation to said retail sales;
- **iv.** A separate parking area for retail sales shall be designated on the property. Such parking shall be located so as to minimize mixing of customer access and parking, with that for trucks or other commercial vehicles;
- **v.** The overall amount of parking provided shall consider said retail use area as being in addition to the floor area of the primary use, and provided in number as required by the business zoning classification for a comparable retail use;
- **vi.** Any special access requirements as are deemed necessary by the Police Chief, Fire Chief and Director of Community Development as not to interfere with established or anticipated public street traffic to and from the primary use shall be provided; and
- **vii.** Such retail use shall be licensed in accordance with the licensing provisions of the Elk Grove Village Code.

b. Business and Trade Schools, subject to the following conditions:

- **i.** All on site instruction and/or training shall be conducted within completely enclosed buildings and
- **ii.** No dormitories or resident facilities shall be permitted.

c. Vehicle Services:

- **i.** Vehicle Repair/Maintenance subject to the following conditions:
  - a) All open storage areas for automotive vehicles waiting to be serviced shall be located behind the principal structure and screened by an eight foot (8') solid fence or wall. The fence or wall must be black in color when facing a public street. The type of fence or wall shall be reviewed and approved by the Zoning Administrator;
  - b) No vehicle shall be stored for more than thirty (30) days and no vehicle shall be disassembled on the site except for the purpose of repairing or replacement of damaged or unusable components thereof;
  - c) No vehicle or parts thereof shall be rented, leased, or auctioned from the site;

d) Vehicle sales are permitted subject to the conditions for Vehicle Internet Sales;
e) All buildings shall meet Building and life safety code requirements related to auto repair facilities at all times;
f) All site, building, and parking lot areas shall be maintained in good repair at all times;
g) On-site inspections by the Village may be conducted to secure compliance with these conditions; and
h) Site plans subject to Site Plan Review per Section 8-3-G and confirmation through that process that the site can support said use without adversely impacting adjacent and nearby properties.

ii. Vehicle Internet Sales subject to the following conditions:
a) Except for the arrival and departure of automobiles, all activities shall occur completely within the enclosed building;
b) The use shall be limited to display of vehicles to customers by appointment only and related office use; vehicle repair/maintenance as an accessory use is permitted subject to the conditions for vehicle repair/maintenance;
c) Vehicles on display must be in a "ready for sale" condition;
d) No more than one such use shall be permitted in a multi-tenant structure;
e) No outdoor advertising inviting the general public to the showroom shall be permitted;
f) In granting a Conditional Use permit for internet-based sales, the Village shall consider whether the building size is adequate for the operation, including the number of vehicles anticipated in the showroom, and whether sufficient parking exists for the number of employees and the prospective customers;
g) That the business be in compliance with applicable regulations of the Illinois Secretary of State's Office with respect to licensing, and obtain a state dealer license;
h) All buildings shall meet Building and life safety code requirements related to auto storage facilities at all times; and
i) All site, building, and parking lot areas shall be maintained in good repair at all times.

d. Equipment Sales, Rental or Maintenance. Site plans subject to Site Plan Review per Section 8-3-G and confirmation through that process that the site can support said use without adversely impacting adjacent and nearby properties.

e. Microbrewery/Brew Pub, Microdistillery and Microwinery with Tasting Rooms:
i. Parking requirements shall be in accordance with Chapter 4 for establishments with tasting rooms along with one parking space per employee on largest shift plus one parking space per company vehicle.
ii. Outdoor dining and seating areas shall include, at a minimum, the following:
1. Emergency exits;
2. Decorative fencing to restrict access; and
3. Trash and recycling receptacles.

Outdoor seating areas are subject to the review and approval of the Zoning Administrator. Additional considerations such as proximity to adjacent properties, hours of operation, size of the area along with other factors must be reviewed on a case-by-case basis.

f. Elk Grove Technology Park Design Guidelines. Development on any property located in the Elk Grove Technology Park, which includes all properties within the boundary area shown in Figure 7.16 below, shall be subject to the requirements of the Elk Grove Technology Park Design Guidelines.

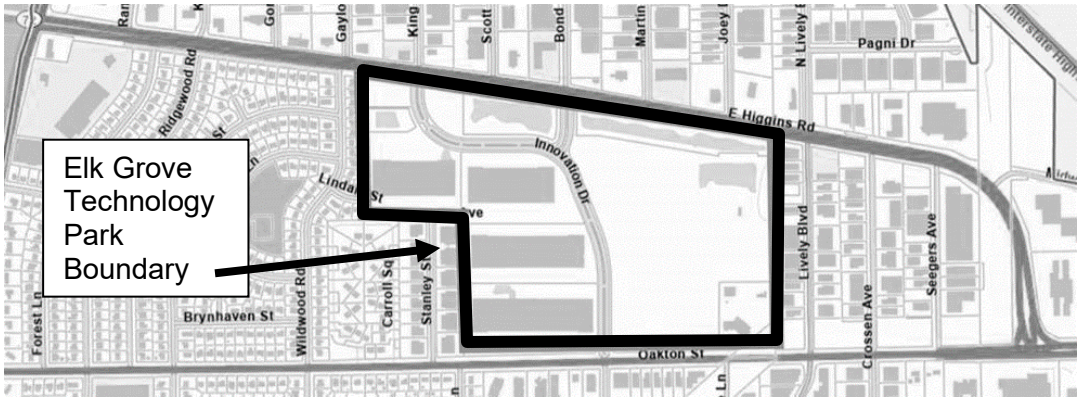


Figure 7.16: Elk Grove Technology Park

8. **Supplemental Regulations for Special Uses in I-1 Zoning Districts:** In addition to meeting all standards for Special Uses specified in this Ordinance, the following uses in the I-1 Zoning Districts shall meet the following standards:
   a. Retail Sale of Merchandise: Retail sale of merchandise wherein the floor area of said retail use exceeds fifty percent (50%) of the entire floor area of the principal building or structure and where said retail use is in conjunction with wholesale uses, wholesale storage of merchandise, or office uses:
      i. The retail use does not include an identification sign exceeding ten (10) square feet, and is otherwise in accordance with the Sign Ordinance of the Village;
      ii. A parking area shall be provided in accordance with the provisions of Chapter 4 of this Ordinance. In determining the applicable number of parking stalls, the Village shall consider the nature of the products being offered for sale as same relate to the requirements of said Chapter 4 of this Ordinance, the ratio of floor area designated for retail and wholesale sales as compared to floor area designated for storage or non- consumer access, and such other considerations as are deemed necessary to ensure compliance with this Ordinance;
      iii. Such special access requirements as are deemed necessary by the Police Chief, Fire Chief and Director of Community Development so as not to interfere with established and anticipated public street traffic to and from the proposed site shall be provided; and
      iv. The need for the retail sales in the area proposed and the benefit to the Village, including projection of revenues, to be derived from the granting of the Special Use permit shall be evidenced by the applicant. In that regard, the Village may require copies of monthly, quarterly or annual sales and use tax returns filed with the Illinois Department of Revenue as a condition of the granting of the Special Use permit.

   b. Veterinary Clinics:
      i. There shall be no boarding of animals of any kind except for those animals so ill that the personal attention of a doctor of veterinary medicine is required, or those

animals recovering from surgery; provided, that such boarding facility permitted be situated in the clinic and not attached thereto;

ii. All business must be conducted within a completely enclosed building, and no outdoor kennel of any kind shall be permitted; and

iii. Incinerators, lime pits or other facilities for the destruction of animal waste or corpses of any type shall not be permitted.

c. Indoor Dog Parks and Training Facilities:

i. Location:

a) All indoor dog parks and training facilities must be located in stand- alone buildings with no other tenants or uses.

b) Buildings located in the I- 1 and I- 2 Industrial Zoning District must be located at least one thousand feet (1,000) from any Residential Zoned District.

ii. Parking: Parking shall be provided at a rate of at least one (1) parking stall for every employee on duty during the largest shift along with parking spaces equal to a quarter (1/ 4) the capacity of the facility in persons.

iii. Location of Outdoor Dog Areas: Outdoor dog areas must be setback at least ten feet (10') from rear and side property lines and at least sixty feet (60') from front property lines.

a) No outdoor training, boarding, entertainment, competition, or similar use areas are permitted.

iv. Screening: Outdoor dog runs/ areas must be screened by an eight foot (8') tall solid fence accented by additional landscaping.

v. Ancillary Services: Ancillary services to the indoor dog park and training facility shall not exceed forty percent (40%) of the total building square footage.

vi. Overnight Boarding:

a) Overnight boarding of dogs is limited to forty (40) dogs. All boarding must take place indoors and animals shall be kept inside between the hours of 10:00 p.m. and 7:00 a.m.

b) Individual cages/kennels for dogs shall not be less than one hundred (100) square feet in area per dog with an interior height of at least eight feet (8'). The layout of the boarding area must be approved by the Director of Community Development.

c) Unless customers are boarding multiple dogs from the same household, dogs must have their own cage/kennel space.

vii. License: Provide a valid license from the State of Illinois for boarding of dogs.

viii. An employee shall be onsite at all times when dogs are at the facility.

ix. Dogs shall not be walked off-site.

x. The premises shall be kept in a clean and sanitary manner by the daily removal of waste and by the use of spray and disinfectants to prevent the accumulation of flies, the spread of disease or offensive odor.

7-4-B. I-2 General Industrial Zoning District

1. **Purpose:** The I-2 General Industrial Zoning District provides for a wider range of manufacturing, industrial and warehousing activities, and anticipates larger and potentially more intensive activity than the I-1 Zoning District. While some retail elements may be part of businesses, such activity is limited and only for items produced on the premises. Development in the zoning district may be nearby to business uses and is intended to be sited and developed in a manner so as to have limited potential adverse impacts on those activities.

2. **Permitted Uses:** Permitted Uses in the I-2 Zoning District are listed in the Zoning District Use Table 7.2.

I-2 General Industrial District	
Minimum Lot Area (sq. ft.)	20,000
Minimum Lot Width at Front Yard line (ft.)	100
Minimum Required Front Yard (ft.)	25
Minimum Required for each Side Yard (ft.)	10 or 50[1]
Minimum Required Rear Yard (ft.)	15 or 50[1]
Maximum Ground Coverage	80%
Maximum Building Height (ft.)	6 stories or 100[2]
Maximum Floor Area Ratio	2.0
1. When Lot abuts residential district 2. Whichever is more restrictive	

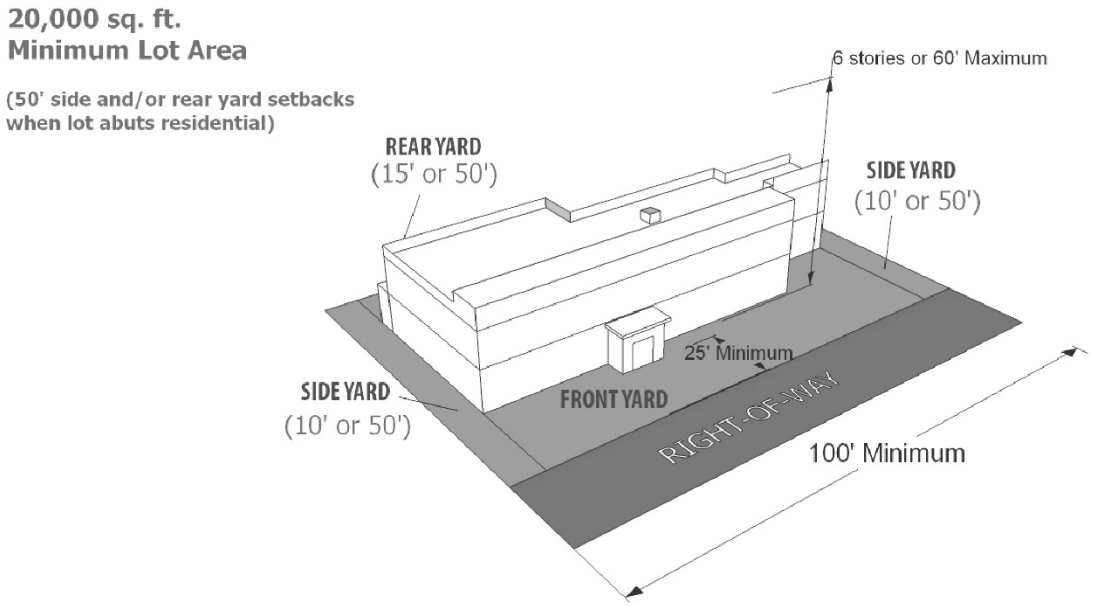
3. **Conditional Uses:** Conditional Uses in the I-2 Zoning District are listed in the Zoning District Use Table 7.2.

4. **Special Uses:** Special Uses in the I-2 Zoning District are listed in the Zoning District Use Table 7.2.

5. **Parking Requirements:** Parking requirements in the I -2 Zoning District are listed in Chapter 4.

6. **Bulk Space and Yard Regulations:** Bulk regulations in the I-2 Zoning District including regulations regarding lot area, lot width, yard areas, ground coverage, and building height are listed in Table 7., the table on this page, and illustrated below.

Figure 7.17: I-2 General Industrial District Bulk Regulations Illustration



7. Supplemental Regulations for Conditional Uses in the I-2 Zoning Districts:

a. Retail uses, accessory to the primary use located on the premises, subject to the following conditions:

- **i.** Accessory retail use shall not occupy more than fifty percent (50%) of the floor area of the primary building or structure located on the lot or parcel involved;
- **ii.** No outside storage or sales area shall be allowed in relation to said retail sales;
- **iii.** No signage other than an identification sign not exceeding ten (10) square feet, and otherwise in accordance with the sign ordinance of the Village, is allowed in relation to said retail sales;
- **iv.** A separate parking area for retail sales shall be designated on the property. Such parking shall be located so as to minimize mixing of customer access and parking, with that for trucks or other commercial vehicles;
- **v.** The overall amount of parking provided shall consider said retail use area as being in addition to the floor area of the primary use, and provided in number as required by the business zoning classification for a comparable retail use;
- **vi.** Any special access requirements as are deemed necessary by the Police Chief, Fire Chief and Director of Community Development so as not to interfere with established or anticipated public street traffic to and from the primary use shall be provided; and
- **vii.** Such retail use shall be licensed in accordance with the licensing provisions of the Elk Grove Village Code.

b. Business and Trade Schools, subject to the following conditions:

- **i.** All on site instruction and/or training shall be conducted within completely enclosed buildings and
- **ii.** No dormitories or resident facilities shall be permitted.

c. Vehicle Services:

- **i.** Vehicle Repair/Maintenance subject to the following conditions:
  - a) All open storage areas for automotive vehicles waiting to be serviced shall be located behind the principal structure and screened by an eight foot (8') solid fence or wall. The fence or wall must be black in color when facing a public street. The type of fence or wall shall be reviewed and approved by the Zoning Administrator;
  - b) No vehicle shall be stored for more than thirty (30) days and no vehicle shall be disassembled on the site except for the purpose of repairing or replacement of damaged or unusable components thereof;
  - c) No vehicle or parts thereof shall be rented, leased, or auctioned from the site;
  - d) Vehicle sales are permitted subject to the conditions for Vehicle Internet Sales;
  - e) All buildings shall meet Building and life safety code requirements related to auto repair facilities at all times;
  - f) All site, building, and parking lot areas shall be maintained in good repair at all times;
  - g) On-site inspections by the Village may be conducted to secure compliance with these conditions; and
  - h) Site plans subject to Site Plan Review per Section 8-3-G and confirmation through that process that the site can support said use without adversely impacting adjacent and nearby properties.

ii. Vehicle Internet Sales subject to the following conditions:

a) Except for the arrival and departure of automobiles, all activities shall occur completely within the enclosed building;
b) The use shall be limited to display of vehicles to customers by appointment only and related office use; vehicle repair/maintenance as an accessory use is permitted subject to the conditions for vehicle repair/maintenance;
c) Vehicles on display must be in a "ready for sale" condition;
d) No more than one such use shall be permitted in a multi-tenant structure;
e) No outdoor advertising inviting the general public to the showroom shall be permitted
f) In granting a Conditional Use permit for internet-based sales, the Village shall consider whether the building size is adequate for the operation, including the number of vehicles anticipated in the showroom, and whether sufficient parking exists for the number of employees and the prospective customers;
g) That the business be in compliance with applicable regulations of the Illinois Secretary of State's Office with respect to licensing, and obtain a state dealer license;
h) All buildings shall meet Building and life safety code requirements related to auto storage facilities at all times; and
i) All site, building, and parking lot areas shall be maintained in good repair at all times.

d. Equipment Sales, Rental or Maintenance. Site plans subject to Site Plan Review per Section 8-3-G and confirmation through that process that the site can support said use without adversely impacting Adjacent and nearby properties.

e. Microbrewery/Brew Pub, Microdistillery and Microwinery with Tasting Rooms:

i. Parking requirements shall be in accordance with Chapter 4 for establishments with tasting rooms along with one parking space per employee on largest shift plus one parking space per company vehicle.
ii. Outdoor dining and seating areas shall include, at a minimum, the following:

1. Emergency exits;
2. Decorative fencing to restrict access; and
3. Trash and recycling receptacles.

Outdoor seating areas are subject to the review and approval of the Zoning Administrator. Additional considerations such as proximity to adjacent properties, hours of operation, size of the area along with other factors must be reviewed on a case-by-case basis.

8. **Supplemental Regulations for Special Uses in I-2 Zoning Districts**: In addition to meeting all standards for Special Uses specified in this Ordinance, the following uses in the I-2 Zoning Districts shall meet the following standards:

a. Retail Sale of Merchandise: Retail sale of merchandise wherein the floor area of said retail use exceeds fifty percent (50%) of the entire floor area of the primary building or structure and where said retail use is in conjunction with wholesale uses, wholesale storage of merchandise, or office uses:

i. The retail use does not include an identification sign exceeding ten (10) square feet, and is otherwise in accordance with the Sign Ordinance of the Village;
ii. A parking area shall be provided in accordance with the provisions of Chapter 4 of this Ordinance. In determining the applicable number of parking stalls, the Village

shall consider the nature of the products being offered for sale as same relate to the requirements of said Chapter 4 of this Ordinance, the ratio of floor area designated for retail and wholesale sales as compared to floor area designated for storage or non- consumer access, and such other considerations as are deemed necessary to ensure compliance with this Ordinance;

iii. Such special access requirements as are deemed necessary by the Police Chief, Fire Chief and Director of Community Development so as not to interfere with established and anticipated public street traffic to and from the proposed site shall be provided; and

iv. The need for the retail sales in the area and the benefit to the Village, including projection of revenues, to be derived from the granting of the Special Use permit shall be evidenced by the applicant. In that regard, the Village may require copies of monthly, quarterly or annual sales and use tax returns filed with the Illinois Department of Revenue as a condition of the granting of the Special Use permit.

b. Petroleum Storage Facilities:

i. Location: All Petroleum Storage Facilities must be located in the following areas:

a) Fronting the west side of Elmhurst Road north of Devon and south of Estes Avenue.

b) Any area east of Elmhurst Road between Devon Avenue on the south and I-90 on the north.

ii. Number Of Structures: Multiple structures on a zoned lot shall be permitted. The number and location shall be set forth on the site plan as approved by the Mayor and Board of Trustees.

iii. Height: The height of structures shall not exceed sixty-five feet (65').

iv. Additional Special Conditions: Such additional special conditions as designated by the Plan Commission based upon concerns and input from the Department of Community Development, Fire Department, Police Department and Department of Public Works.

c. Asphaltic Concrete Plants:

i. Location: All asphaltic concrete plants must be located in the following areas:

a) Fronting the west side of Elmhurst Road north of Devon Avenue and south of Estes Avenue.

b) Any area east of Elmhurst Road between Devon Avenue on the south and I-90 on the north.

ii. Number of Structures: Multiple structures on a zoned lot shall be permitted; the number and location shall be as set forth on the site plan as approved by the Plan Commission.

iii. Height: The height of structures shall not exceed eighty-five feet (85').

iv. Parking: Parking of vehicles shall be permitted within the twenty-five foot (25') required front yard provided said parking is located behind approved screened fencing.

v. Location of Production and Recycling Activity: Production and recycling activities shall be permitted in areas other than within wholly enclosed buildings.

vi. Location of Outdoor Storage: Outdoor storage of materials shall be permitted within the twenty-five foot (25') required front yard, provided said storage is located behind approved screened fencing.

d. Veterinary Clinics:

- **i.** There shall be no boarding of animals of any kind except for those animals so ill that the personal attention of a doctor of veterinary medicine is required, or those animals recovering from surgery; provided, that such boarding facility permitted be situated in the clinic and not attached thereto;
- **ii.** All business must be conducted within a completely enclosed building, and no outdoor kennel of any kind shall be permitted; and
- **iii.** Incinerators, lime pits or other facilities for the destruction of animal waste or corpses of any type shall not be permitted.

e. Indoor Dog Parks and Training Facilities:

- **i.** Location:
  a) All indoor dog parks and training facilities must be located in stand- alone buildings with no other tenants or uses.
  b) Buildings located in the I- 1 and I- 2 Industrial Zoning District must be located at least one thousand feet (1,000) from any Residential Zoned District.
- **ii.** Parking: Parking shall be provided at a rate of at least one (1) parking stall for every employee on duty during the largest shift along with parking spaces equal to a quarter (1/ 4) the capacity of the facility in persons.
- **iii.** Location of Outdoor Dog Areas: Outdoor dog areas must be setback at least ten feet (10') from rear and side property lines and at least sixty feet (60') from front property lines.
  a) No Outdoor training, boarding, entertainment, competition, or similar use areas are permitted.
- **iv.** Screening: Outdoor dog runs/ areas must be screened by an eight foot (8') tall solid fence accented by additional landscaping.
- **v.** Ancillary Services: Ancillary services to the indoor dog park and training facility shall not exceed forty percent (40%) of the total building square footage.
- **vi.** Overnight Boarding:
  a) Overnight boarding of dogs is limited to forty (40) dogs. All boarding must take place indoors and animals shall be kept inside between the hours of 10:00 p.m. and 7:00 a.m.
  b) Individual cages/kennels for dogs shall not be less than one hundred (100) square feet in area per dog with an interior height of at least eight feet (8'). The layout of the boarding area must be approved by the Director of Community Development.
  c) Unless customers are boarding multiple dogs from the same household, dogs must have their own cage/kennel space.
- **vii.** License: Provide a valid license from the State of Illinois for boarding of dogs.
- **viii.** An employee shall be onsite at all times when dogs are at the facility.
- **ix.** Dogs shall not be walked off-site.
- **x.** The premises shall be kept in a clean and sanitary manner by the daily removal of waste and by the use of spray and disinfectants to prevent the accumulation of flies, the spread of disease or offensive odor.

Table 7-2: Land Use Table

	R-1 S/F	R-2 S/F	R-3 S/F	R-4 Res/PD	A-1 M/F	A-2 M/F	A-3 M/F	B-1 Shopping	B-2 General	B-3 Automotive	B-5 Town Center	ITC	O-T Office Transition	I-1 Restricted	I-2 General
Residential Uses															
Community Residences, Family	C	C	C	C	S	S	S								
Community Residences, Family (w/in 660 feet of another Community Residence)	S	S	S	S	S	S	S								
Community Residences, Group	C	C	C	C	S	S	S								
Community Residences, Group (w/in 660 feet of another Community Residence)	S	S	S	S	S	S	S								
Daycare Home	P	P	P	P	P	P	P								
Residential Mixed-Use PD (R-4)				S											
Mobile Home Park						S									
Multi-Family Dwellings					S	C/S	P								
Single-Family Detached Dwellings	P	P	P	P											
Single-Family Attached Dwellings				S	C	P	P								
Single-Family Development (R-3)			S												
Senior Independent Living						S							S		
Skilled Care Housing				S	S	S							S		
Public, Cultural, Recreation, and Other Institutional Uses															
Ambulance Services										P				P	P
Ambulatory Surgical Treatment Centers	S	S	S	S	S	S	S						S		
Charitable, Organizational, and Business Association (Offices)								P	P	P			P		
Government Buildings and Facilities	S	S	S	S	S	S	S	S	S	S	S		S	S	S
Hospital	S												S		
Lodges and Meeting Halls								S	S					S	S
Museums, Community Theaters, and Art Galleries								S	S	S	S		S		
Outdoor Recreation or Amusement								S	S	S					
Preschool Facilities								S	S	S			S		
Public Recreational Uses	S	S	S	S	S	S	S								

Table 7-2: Land Use Table

	R-1 S/F	R-2 S/F	R-3 S/F	R-4 Res/PD	A-1 M/F	A-2 M/F	A-3 M/F	B-1 Shopping	B-2 General	B-3 Automotive	B-5 Town Center	ITC	O-T Office Transition	I-1 Restricted	I-2 General
Religious Institutions	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Schools, Public or Private	S	S	S	S	S	S	S								
Schools, Business or Trade									C				C	C	C
Undertaking Establishments(Funeral Home)										S					
Business Uses															
Automobile and / or Truck Rental										S					
Automobile and / or Truck Sales (new and used)										S				S	S
Bakery / Coffee Shop								P	P	P	P				
Business Accelerator								P	P	P	P	P			
Business Services								P	P	P	P	P	P		
Business Services and Administrative Offices												P			
Car Wash										P					
Co-Working Center												P			
Currency Exchange										P					
Daycare Centers								S	S	S			S	S	S
Domestic Pet Services								S	S	S				S	S
Equipment Sales, Rental or Maintenance										S				C	C
Financial Institution (with or w/o Drive- Thru)								S	S	S	S				
Fueling Stations										P					
Furniture and Home Furnishings								P	P	P	P				
Garden Stores								P	P	P	P				
Hotel												S		S	S
Hotel, Extended Stay														S	
Indoor Retail Sales of Goods								P	P	P	P			S	S
Indoor Athletic Training and Recreation Facilities								P	P	P	P			S	S
Indoor Places of Entertainment and Amusement								P	P	P	P	S			
Indoor Dog Parks and Training Facilities														S	S
Laboratory														P	P
Medical and Dental Clinics								P	P	P	P		P	S	S

	R-1 S/F	R-2 S/F	R-3 S/F	R-4 Res/PD	A-1 M/F	A-2 M/F	A-3 M/F	B-1 Shopping	B-2 General	B-3 Automotive	B-5 Town Center	ITC	O-T Office Transition	I-1 Restricted	I-2 General
Microbrewery with Tasting Room / Brew Pub								C	C	C	P	S		C	C
Microdistillery with Tasting Room								C	C	C	P	S		C	C
Microwinery with Tasting Room								C	C	C	P	S		C	C
Mobile home and Trailer Sales and Rental										S					
Offices, Professional and Business								P	P	P	P	P	P	P	P
Personal Services								P	P	P	P				
Professional Offices												P			
Restaurants								P	P	P	P	P		S	S
Retail Use (accessory to Manufacturing uses up to 50% of Floor Area).														C	C
Retail Use (accessory to Manufacturing uses over 50% of Floor Area).														S	S
Surgery with Outpatient Care												S			
Truck Repair / Maintenance										C				C	C
Vehicle Internet Sales										P				C	C
Vehicle Repair / Maintenance										C				C	C
Veterinary Clinics								S	S					S	S
Industrial															
Antenna, Satellite Dish, Transmission Structures, Communication Structures														S	S
Asphalt / Concrete Plants															S
Cell Towers	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Clean Manufacturing												P		P	P
Data Center												P		P	P
Food Processing															S
Foundries, Nonferris															S
Light Assembly													S	P	P
Manufacturing / Storage of Weapons, Firearms, and Ammunition														S	S
Manufacturing, Toxic Chemicals.															S
Manufacturing, General														P	P
Manufacturing, Limited									S	S				P	P
Medical and Development												C		P	P
Microbrewery														P	P
Microdistillery														P	P
Microwinery														P	P
Mini-warehouse														S	S

	R-1 S/F	R-2 S/F	R-3 S/F	R-4 Res/PD	A-1 M/F	A-2 M/F	A-3 M/F	B-1 Shopping	B-2 General	B-3 Automotive	B-5 Town Center	ITC	O-T Office Transition	I-1 Restricted	I-2 General
Paper and Pulp Processing.															S
Petroleum Storage Facilities.															S
Precision Engineering												C		P	P
Recycling Facility														S	S
Research Laboratories												C		P	P
Smelting and Refining of Precious Metals.															S
Technology Based Operations												C			
Truck Terminals														S	S
Warehousing								S	S	S			S	P	P
Wholesale Sales Establishment														P	P
Warehousing, distribution, and Light Assembly of goods, products and supplies as an accessory Use to a Permitted Use within the District, when such accessory Use exceeds seventy- five (75%) percent of the Floor Area of the Building												S			
Miscellaneous															
Parking Lots, Public												S			
Planned Development	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Public Utility Facilities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Sexually Oriented Businesses									C	C					
US Postal Service Branch Office								P	P	P	P		P	P	P
Utilities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Accessory Uses															
Beauty / Barber Shops	P											P	P		
Convention and Meeting Facilities as an Accessory Use to Restaurant, Hotel or Office Buildings and not exceeding twenty percent (20%) of the Gross Floor Area of such use.												P	P		
Drive-Thru Accessory to Permitted Uses									S	S	S				
Drugstores	P											P			
Gift Shops	P											P			
Heliports and Public Transportation Facilities exclusive of service and maintenance facilities.												S			
Helistop	P											S			

Table 7-2: Land Use Table

	R-1 S/F	R-2 S/F	R-3 S/F	R-4 Res/PD	A-1 M/F	A-2 M/F	A-3 M/F	B-1 Shopping	B-2 General	B-3 Automotive	B-5 Town Center	ITC	O-T Office Transition	I-1 Restricted	I-2 General
Home Occupations	C	C	C	C	C	C	C								
Outdoor Dining associated with a permitted restaurant								C	C	C	C	C			
Outdoor Sales								C	C	C					
Outdoor Storage														C	C
Restaurants (without drive-thru)												P			

CHAPTER 8
ADMINISTRATION AND DEVELOPMENT REVIEW

8-1 - ORGANIZATION OF ORDINANCE ADMINISTRATION

8-1-A. This Zoning Ordinance is administered by the following, as identified in this Chapter and elsewhere in the Village Code:

1. Zoning Administrator
2. Zoning Board of Appeals
3. Plan Commission
4. Mayor and Board of Trustees

8-1-B. The following zoning processes administered by the Village are outlined in this Chapter:

1. Notice of Hearings
2. Appeals
3. Variations
4. Amendments
5. Special Uses
6. Development Approval in the A-3 Zoning District
7. Zoning Certificates
8. Site Plan Review
9. Fees

8-2 - ZONING ADMINISTRATOR AND APPOINTED BODIES

8-2-A. The Zoning Administrator:

1. **Zoning Administrator and Authority:** The Zoning Administrator or their designee is charged to administer and enforce this Ordinance. The Village of Elk Grove Village Director of Community Development is designated as the Village's Zoning Administrator and authorized to:
   - **a.** Issue all zoning certificates, certificates of occupancy, and permits required per this Ordinance and make and maintain records thereof;
   - **b.** Conduct inspections of buildings, structures, and land to determine compliance with this Ordinance, and notify in writing the person responsible for any violation found, indicating the nature of the violation and ordering the action necessary to correct it;
   - **c.** Inventory and as necessary order the discontinuance of non-conforming or illegal use of land, buildings, or structures; the removal of non-conforming or illegal buildings or structures or of illegal additions, or structural changes, or shall take any other action authorized by Illinois law or by this Ordinance to ensure compliance with or to prevent violation of its provisions;
   - **d.** Adopt and issue rules and procedures needed to effectively administer and enforce this Ordinance;
   - **e.** Maintain permanent and current records of this Ordinance, including, but not limited to all maps, amendments, Special Use permits, Planned Developments, variations, appeals, applications, and records of hearings and decisions;
   - **f.** Advise all persons seeking zoning information relating to the official plans of the Village;
   - **g.** Provide and maintain a source of public information relative to all matters arising out of this Ordinance;
   - **h.** Provide interpretations regarding the meaning and applicability of regulations in this Ordinance and maintain a record of those interpretations;

i. Receive, file, and forward to the Village Manager and either the Zoning Board of Appeals or Plan Commission as applicable, all applications for matters pertinent to this Ordinance. As needed the Zoning Administrator shall provide facts and information needed by these bodies to make findings and act on matters before them;
j. Initiate, direct, and review, from time-to-time, a study of the provisions of this Ordinance and make recommendations as such study requires;
k. Decide or make recommendations on all matters under Illinois State Law or this Ordinance upon which the Zoning Administrator is required to act; and
l. Authorize removal and replacement of non-conforming fences, provided the newly installed fence does not increase the extent of any non-conforming condition.

8-2-B. Zoning Board of Appeals:
Provisions governing the establishment and membership of the Zoning Board of Appeals are contained in Chapter 5- Board of Zoning Appeals of Title 2- Boards and Commissions of the Village Code. The word "Board", when used in this Section shall be construed to mean the Zoning Board of Appeals (ZBA).

1. Membership:
a. The Board shall consist of nine (9) members appointed by the Mayor with the approval of the Board of Trustees, and who shall be residents of the Village. The members shall serve for a term of four (4) years. One of the members of said Board shall be designated by the Mayor and Board of Trustees as Chair thereof and shall hold their office as Chair until their successor is appointed. Such Chair, or in their absence, the Acting Chair, may administer oaths of witnesses.
b. The Mayor shall have the power to remove any member of the Board for cause. Any member so removed shall have the right to a hearing before the Mayor and Board of Trustees with respect to the removal, upon a written request. Vacancies upon said Board shall be filled for the unexpired term of the member whose place has become vacant, in the manner provided in the Village Code for the appointment of such member.

2. Authority: The Zoning Board of Appeals shall have the following duties and powers:
a. Hear and consider requests for variations, not otherwise under the jurisdiction of the Plan Commission or reserved to the administrative authority of the Zoning Administrator, to this Ordinance and make recommendations to the Mayor and Board of Trustees on such matters;
b. Hear and consider appeals to determinations of the Zoning Administrator and recommend to the Mayor and Board of Trustees the affirmation or reversal of decision on such matters; and
c. Consider and report back regarding interpretations of this Ordinance or other zoning related matters on which the Mayor and Board of Trustees may request input.

3. Procedures:
a. Meetings: All meetings of the Zoning Board of Appeals shall be held at the call of the Chair and properly noticed. All hearings conducted shall be open to the public.
i. Minutes and Records: The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall also keep records of its hearings and other official actions. Findings of fact shall be included in the minutes of each case of a requested variation and the reasons for recommending or denying such variation shall be specified. Determinations and reasons for findings of other actions taken by the Board also shall be included in the minutes of each matter. Actions taken by the

Board shall be filed immediately in the Office of the Village Clerk and shall be a public record.

ii. Voting: A majority of those members in attendance at the Board meeting are required to affirmatively recommend a matter to the Mayor and Board of Trustees, and in all cases, the concurring vote of at least four (4) members shall be required for such recommendation.

iii. Rules of Procedure*:* The Board shall adopt its own rules of procedure not in conflict with ordinances of the Village or with the Illinois statutes in such case made and provided and may select or appoint such officers as it deems necessary.

4. **Fees:** All fees for petitions to the ZBA shall be as determined by the Mayor and Board of Trustees.

8-2-C. Plan Commission:

Provisions governing the establishment and membership of the Plan Commission are contained in Chapter 4-Plan Commission of Title 2-Boards and Commissions of the Village Code.

1. **Membership:** The Plan Commission shall consist of nine (9) members appointed by the Mayor with the approval of the Board of Trustees, and who shall be residents of the Village. The members shall serve for a term of four (4) years. One of the members of said Plan Commission shall be designated by the Mayor and Board of Trustees as Chair thereof and shall hold their office as Chair until their successor is appointed. Such Chair, or in their absence, the Acting Chair, may administer oaths of witnesses.

2. **Authority:** The Plan Commission shall have the following duties and powers:
   - **a.** Hear and consider requests for text or map amendments to this Ordinance and make recommendations to the Mayor and Board of Trustees on such matters;
   - **b.** Hear and consider requests for Special Uses under this Ordinance and make recommendations to the Mayor and Board of Trustees on such matters;
   - **c.** Hear and consider requests for Planned Developments under this Ordinance and make recommendations to the Mayor and Board of Trustees on such matters;
   - **d.** Hear and consider requests related to the subdivision of land and make recommendations to the Mayor and Board of Trustees on such matters;
   - **e.** Hear and consider other requests it is required to act upon under this Ordinance;
   - **f.** Prepare and recommend to the Mayor and Board of Trustees a Comprehensive Plan for the present and future development of the Village and contiguous unincorporated territory not more than one and one-half (1.5) miles beyond the corporate limits of the Village and not included in any other municipality. Such plan may be adopted in whole or in separate geographical or functional parts, each of which, when adopted, shall be the Comprehensive Plan, or part thereof, of the Village. Such plan shall be advisory except as to such part thereof as has been implemented by ordinances duly enacted by the Mayor and Board of Trustees;
   - **g.** To designate land suitable for annexation to the Village and the recommended zoning classification for such land upon annexation;
   - **h.** To recommend to the Mayor and Board of Trustees from time to time such changes in the Comprehensive Plan, or any part thereof, as may be deemed necessary;
   - **i.** To prepare and recommend to the Mayor and Board of Trustees, from time to time, plans, actions and/or recommendations for specific improvements in pursuance of the Comprehensive Plan;
   - **j.** To undertake such actions as directed by the Mayor and Board of Trustees in matters related land use, zoning, and the health, safety, and welfare of the community;

k. To hear requests for relief from requirements of this Ordinance in conjunction with any matter before them; and

l. To make recommendations to grant relief on variation requests otherwise reserved for the Zoning Board of Appeals that are included as relief under this Chapter on matters where the Plan Commission has original jurisdiction under this subsection 8-2-C.2.

3. Procedures:

a. Meetings: All meetings of the Plan Commission shall be held at the call of the Chair and properly noticed. All hearings conducted shall be open to the public.

i. Minutes and Records*:* The Plan Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall also keep records of its hearings and other official actions. Findings of fact shall be included in the minutes of each case taken by the Plan Commission. Actions taken by the Plan Commission shall be filed immediately in the Office of the Village Clerk and shall be a public record.

ii. Voting: A majority of those members in attendance at the Plan Commission meeting are required to affirmatively recommend a matter to the Mayor and Board of Trustees, and in all cases, the concurring vote of at least four (4) members shall be required for such recommendation

iii. Rules of Procedure: The Plan Commission shall adopt its own rules of procedure not in conflict with ordinances of the Village or with the Illinois statutes in such case made and provided and may select or appoint such officers as it deems necessary.

4. Fees: All fees for petitions to the Plan Commission shall be as determined by the Mayor and Board of Trustees**.**

8-2-D. Board of Trustees:

1. Board of Trustees Authority and Procedure. Except in the case of any matter reserved to the exclusive jurisdiction of the Zoning Board of Appeals or Plan Commission, the Board of Trustees has reserved for itself final decision-making authority, by ordinance duly adopted, for any matter the Board of Trustees reserves original jurisdiction to itself, pursuant to its home rule powers, or recommended to it by the Zoning Board of Appeals and Plan Commission under the following subsections of this Code:

a. Adoption of or amendment to the Comprehensive Plan or Official Map;
b. Appeals under subsection 8-3-B of this Code;
c. Variations under subsection 8-3-C of this Code
d. Amendments under subsection 8-3-D of this Code;
e. Special use permits under subsection 8-3-E of this Code;
f. Planned Developments under Chapter 5 of this Code; and
i. Any other matter under this Code determined, from time to time, to be in the exclusive legislative discretion of the Board of Trustees.

2. Meeting and Procedures.

a. All final decisions of the Board of Trustees under this Code will be made in a regular or special meeting of the board of trustees conducted pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., as amended.

b. Necessary Vote. The concurring vote of at least a majority of the currently elected trustees will be necessary to adopt any ordinance making a final decision approving any matter under their review within this Code. Any lesser vote on any such motion, even if a majority of those voting, will be considered a final decision to recommend denial of such matter.

8-3 ZONING ENTITLEMENT PROCEDURES

8-3-A. Hearing Notice and Procedures:

1. **Public Hearing Notice Requirements:** The following provisions shall apply to public hearings required by this Ordinance in addition to any other specific provisions set forth in the Ordinance:
   a. When the provisions of this Ordinance require a public hearing, the Village shall, upon receipt of a properly completed application, petition, or notice, fix a reasonable time and place for such hearing or meeting. Except as otherwise set forth herein, such hearing or meeting shall be commenced no later than sixty (60) days following the submission of a fully complete subject application, or petition, unless the hearing or meeting agenda of the Plan Commission or Zoning Board of Appeals is completely committed during that time.

   An application shall be considered fully complete only when all materials identified in this Ordinance, other relevant Village documents, and other pertinent data indicated as necessary by the Zoning Administrator have been provided to the Village. An application shall be considered compete only if the submitted material is deemed by the Zoning Administrator as sufficiently thorough to provide the information needed by the Village to support making an informed and accurate determination on the requested matter.

   b. The Plan Commission or Zoning Board of Appeals public hearing notice shall contain a description of the subject matter to be heard or considered at the hearing, a description of the requested action, the address or particular location of the subject development, the name and address of the applicant, the name and address of legal property owner if different from other information provided, and the time, place, and date of the hearing. The notice shall also contain a reference to the particular sections of this Ordinance involved.

   c. The Village Clerk shall give notice of the public hearing by mail to the owners of all properties within three hundred feet (300’), excluding road Right-of-way, of the property which is the subject of the application. Such notice shall be post marked not less than fifteen (15) days nor more than thirty (30) days in advance of the hearing and shall be sent by first class US Mail. Supplemental or additional notices may be required by the Zoning Administrator. Proof of mailing shall be in the form of an affidavit, in format approved by the Village’s Attorney, and shall be sufficient evidence of notice.

   d. The Village shall publish notice of the public hearing at least once, not more than thirty (30) days nor less than fifteen (15) days before the date for the hearing, in a newspaper of general circulation in the Village.

   e. The Village shall cause to be placed on the specific property of the public hearing a sign containing information regarding the public hearing. The sign shall be placed on the property a minimum of ten (10) days prior to the public hearing and shall not be removed until after completion of said hearing.

2. **Public Hearing Procedures:** The following provisions shall apply to public hearings required by this Ordinance, in addition to any other specific provisions set forth in the Ordinance or by procedures established by the hearing body**:**
   - **a.** All hearings shall be open to the public;
   - **b.** All testimony shall be given under oath;
   - **c.** Any interested person may appear and testify at a public hearing, either in person or by a duly authorized agent or attorney, and may submit documentary evidence; provided, however, that the Plan Commission or Zoning Board of Appeals may exclude irrelevant, immaterial, or unduly repetitious evidence;
   - **d.** The Plan Commission or Zoning Board of Appeals shall prepare and apply their own meeting procedures to further address processes related to testimony, continuation of the hearing and the order of testimony provided at hearings; and
   - **e.** A record shall be prepared of each public hearing for presentation to the Mayor and Board of Trustees and include: all notices, minutes or other comparable form or record, items submitted by applicants and those providing testimony, recommendation of the hearing body, staff reports and exhibits provided as part of the hearing.

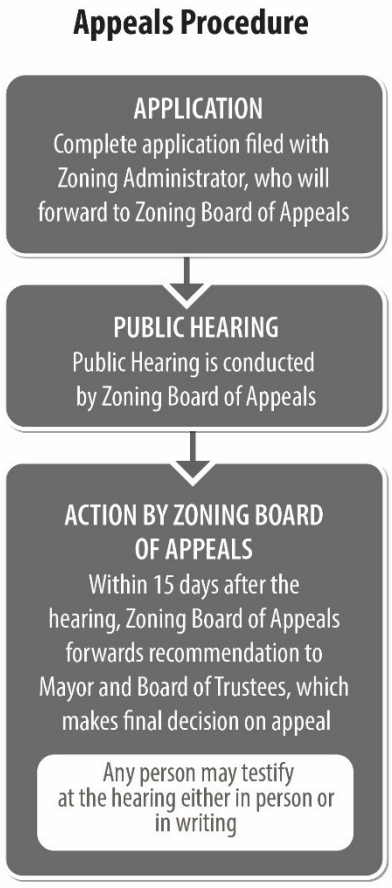
8-3-B. Appeals:

1. **Authority**: Appeals to determinations of the Zoning Administrator shall be heard by the Zoning Board of Appeals in a manner described in this Section.

2. **Purpose**: This appeal process is provided to mitigate against arbitrary or erroneous applications of this Ordinance by the Zoning Administrator and to avoid the need for legal action in resolving such actions. However, it is not meant to undermine the standards or intent of this Ordinance and the Zoning Board of Appeals and Mayor and Board of Trustees will give proper deference to the determination of the Zoning Administrator and those charged with applying this Ordinance, and to the spirit and intent of this Ordinance.

3. **Parties Entitled to Appeal**: An appeal may be taken to the Zoning Board of Appeals by any person, firm or corporation aggrieved or by a decision of the Zoning Administrator relative to this Ordinance.

4. **Procedures:** An appeal shall be filed, by application in a form defined by the Village Attorney, within thirty (30) days of formal written notice of a determination by the Zoning Administrator. The Zoning Administrator shall provide to the Zoning Board of Appeals all materials constituting the record upon which the action appealed from was taken.
   - **a.** An appeal shall stall all proceedings in furtherance of an action appealed from;
   - **b.** The Zoning Board of Appeals shall hold a hearing regarding the appeal at an established meeting or other date it may set and give written notice of no less than fifteen (15) days to the interested parties;



c. Within fifteen (15) days after the hearing, the Zoning Board of Appeals shall render a recommendation on the appeal to the Mayor and Board of Trustees, which shall make the final decision on the appeal; and

d. Any person may appear and testify at the hearing, either in person, in writing or by duly authorized agent.

5. Decisions:

a. The Zoning Board of Appeals shall recommend to the Mayor and Board of Trustees the reversal or affirmation, wholly or partly, or shall recommend to the Mayor and Board of Trustees the modification or amendment of the order, requirement, decision, or determination appealed from to the extent and in the manner that the Zoning Board of Appeals recommends to the Mayor and Board of Trustees to be fitting and proper in the premises.

b. A majority of those members in attendance at the Zoning Board of Appeals meeting and in all cases the concurring vote of at least four (4) members shall be required to recommend to the Mayor and Board of Trustees reversal of any order, requirement, decision or determination of the Zoning Administrator or recommend to the Mayor and Board of Trustees to decide in favor of the applicant any matter upon which it is authorized by this Ordinance to render a decision.

6. Fees: Any fees for petitions to the Zoning Board of Appeals shall be as determined by the Mayor and Board of Trustees.

7. Materials to be Submitted: Every application submitted for an appeal shall include the following information:

a. The owner's name, address, signed consent, and proof of ownership;

b. The applicant's name and address, if different than the owner, and their interest in the subject property;

c. The names and contact information of any professional consultants advising the applicant with respect to the application;

d. The common address of the subject property;

e. A description and / or graphic describing the proposal for which the appeal is being sought, and of the existing zoning classification, use and development of the subject property;

f. The Ordinance section and determination from which an appeal is sought;

g. A narrative of the specific situation giving rise to the original determination and the appeal; and

h. A statement of the applicant's position as to alleged errors in the order, decision, determination or failure to act being appealed and as to why the relief sought is justified.

8-3-C. Variations:

1. **Authority**: The Mayor and Board of Trustees shall have the authority to grant variations, by ordinance, based on the standards outlined in this Section and upon receiving a recommendation from the Zoning Board of Appeals.

2. **Purpose**: When a property owner shows that a strict application of the terms of this Ordinance relating to use, construction or alteration of buildings or structures or to the use of land imposes upon them practical difficulties or particular hardship, then the Zoning Board of Appeals may recommend to the Mayor and Board of Trustees that such variations of the strict application of the terms of this Ordinance as are in harmony with its general purposes and intent when the Zoning Board of Appeals is satisfied, under the evidence heard before it, that such variation, if granted by the Mayor and Board of Trustees, will not merely serve as a convenience to the applicant but is necessary to alleviate some demonstrable hardship or difficulty so great as to warrant a variation. Variations granted shall constitute the minimum relief necessary to relieve the particular hardship. Variations shall not be granted as temporary measures or to permit a use of land not authorized in the Zoning District.

3. **Variations to be Considered**: Variations may be granted to an owner, or person with a contractual interest in a property who also has authorization of the owner, in the following instances:
   - **a.** To allow relief from any elements of this Ordinance related to bulk standards set forth in Chapter 7, and summarized in Table 7-1, including: structure height, structure setback, floor area ratio, lot area, lot width, and ground coverage;
   - **b.** Fences;
   - **c.** Parking and loading standards outlined in Chapter 4;
   - **d.** To permit the reconstruction of a non-conforming building which has been destroyed or damaged to an extent of more than fifty percent (50%) of its value by fire, act of God or the public enemy where the Zoning Board of Appeals shall find in addition to the standards for variation below, some compelling public necessity requiring a continuation of the non-conforming use; and
   - **e.** To interpret the provisions of this Ordinance where the street layout actually on the ground varies from the street layout as shown on the Zoning Map.

4. **Procedures:**
   - **a.** Applications for variations shall be filed through procedures determined by the Village and as defined in this Ordinance. Application forms shall be provided in forms approved by the Village Attorney.
   - **b.** Public Hearing: A public hearing before the Zoning Board of Appeals shall be set, noticed and conducted in keeping with the meeting and notice provisions of this Chapter.

c. Action by the Zoning Board of Appeals: Within thirty- five (35) days of the close of the public hearing, the Zoning Board of Appeals shall provide to the Mayor and Board of Trustees its recommendation to approve, approve with conditions, or deny the variation application. Failure to do so within thirty-five (35) days, or longer period if agreed to by the applicant, shall be deemed a recommendation for denial of the variation.

d. Action by the Mayor and Board of Trustees: Following receipt of a recommendation by the Zoning Board of Appeals, the Mayor and Board of Trustees will either deny the application or, by ordinance, approve the application or approve the application with modifications or conditions, or remand the application back to the Zoning Board of Appeals for additional consideration.

e. If the application for variation is denied, similar application for relief may not be brought before the Village for a period of one year.

5. **Standards for Variations:** The Village may consider granting a variation where, by reason of an exceptional situation, surroundings or condition of a specific piece of property the strict application of any provision of this Ordinance would result in exceptional practical difficulties or particular hardship upon the owner, as distinguished from an inconvenience. The Zoning Board of Appeals shall submit to the Mayor and Board of Trustees a recommendation and findings of fact for each variation it hears based on the following considerations:

a. Unique Physical Condition: The presence of unique physical conditions related to the lot, structure and / or planned use that create a hardship or practical difficulty for the applicant to meet the established requirements of this Ordinance. The applicant must present evidence how such unique hardship or practical difficulty is more impactful to meeting the requirements of this Ordinance than a mere inconvenience.

b. Impact: Granting a variation will not substantially impact use and enjoyment of adjacent or nearby properties by impairing an adequate supply of light and air, increasing the risk from fire or other public safety hazard, diminish property values, etc.

c. Not Self Imposed: The conditions creating the hardship or practical difficulty are a result of application of this Ordinance, and not self-imposed, having been created by the applicant or by another on behalf of the applicant.

d. Use of Property: Use of the property possible under the standards of this Ordinance, without receiving the requested variation, would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provisions. This standard is distinguished from the understanding that application of zoning standards may create somewhat increased development costs; which do not constitute, in and of themselves, a cause to grant a hardship.

e. Community Character: Granting a variation will not impair the public health, safety, morals, comfort and welfare of the people, nor shall the essential character or trend o of development in the area be disrupted by granting the requested variation. This includes notable deviations to a surround area of changes such as building height and setback, traffic, landscaped area, building orientation, or established aesthetic standards.

6. **Conditions on Variations:** The Zoning Board of Appeals may recommend and the Mayor and Board of Trustees may impose specific conditions related to the requested variation such as landscaping, screening or other improvements or limitations as needed or appropriate to prevent or mitigate adverse impacts on adjacent properties or the general area. Failure to comply with such conditions will be grounds for the Mayor and Board of Trustees to revoke the variation.

7. **Limitations on Variations:**
   - **a.** Granting of a variation does not constitute any other rights related to the subject property. All other Village processes and approvals must be met, including but not limited to: Building Permits, subdivision approval, authorization of occupancy, or authorization of zoning.
   - **b.** Unless a time extension is granted by the Mayor and Board of Trustees, no variation granted from the provisions of this Ordinance is valid for a period longer than one hundred eighty (180) days unless a Building Permit has been issued and construction has begun. In order for the variation to remain valid after the one hundred eighty (180) day time period, a certification of completion or occupancy must be issued by the Village, and work on a project for which the variation was granted must be pursued diligently to completion.

8. **Materials to be Submitted:** Every application submitted for a variation shall include the following information:
   - **a.** The owner's name, address, signed consent and proof of ownership;
   - **b.** The applicant's name and address, if different than the owner, and their interest in the subject property;
   - **c.** The names and contact information of any professional consultants advising the applicant with respect to the application;
   - **d.** The common address of the subject property;
   - **e.** A description and thorough graphic describing the proposal for which the variation is being sought and of the existing zoning classification, use and development of the subject property;
   - **f.** The specific item(s) that require variation;
   - **g.** The Ordinance section cited and described from which a variation is sought and the exact variation being sought;
   - **h.** Description of the subject property characteristics preventing compliance with the specified Ordinance regulation;
   - **i.** Explanation of how the requested relief is the minimum variation necessary to permit the proposed use, construction, or development;
   - **j.** A statement of how the variation sought would satisfy each of the standards in Subsection 5 above;
   - **k.** A current survey, certified by a registered land surveyor, showing existing lot lines and dimensions as well as lot area, all easements, all public and private rights-of-way and all streets across and adjacent to the subject property; and
   - **l.** A narrative indicating how the request is in keeping with the Village's Comprehensive Plan and Official Map. Where the approval being requested does not conform to these, reasons justifying the approval despite the lack of conformity shall be provided.

8-3-D. Amendments:

1. **Authority**: The regulations imposed, and the Zoning

Districts created by this Ordinance may, from time to time, be amended by an ordinance passed by the Mayor and Board of Trustees after receiving a recommendation from the Plan Commission. An application for amendment may be filed by the Mayor and Board of Trustees, Plan Commission, or Zoning Administrator. The owner of a property or contractual interest in a property with the authorization of the owner may file for an amendment to the Zoning Map, and any interested person may propose an amendment to the text of this Ordinance.

2. **Purpose**: Amendments to this Ordinance are primarily intended to revise or refine the Zoning Ordinance or Zoning Map as needed to keep it a current and effective tool for development regulation. Amendments should reflect new conditions or newly identified situations, technologies, business approaches or unexpected conditions. The amendment process is to relieve a particular difficulty for an individual applicant, as such changes affect other aspects of the Ordinance and /or surrounding properties.

3. **Procedures:**
   - **a.** Applications for amendments shall be filed through procedures determined by the Village and as defined in this Ordinance. Application forms shall be provided in forms authorized by the Village Attorney.
   - **b.** Public Hearing: A public hearing shall be set before the Plan Commission, noticed and conducted in keeping with the meeting and notice provisions of this Chapter.
   - **c.** Action by the Plan Commission: Within twenty-one (21) days of the close of the Public Hearing, the Plan Commission shall provide to the Mayor and Board of Trustees its recommendation to approve, approve with conditions, or deny the amendment application. Failure to do so within twenty-one (21) days, or longer period if agreed to by the applicant, shall be deemed a recommendation for denial of the amendment.
   - **d.** Action by the Mayor and Board of Trustees: Following receipt of a recommendation by the Plan Commission, the Mayor and Board of Trustees will either deny the application, remand the matter back to the Plan Commission for further deliberation, approve the application, by ordinance, or approve the application with modifications or conditions, by ordinance.
   - **e.** If the application for amendment is denied, similar application for relief may not be brought before the Village for a period of one year.

4. **Standards for Amendments**: In considering the appropriateness of amendments to the Village's Zoning Ordinance text or Zoning Map, the following standards shall be considered. The Plan Commission shall submit to the Mayor and Board of Trustees a written recommendation and findings of fact for each matter it hears based on the following considerations:
   - **a.** Consistency and potential impact on the existing use of land and zoning classifications in proximity to the subject property or the Zoning District overall. The amendment

should not unreasonably affect the value, use and enjoyment of properties;

b. Amendments should be a logical extension of the trend of development in the area around the subject property or appropriate to the Zoning District or Ordinance section to which the text amendment is pertinent;

c. Consistency with the Village's Comprehensive Plan, Official Map, and all other plans and policies adopted by the Village;

d. Relevant physical or market conditions that may have changed to make the existing zoning inappropriate and the proposed rezoning in keeping with the reasonable development of the Village; and

e. The extent to which use of the subject property or relevant properties in the case of a text amendment is diminished by the current zoning standards or designation, and no longer suitable for the underlying zoning.

5. Materials to be Submitted:

a. Every application submitted for an amendment shall include the following information:

i. The owner's name, address, signed consent and proof of ownership;

ii. The applicant's name and address, if different than the owner, and their interest in the subject property;

iii. The names, addresses and telephone numbers of all professional consultants, if any, advising the applicant with respect to the application;

iv. The common address of the subject property;

v. A description and / or graphic describing the proposal for which the amendment is being sought and of the existing zoning classification, use and development of the subject property; and

vi. A statement of how the amendment sought would satisfy each of the standards in Section 4 above.

b. Applications submitted for a text amendment shall include the following information.

i. The exact wording of the proposed text amendment;

ii. A statement of the need and justification for the proposed text amendment; and

iii. A narrative indicating how the request is in keeping with the Village's Comprehensive Plan and Official Map. Where the approval being requested does not conform to these, reasons justifying the approval despite the lack of conformity shall be provided.

c. Applications submitted for a map amendment shall include the following information:

i. The existing uses and zoning classifications of properties in the vicinity of the subject property;

ii. Indication of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed map amendment;

iii. Indication of adequate utilities and essential public services to the subject property to accommodate the uses permitted under the proposed zoning classification;

iv. Description of the length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property; and

v. The community need for the proposed map amendment and for the uses and development it would allow.

8-3-E. Special Uses:

1. Authority: Special Use permits may be granted by the Mayor and Board of Trustees to

authorize development of uses identified as Special Uses in the regulations applicable to the Zoning District in which the subject property is located. Such approval shall follow a recommendation to the Mayor and Board of Trustees by the Plan Commission. An application for a Special Use permit may be filed by the owner of a subject property, or any person having a contractual interest in, and authorization of the owner.

2. **Purpose**: Some uses of land may have a particular impact or unique characteristic that merit consideration given their proposed location, site layout, design, and other factors in light of surrounding uses of land, infrastructure, and natural characteristic. In reviewing Special Uses, the Village shall evaluate such proposals carefully, and may attach conditions to such requests prior to approval. Such approval shall consider the potential impact to the surrounding properties and the overall community as compared to public need and potential benefit.

3. **Procedures:**
   - **a.** Applications for Special Uses shall be filed through procedures determined by the Village and as defined in this Ordinance. Application forms shall be provided in forms authorized by the Village Attorney.
   - **b.** Public Hearing: A public hearing shall be set before the Plan Commission, noticed and conducted in keeping with the meeting and notice provisions of this Chapter.
   - **c.** Action by the Plan Commission: Within twenty-one (21) days of the close of the Public Hearing, the Plan Commission shall provide to the Mayor and Board of Trustees its recommendation to approve, approve with conditions, or deny the Special Use application. Failure to do so within twenty-one (21) days, or longer period if agreed to by the applicant, shall be deemed a recommendation for denial of the Special Use application.
   - **d.** Action by the Mayor and Board of Trustees: Following receipt of a recommendation by the Plan Commission, the Mayor and Board of Trustees will either deny the application or, by ordinance, approve the application or approve the application with modifications or conditions.
   - **e.** If the application for Special Use is denied, similar application for relief may not be brought before the Village for a period of one year.

4. **Standards for Special Uses**: In considering the appropriateness of a Special Use, the following standards shall be considered. The Plan Commission shall submit to the Mayor and Board of Trustees a recommendation and findings of fact for each matter it hears based on the following considerations:
   - **a.** Consistency and potential impact on the existing use of land in proximity to the subject property. The Special Use should not unduly impact adjacent or nearby properties or the general health, safety, and welfare of the general area and overall community. Impacts to be considered include ingress and egress to the site, potential traffic impacts

from cars and trucks, and impacts to the appearance and character of the area;

b. Consistency with the Village's Comprehensive Plan, Official Map, and all other plans and policies adopted by the Village;

c. The proposed plan and site design are in keeping with relevant elements of the Elk Grove Village Industrial Commercial Revitalization Master Plan Update;

d. Special Uses should be a logical extension of the trend of development in the area around the subject property and shall not interfere with the use and development of adjacent or nearby properties;

e. Adequate public facilities and services are available to serve the Special Use and the property on which it is located; including storm water, sanitary sewer, water service, public safety service, and waste disposal services; and

f. The on-site development design should be understandable to users, safe, and maintainable in terms of road and pedestrian patterns, preservation of natural features and incorporating such features into a maintainable development, and providing adequate parking, loading, and site maintenance.

5. **Conditions on Special Uses**: The Plan Commission may recommend, and the Mayor and Board of Trustees may impose specific conditions related to the requested Special Use such as landscaping, screening or other improvements or limitations as needed or appropriate to prevent or mitigate adverse impacts on adjacent properties or the general area. Failure to comply with such conditions will be grounds for the Mayor and Board of Trustees to revoke the Special Use.

6. **Limitations on Special Uses:**

a. Granting of a Special Use does not constitute any other rights related to the subject property. All other Village processes and approvals must be met, including but not limited to: Building Permits, subdivision approval, authorization of occupancy, or authorization of zoning;

b. Unless a time extension is granted by the Zoning Administrator, no Special Use granted under the provisions of this Ordinance is valid for a period longer than one hundred eighty (180) days unless a Building Permit has been issued and construction has begun. In order for the Special Use to remain valid after the one hundred eighty (180) day time period, a certification of completion or occupancy must be issued by the Village, or work on a project for which the Special Use was granted must be pursued diligently to completion;

c. The Zoning Administrator may grant a one hundred eighty (180) day extension for the issuance of a Building Permit, per subsection 6b above, if the applicant provides cause for said delay. If at the end of the one hundred eighty (180) day extension a Building Permit is not secured and work initiated, the Zoning Administrator may grant a second one hundred eighty (180) day extension for a permit to be issued and work begun;

d. If a Building Permit has not been secured and work diligently begun within twelve (12) months of approval of the Special Use, the Mayor and Board of Trustees may consider and take action to rescind the Special Use Permit;

e. Amendments to Special Uses: A Special Use granted by the Village may only be amended, varied or altered through the procedures for Special Uses set out in this Ordinance, as if it were a newly requested Special Use, unless the requested changed is determined by the Zoning Administrator to be in substantial conformance with the initial approval;

f. Authority to Transfer Special Uses to New Owners: A Special Use granted by the Village shall only be valid for the owner / operator to whom the Special Use is granted, rather than the property on which the use is located; and

g. Discontinuance: A Special Use shall automatically expire and no longer be in effect if the use to which it was granted, for any reason, is discontinued for a period of six (6) months or greater.

7. **Materials to be Submitted:** Every application submitted for a Special Use shall include the following information:
   a. The owner's name, address, signed consent, and proof of ownership;
   b. The applicant's name and address, if different than the owner, and their interest in the subject property;
   c. The names, addresses and telephone numbers of all professional consultants, if any, advising the applicant with respect to the application;
   d. The common address of the subject property;
   e. A description and / or graphic describing the proposal for which the appeal is being sought and of the existing zoning classification, use and development of the subject property;
   f. A written statement of the need for the Special Use permit;
   g. A statement of how the Special Use sought would satisfy each of the standards in Section 4 above; and
   h. A current survey, certified by a registered land surveyor, showing existing lot lines and dimensions as well as lot area, all easements, all public and private rights-of-way and all streets across and adjacent to the subject property.

8-3-F. Zoning Certificates:

1. **Authority:** Prior to review of any application for a non-single-family residential zoning approval, Building Permit, or occupancy permit in cases where reuse of an existing facility does not require a Building Permit, the Zoning Administrator shall determine that the application conforms with the regulations of this Ordinance and certifies such by issuance of a Zoning Certificate.

2. **Purpose:** Implementation of Village plans, policies and ordinances related to the built environment depends, in part, on compliance with the regulations of this Ordinance. This includes, but is not limited to, ensuring that land uses are located appropriately within the Village, parking and loading standards are met, and bulk and aesthetic standards are met.

3. **Procedure:**
   a. The owner, occupant, or user, prior to using premises and the issuance of an occupancy certificate, or any subsequent owner, occupant, or user, shall submit an application for same detailing the nature of the proposed use on forms approved by the Village Attorney. The application shall include a certification by the owner or a licensed engineer that the proposed use will conform to all standards of this Zoning Ordinance;
   b. The Zoning Administrator, upon receipt of the application, shall conduct a review of relevant zoning standards within twenty-one (21) days, or advise the proposed user as to reasons for refusal of issuing the certificate, need for additional information, or reasons for any delay;

   c. Upon notification from the Zoning Administrator authorizing issuance of a Zoning Certificate, the applicant shall have thirty (30) calendar days to respond and accept the Zoning Certificate. Should the applicant fail to respond within thirty (30) calendar

days, the application shall be considered voided;

d. Zoning Certificate shall be valid only so long as the use is made of the premises for which issued and provided the information submitted to obtain same is accurate and complete. The Village shall not be prevented by the issuance of the certification from terminating same if the use made of the premises is not in conformity with the certificate or Village Ordinances; and

e. The fee for the Zoning Certificate review shall be as established from time to time by the Mayor and Board of Trustees, plus such additional out of pocket costs reasonably incurred should outside consultants, testing facilities or the like be necessary.

8-3-G. Site Plan Review

1. **Authority**: In cases authorized in Subsection 3a below, the Zoning Administrator may, in keeping with the procedures and standards set out in this Section, grant site plan review approval to uses and developments requiring such consideration. Site plan review approval is not required for applications considered through a Special Use process, as those matters are reviewed at the Plan Commission. Applications for site plan review approval may be brought by the owner of a property, or persons with a contractual interest in a property, and having authorization of the owner.

2. **Purpose**: Site plan review addresses uses and developments appropriate for a Zoning District but considers that there may be potential adverse impacts for how a site is designed or used, and that require a more detailed evaluation than is otherwise incorporated into the Building Permit, life safety, and related considerations. The standards and procedures in this Section are designed to provide a thoughtful and efficient evaluation of such development applications.

3. **Procedure:**

a. Site Plan Review Required: The Zoning Administrator shall conduct site plan review as outlined in this Section for the following developments:

- **i.** New multiple-family residential development;
- **ii.** Renovation to multiple family residential sites that involve reconfiguration of parking areas, drive aisles, building access or other vehicular areas;
- **iii.** New non-residential development; and
- **iv.** Renovation to non-residential sites that involve reconfiguration of parking areas, drive aisles, building access or other vehicular areas.

b. Appeal: In the case of a site plan review application being denied by the Zoning Administrator, an appeal to the denial may be sought pursuant to the appeal process outlined in this Ordinance.

c. Zoning Administrator Reviews:

- **i.** Application: Applications for site plan review approval by the Zoning Administrator will be considered filed with the Village as part of a Building Permit application for matters noted in subsection 3a above.
- **ii.** Action by Village: Based on review of the application, the Zoning Administrator will either: approve the site plan as submitted; approve it subject to conditions based on the standards noted below, with a written explanation to the applicant or deny approval of the site plan based on written findings provided to the applicant and considering standards below. The failure of the Zoning Administrator to act within said sixty (60) days, or such further time to which the applicant may agree, will be deemed to be a decision denying the site plan as submitted. In reviewing a

submitted site plan regarding the standards below, the Zoning Administrator may suggest alternative site plan or design approaches that could address specified deficiencies or may note that such deficiencies that cannot be avoided would have minimal adverse impact on the property or nearby properties.

iii. Effect of Village Action: Approval of a site plan by the Zoning Administrator, acceptance of required modifications by the applicant, or agreement by the applicant and Zoning Administrator on an approach to address required modifications will constitute final action regarding site plan review. All other Village Building Permit and Ordinance requirements must still be met for the proposed construction. The action of the Zoning Administrator in denying an application for site plan approval or in approving a site plan subject to modifications that are not acceptable to the applicant, which action the applicant may treat as a denial, will be considered authorization for the applicant to seek approval of the site plan by way of the appeal procedure set forth in this Ordinance.

iv. Appeals: If the Zoning Administrator denies a site plan review application and the applicant wishes to appeal that denial, the applicant shall file such appeal with the Zoning Administrator within forty-five (45) days of the date of the formal denial.

v. Time Constraints: Unless an extension is granted by the Zoning Administrator as a result of written request by the applicant showing good cause and external factors necessitating an extension, no site plan or design approval will be valid for a period longer than six (6) months unless a Building Permit is issued. Within one year of site plan review approval, construction must have begun and if not completed be actively pursued to completion.

4. **Standards for Site Plan Review**: In considering a site plan submitted for review pursuant to this Section, the Zoning Administrator will consider the following standards:
   - **a.** The application must be complete as specified in this Ordinance, other Village regulations, or other requirements specified by the Village;
   - **b.** Any other application for approval by the Village or other jurisdiction relevant to items considered under site plan review must be successfully secured;
   - **c.** The proposed site plan or design is logical, safe and facilitates clear understanding of travel and circulation within the property, as well as to and from the site by vehicles, pedestrians, and bicyclists;
   - **d.** The site plan and design must be in keeping with the Industrial Commercial Revitalization Master Plan Update;
   - **e.** The proposed site plan and design do not interfere with easements or rights-of-way, or create traffic hazards or congestion on surrounding public streets;
   - **f.** The proposed site plan or design does not adversely impact use and enjoyment of surrounding properties;
   - **g.** Outdoor storage is adequately screened and located on the property;
   - **h.** The proposed site plan or design does not create drainage or erosion problems;
   - **i.** The proposed site plan or design should not place unreasonable burdens on Village or other utility systems serving the site or area. The site plan should integrate site utilities into the overall existing and planned utility systems serving the Village;
   - **j.** The proposed site plan or design must provide for required public improvements as may be directed in this Ordinance or Village planning documents;
   - **k.** The proposed site plan or design shall not otherwise adversely impact the public health, safety or general welfare; and
   - **l.** The site design does not require use of any street adjacent to the property for vehicle

maneuvering to conduct off-street loading.

5. **Modifications:**
   - **a.** During development of the site, the Zoning Administrator will have authority to authorize any adjustment to an approved site plan or design that could have been authorized in the course of the original site plan review.
   - **b.** Amendments to Site Plan or Design Following Completion of Development; After a site is developed in accordance with an approved site plan and design, the approved site plan may be amended, varied, or altered in the same manner and subject to the same limitations as provided for the original approval of site plans.

6. **Submittal Requirements:** Every application submitted for site plan review will contain the following information, except that the Zoning Administrator may waive items deemed unnecessary or require additional information as needed to conduct the review:
   - **a.** The owner's name, address, signed consent and proof of ownership;
   - **b.** The applicant's name and address, if different than the owner, and their interest in the subject property;
   - **c.** The names, addresses and telephone numbers of all professional consultants and contractors, if any, relevant to the application;
   - **d.** The common address and legal description of the subject property;
   - **e.** A description and/or graphic describing the proposal for which site plan approval is being sought and of the existing zoning classification, use and development of the subject property;
   - **f.** A graphic rendering of the existing conditions, which depicts all significant natural, topographical and physical features of the subject property including drainage Structure and pattern, relevant soil conditions, and topographical contours at one foot intervals;
   - **g.** The location, use, size and height in stories and feet of structures and other land uses on adjacent properties;
   - **h.** Data and related calculations concerning proposed structures and existing structures that will remain, including:
     - **i.** Location, size, use and height;
     - **ii.** Where relevant, gross floor area and floor area ratio;
     - **iii.** Where relevant, number and size of dwelling units, by dwelling unit type and number of bedrooms; and
     - **iv.** Building coverage.
   - **i.** Yard and setback dimensions and dimensions related to the height, width and depth of any structure, as well as proximity to property lines;
   - **j.** A vehicular and pedestrian circulation plan showing the location, dimensions, gradient and number of all vehicular and pedestrian circulation elements;
   - **k.** All existing and proposed drainage, retention, and detention facilities, and existing and proposed utilities and easements;
   - **l.** Location, size and arrangements of all outdoor signs and lighting;
   - **m.** Location and height of fences, screens, or plantings intended as screens and the type or kind of building materials or plantings to be used for fencing or screening;
   - **n.** Location, designation, and total area of all usable open space;
   - **o.** A detailed landscaping plan, showing location, size and species of all trees, shrubs and other plant material;
   - **p.** A traffic study, if required by the Zoning Administrator; and
   - **q.** Building elevations and floor plans.

8-4 - FEES / PENALTIES

8-4-A. Fees:

1. Fees Established. Every application filed pursuant to this Ordinance will be subject to a non-refundable application fee in the amount established by the Mayor and Board of Trustees, as amended from time to time.

2. Applicants will also be responsible to cover the actual cost, as hereinafter defined, incurred by the Village in Processing an application.

3. The owner of the property which is the subject of the application and, if different, the applicant, will be jointly and severally liable for the payment of all fees.

8-4-B. Penalties:

1. Penalties: Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance shall, upon conviction thereof, be fined up to seven hundred and fifty dollars ($750.00) for each and every offense. A separate offense shall be deemed committed on each day a violation occurs or continues.

2. Additional Remedies: In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this Ordinance, the Village Attorney, in addition to other remedies, may institute any proper action or proceedings, in the name of the Village to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business or use in or about said premises.

   Upon finding the existence of any violation of this Code, the Zoning Administrator, or its designee, will have the authority and duty to take or direct all actions necessary or appropriate to punish and abate such violation.

CHAPTER 9
NON-CONFORMING USES, STRUCTURES, AND LOTS

9-1 - General Provisions
Purpose: This Chapter regulates continuation of uses, structures, and lots established prior to the effective date of this Ordinance that do not conform to its current relevant regulations.

9-2 - Non-Conforming Uses of Land
Non-conforming uses of land may be continued subject to the following regulations:

9-2-A: Only that portion of the property, either land or structure, in actual use as a nonconformity may be continued; said non-conforming use may not be extended, enlarged, substituted, or moved, except when required to do so by law or order or so as to comply with the provisions of this Ordinance.

9-2-B: Whenever a non-conforming use on any property has been discontinued for a period of twelve (12) consecutive months or eighteen (18) cumulative months within a thirty-six (36) month period, any future use of the structure, land, or property, shall conform to the provisions of this Ordinance.

9-2-C: A non-conforming use shall not be changed to another or different non-conforming use.

9-2-D: A structure containing a non-conforming use or related equipment may be maintained to keep the use in compliance with applicable Village nuisance ordinances and the environmental performance standards of this Ordinance.

9-2-E: Once a non-conforming use has been changed or altered so as to comply with the provisions of this Chapter, it shall not revert back to a non-conforming use.

9-2-F: A structure that is accessory to a non-conforming use of land may be maintained or repaired to keep the use and accessory structure in compliance with applicable Village nuisance ordinances and the performance standards of this Ordinance. Such structure may not be altered or enlarged.

9-3 - Non-Conforming Structures
Non-conforming structures may remain in use subject to the following regulations:

9-3-A: Normal repairs, maintenance, renovations, additions, and enlargements to existing non-conforming structures are permitted and shall conform with the established building setback lines along streets and the yard, height, parking, loading and access provisions of this Ordinance. No alterations to an existing non-conforming structure may increase the extent of the nonconformity**.**

9-3-B: A non-conforming structure damaged by any means not within the control of the owner thereof, may be restored, unless the damage exceeds fifty percent (50%) of the replacement value of the structure, in which case, it must thereafter conform to this Ordinance. The Zoning Administrator shall determine the amount of damage.

9-3-C: Proposed structures for which Building Permits have been issued prior to their designation as non-conforming by the effective date of this Ordinance may be completed and used as originally intended subject to these non-conforming provisions.

9-3-D: Once a non-conforming structure has been changed or altered so as to comply with the provisions of this Chapter, it shall not revert back to a non-conforming structure.

9-3-E: Non-Conforming Fences: All fences heretofore lawfully constructed and not in conformity with this Ordinance shall be deemed non-conforming structures and may continue to exist. A non-conforming fence may be repaired or replaced as long as the new fence or parts of said fence are constructed to the same state they existed in at the time of repair or replacement including but not limited to the fence height and location. A non-conforming fence may not be altered or enlarged in such a manner that would increase the extent of the nonconformity.

9-4 - Non-Conforming Lots

Non-conforming lots of land may be continued subject to the following regulations:

9-4-A: When upon change of owner, change of use, or due to site redevelopment, a lot is in substantial conformance with the intent and purpose of this Code as determined by the Zoning Administrator, it may remain.

9-4-B: An individual lot of record in existence at the time of the adoption of this Chapter which can fulfill at least eighty (80%) percent of the required lot area and at least eighty (80%) percent of the required lot width may be developed for a use permitted within the zoning district in which the lot is located, provided that it can be developed in full compliance with the yard requirements.

CHAPTER 10
ENVIRONMENTAL PERFORMANCE STANDARDS

10-1 - Purpose

This Chapter provides that no property or structure shall be used or occupied to create any dangerous, injurious, and noxious condition that may adversely affect the adjoining properties or surrounding area. All uses permitted by this Ordinance may be undertaken and maintained if acceptable measures and safeguards are employed to limit objectionable aspects to acceptable limits, as established by the following performance standards and other requirements of the Village Code.

10-2 - Performance Standard Review Certification

1. **Definition**: As part of the Zoning Certificate required per Section 3-1-D of this Ordinance, a Performance Standard Review shall be conducted by the Zoning Administrator, or their designee to determine that proposed land uses can meet the performance standards of this Chapter.

2. **Process:** Prior to receiving a Certificate of Occupancy, the owner or user of all non-residential properties shall submit an application detailing the nature of the proposed use on forms prepared by the Village and as approved by the Village Attorney. The application shall include a certification by the owner or a licensed engineer that the proposed use will conform to the performance standards defined in this Chapter.

   The Zoning Administrator, upon receipt of the application, shall issue a Performance Standard Review Certification within twenty-one (21) days or advise the applicant as to reasons for refusal or delay. In the event of an adverse decision, the applicant shall have a right of appeal to the Zoning Administrator

   A Performance Standard Review Certification shall be valid only for the use and user evaluated, and only so long as the information submitted for said use remains accurate and complete. The Village may terminate a Performance Standard Review Certification if use of the premises is not in conformity with the Zoning Certificate or Village Ordinances.

3. **Fee and Cost Recapture**: The fee for a Performance Standard Review Certification shall be as established from time to time by the Mayor and Board of Trustees. In addition to such fee, any additional costs incurred by the Village for outside consultants, testing facilities or other assistance necessary to evaluate whether a use will meet the standards of this Chapter, or that a use of property continues to meet the standards of this Chapter shall be reimbursed to the Village by the property owner.

10-3 - Compliance with Provisions

All uses currently existing or established in the Village shall be operated in such a manner as to comply with the applicable performance standards defined in this Chapter. No use already established on the effective date of this Ordinance shall be so altered or modified as to conflict with the applicable environmental performance standards of this Chapter.

10-3-A. Noise: The following requirements shall apply to all uses:

1. Sound pressure levels shall be in keeping with current State of Illinois standards as prescribed by the Illinois Pollution Control Board (Subtitle H: Noise), as may be amended from time to time.

2. Exceptions: The following activities shall be exempted from the rules and regulations of this section:

   a. Sound emitted from emergency warning or safety devices;
   b. Sound emitted from lawn care maintenance equipment used during daylight hours;
   c. Sound emitted from vehicles, snowblowers and similar equipment used for snow removal and hauling operations;
   d. Sound emitted from equipment being used for construction between the hours of seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M., of each day, or for such additional hours as may be authorized by the Zoning Administrator; and
   e. Sound emitted from trucks and vehicles entering or leaving industrial zoned property, except as may be caused by idling engines, off the road vehicles, mixers on ready mix concrete trucks, trailer mounted refrigeration units or similar devices.

3. Trash Collection: No trash collection may be conducted prior to seven o'clock (7:00) AM on sites adjacent to a residential property.

10-3-B. Vibration: The following requirements shall apply to all uses**:**

1. Any process or equipment that produces intense earth-shaking vibrations such as are created by drop forges, hydraulic surges or other processes shall be set back at least five hundred (500') feet from the property boundaries on all sides, except for a property line adjoining an I-2 Zoning District. However, in no case shall such vibrations be allowed to create a Public Nuisance as regulated by Title 4, Chapter 2 of the Village Code, as may be amended from time to time, or hazard beyond the property boundaries.

2. Exceptions: The provisions of this Section shall not apply to sound emitted from equipment being used for permitted construction between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M., of each day.

10-3-C. Air Pollution: Any visual emissions, particulate matter emissions, odor, airborne toxic material and other air pollution shall meet the current standards of the Illinois Pollution Control Board; Title 35, Subtitle B, Air Pollution, Chapter I, Pollution Control Board, as may be amended from time to time.

10-3-D. Toxic Substances: Regulations pertaining to all toxic substances shall be as follows:

1. Definitions:
   a. Highly Toxic Substances: A highly toxic substance is hereby defined as chemical or substance that is listed as an Extremely Hazardous Substance by the Environmental Protection Agency (EPA), as may be amended from time to time.
   b. Toxic Substance: Any gas, liquid, solid, semisolid substance or mixture of substances, which if discharged into the environment could, alone or in combination with other

substances likely to be present in the environment, cause or threaten to cause bodily injury, illness or death to members of the general public through ingestion, inhalation, or absorption through any body surface. In addition, substances which are corrosive, irritants, strong sensitizers, or radioactive substances other than highly toxic radioactive substances) shall be considered toxic substances for the purposes of this regulation.

2. Regulation:

a. Highly Toxic Substances: The storage, use or handling of highly toxic material as defined in 10-3-D-1a shall be as required by applicable regulations of the Illinois Pollution Control Board, the ICC Codes as adopted by Elk Grove Village, the National Fire Protection Association - National Fire Codes as adopted by Elk Grove Village, and all other applicable Village regulations and ordinances, as adopted or amended from timeto time.

b. Toxic Substance: The use, storage, handling or transport of toxic substances as defined 10-3-D-1b shall comply with applicable regulations of the Illinois Pollution Control Board, the National Fire Protection Association - National Fire Codes as adopted by Elk Grove Village, the ICC Codes as adopted by the Village, and all other applicable Village regulations and ordinances, as may be adopted or amended from time to time.

c. Permit Required: Any person, firm or corporation engaged in the use, storage, handling or transportation of highly toxic substances shall be required to obtain a permit from the Elk Grove Village Fire Department. Permit applicants shall provide all information as determined necessary by the Fire Department to ascertain compliance with the above referenced and adopted rules and regulations. The Fire Department shall make an inspection of the applicant's premises to determine such compliance prior to the issuance of the permit.

10-3-E. Water Pollution: All land uses shall comply with all applicable rules and regulations of the State of Illinois Pollution Control Board regarding water pollution, Title 35, Subtitle C, entitled Water Pollution, as may be amended from time to time**.**

10-3-F. Fire and Explosion Hazards: Materials that present potential fire and explosive hazards shall be transported, stored, and used only in conformance with all applicable federal, state and Village laws, as may be amended from time to time**.**

10-3-G. Storage and Use of Materials: The storage, use or manufacture of materials referenced in this subsection shall be regulated as follows:

1. The storage, use or manufacturing of materials or products conducted within completely enclosed buildings shall be in keeping with the ICC Codes adopted by Elk Grove Village and any other applicable Ordinances.

2. The storage or utilization of flammable liquids and gases shall be conducted only in accordance with all applicable federal, state, and Village laws.

3. All flammable liquid and gas storage tanks shall be a minimum of fifty feet (50') from all lot lines.

4. All equipment storage areas shall be graded for proper drainage and provided with an all-weather surfacing maintained at all times in such a manner as to prevent the release of dust and to be free of dust, trash and debris.

10-3-H. Odor: The release of materials intrinsically odorous or capable of being odorous, either by bacterial decomposition or chemical reaction, which renders it perceptible from beyond the zoning lot shall be regulated per Section 4-2-2:A of the Village Code: Offensive Smells, as may be amended from time to time.

10-3-I. Sewage Waste: Sewers and sewage discharge shall meet the appropriate Village Codes and all IEPA requirements.

10-3-J. Electromagnetic Interference: Electromagnetic interference from any equipment or business operations shall not adversely affect the operation of any equipment located on adjacent or nearby properties.

10-3-K. Glare: All lighting shall meet the following requirements**:**

1. All lighting sources shall be arranged to reflect light away from adjoining properties in a manner that does not produce glare clearly visible beyond a property line so as to cause nuisance or impairment of vision. Glare is best reduced when the light source is not visible from adjacent properties. Therefore, the use of lenses, deflectors, shields, louvers, or prismatic control devices shall be used to eliminate nuisance and hazardous lighting to facilitate compliance with this requirement.

2. In all residential zoning districts, no light source shall cause illumination in excess of one- half (1/2) Foot-candle at any property lot line.

3. In all zoning districts other than residential districts, no light source shall cause illumination in excess of one (1) foot-candle at any property lot line.

CHAPTER 11
LANDSCAPING AND SITE DEVELOPMENT STANDARDS

11-1 - PURPOSE

This Chapter establishes minimum site development and landscaping regulations for all office, business and industrial uses and multiple-family residential uses of six (6) dwelling units or greater. The regulations establish standards for screening more intensive uses to protect abutting properties, on-site landscaping, and the maintenance thereof. The provisions of this Chapter shall not supersede screening or landscaping provisions of the Subdivision Control Ordinance, other sections of this Zoning Ordinance, or the Industrial Commercial Revitalization Master Plan Update, but shall be deemed additive to those standards.

11-2 - APPROVAL FOR SCREENING AND LANDSCAPING PLANS

Prior to the issuance of any Building Permit for regulated development noted in section 11-1, the developer shall submit to the Village a screening and landscaping plan evidencing compliance with the terms and conditions of this Chapter. Such plan must be approved by the Zoning Administrator and, where applicable, recommended by the Plan Commission and approved by the Mayor and Board of Trustees as indicated below:

11-2-A. Landscape Screening Abutting Single-Family Residential Uses. Landscape plans prepared for all office, business and industrial uses and multiple-family residential uses of six (6) dwelling units or greater that are abutting any areas zoned for single family residential use, shall be forwarded for review to the Plan Commission. The Plan Commission shall consider the extent to which the landscaping plan mitigates any adverse views or other impacts on the single-family property and make a recommendation of such to the Mayor and Board of Trustees. Upon receiving the Plan Commission recommendation, the Mayor and Board of Trustees may approve, deny, or approve with conditions the submitted landscaping plan. The Mayor and Board of Trustees may also choose to refer the landscape plan back to the Plan Commission for further deliberation and recommendation.

11-2-B. Landscape Screening of Structures and Equipment. Landscaping plans prepared for purposes of screening structures and equipment in all office, business and industrial uses and multiple-family residential uses of six (6) dwelling units or greater shall be considered and approved by the Zoning Administrator, or their designee, to evaluate the extent to which the proposed landscape screening plan eliminates or substantially mitigates visibility of the structure or equipment from the public right-of-way and adjacent properties.

11-3 - TRANSITIONAL SCREENING REQUIREMENTS: All office, business and industrial uses and multiple-family residential uses of six (6) dwelling units or greater in business, office transitional, innovation and technology center, industrial and multi-family zoning districts abutting areas zoned for residential use, shall install and maintain an opaque screen along all lot lines adjacent to such residential use. Except as otherwise provided, it shall have a total height of not less than six (6') feet nor more than eight (8') feet. Where there is a difference in elevation on opposite sides of the screen, the height shall be measured from the highest elevation. A screen shall consist of one or more of the following types or as otherwise recommended by the Plan Commission and approved by the Mayor and Board of Trustees.

11-3-A. Berms: A berm may be banked on both sides or with one side banked toward the lot line with a retaining wall. A berm shall not be less than ten (10') feet wide at the base and shall be constructed of earthen materials and landscaped**.**

11-3-B. Plants: Plant materials, when used as a screen, shall consist of dense evergreen plants, deciduous plants, and any mixture the Plan Commission recommends. Plant materials shall be of a kind and used in such a manner as to provide screening having a minimum width of three (3') feet within eighteen (18) months after initial installation. Plant materials will not be limited to a maximum height. The Zoning Administrator may require that additional plantings be installed if, after eighteen (18) months after installation, plant materials have not formed a one hundred (100%) percent screen or such a screen is not maintained.

11-3-C. Fencing: Fencing type and location shall be as allowed by this Ordinance, or as recommended by the Plan Commission and approved by the Mayor and Board of Trustees**.**

11-4 - SCREENING OF ACCESSORY STRUCTURES AND EQUIPMENT: Screening of all accessory structures and equipment shall be required on all properties in business, office transitional, multi-family, and innovation and technology center zoning districts. Screening shall be required for all properties in industrial zoning districts when, as determined by the Zoning Administrator, such accessory structures or equipment are visible from any street or residentially zoned property**.**

11-4-A. Screening of Trash and Recycling Receptacles

1. The screening shall consist of solid material screening or screen wall(s) having a minimum height of eight feet (8'), or as required by the Zoning Administrator in order to adequately screen the conditions described in this Section.

2. Materials used for screening shall be solid masonry, stone, or equivalent material as determined by the Zoning Administrator and complement the architecture of the principal structure.

3. Materials and architectural character for enclosures that are attached to buildings shall be designed as a screen wall compatible with the principal structure. If enclosures are to be attached to buildings, they shall comply with applicable Fire and Building codes.

4. Enclosure openings directly visible from a public right-of-way and/or adjoining residentially zoned property shall have a solid material gate.

5. The Zoning Administrator shall determine whether proposed screening of trash and recycling receptacles satisfy the screening requirement as set forth in this subsection and mitigate views of the receptacles from the public right-of-way or adjacent residentially zoned property.

11-4-B. Screening of Ground Mounted Equipment

1. All ground mounted equipment shall be screened by fencing, berms, plantings, screen wall or any combination thereof, to sufficiently obscure such equipment from view from all adjacent streets and residentially zoned property.

2. All fences installed to satisfy the screening requirement set forth in this Section shall be approved by the Zoning Administrator based on whether views of said equipment from the public right-of-way or adjacent residentially zoned property have been mitigated.

11-4-C. Screening of Roof Mounted Equipment

1. All roof mounted equipment shall be screened by the use of an opaque screening material or screen wall compatible with the architecture of the building, or architecturally designed screening elements such as a parapet wall. The screening of the roof-mounted equipment shall be designed to blend with the building and roof materials.

2. Roof mounted equipment located such that equipment at the center of the building may not be seen from adjacent public thoroughfares or residentially zoned property shall be considered screened, based on a determination of the Zoning Administrator that the objectives of this subsection have been met.

3. A determination as to whether the roof mounted equipment is adequately and appropriately screened shall be made by the Zoning Administer based on visibility of said equipment from adjacent roadways. The height of a required screen wall to accomplish this objective shall be determined upon the discretion of the Zoning Administrator so long as the overall height of the structure and screening element does not exceed limitations set forth in Table 7.1 of this Ordinance.

11-4-D. Screening of Loading Docks, Service Yards, and Exterior Work or Storage Areas

1. Loading docks, service yards, and exterior work or storage areas shall be screened from view from public rights-of-way and adjacent lots.

2. The screening shall consist of solid material screening or screen wall(s) having a minimum height of eight feet (8'), or as required by the Zoning Administrator in order to adequately screen the conditions described in this section.

11-4-E. Screen Walls: Where permitted for screening of accessory structures or equipment, screen walls shall be constructed of the same material as the principal structure. The location and height of the screen wall shall be determined by the Zoning Administrator so as to meet the objectives of this Section for screening accessory structures and equipment from view**.**

11-5 - LANDSCAPING REQUIREMENTS

11-5-A. Landscaping: Landscaping consisting of standard, Village-approved evergreen and deciduous trees and shrubs in combination with vines, ground cover and grass shall be installed and maintained according to the standards hereinafter set forth; provided, however, that said requirements shall not be applicable to industrial uses which are adjacent to other industrial uses or industrial districts on all sides, unless adjacent to the following roadways:

- Oakton Street
- Busse Road
- Devon Avenue
- Elmhurst Road
- Higgins Road
- Landmeier Road

In meeting the standards of this section, the Industrial Commercial Revitalization Master Plan Update (ICRC Plan) shall be used to determine the most appropriate level of planting and

design format of landscaped areas. Determination as to whether the submitted landscaping plans are in keeping with the standards of the ICRC Plan shall be made by the Zoning Administrator.

1. General Site Landscaping Requirements. The following landscaping regulations shall apply to all uses other than single-family residential:

a. All earthen areas outside of prescribed planting areas shall be covered with sod or other approved live ground cover, stone and gravel are not approved surfaces. Areas within prescribed planting areas shall be mulched or regularly spaded to eliminate weeds;

b. Boundary landscaping for newly constructed structures or developments is required for a minimum depth of ten (10') feet from the right-of-way line along all abutting streets or rights-of-way, except for the openings and the areas within ten (10') feet on either side of street openings. Within this boundary landscaping area, there shall be the equivalent of at least one standard tree and eight (8) standard shrubs for each forty (40') feet of total street frontage, planted in an aesthetically attractive manner and practical arrangement along the frontage. To the extent practicable, these shall include any existing standard trees or shrubs within the boundary landscaping area;

c. Additional landscaped areas equal to at least five percent (5%) of the total area of the parcel is required. Within this area, the equivalent of at least one standard tree and one standard shrub is required for each five hundred (500) square feet or fraction thereof of an area to be landscaped; and

d. Where it has been determined that site constraints related to site size, impacts from adjacent properties, visibility required for businesses, or safe operations exist which may limit the ability of a particular site to conform to requirements herein, the Zoning Administrator may evaluate the proposal and make a determination for alternative compliance. Allowed alternatives shall be found by the Zoning Administrator to be of equal or greater design quality as what would have otherwise been installed per the requirements of this Ordinance.

2. Landscaping for Parking and Loading Areas:

All parking and loading areas, including any associated equipment shall be properly screened and landscaped as listed within this Chapter. All landscaping plans and plant material for parking and loading areas shall be approved by the Zoning Administrator so as to be in keeping with the standards of the ICRC.

a. General Parking Lot Landscaping

i. Lots with less than five (5) parking spaces are not subject to the parking area landscaping provisions of this Section.

ii. The Zoning Administrator shall have the authority to waive or reduce the landscaping provisions and requirements of this Section upon receipt of a written request for such waiver. The Zoning Administrator shall only waive or reduce the standards of this Section upon finding that there exist unique circumstances, a particular hardship related to site size, impacts from adjacent properties, visibility required for businesses, or safe operations, and that granting relief will not have the effect of changing the character of the general area.

b. Interior Parking Lot Landscaping

i. Landscaping must be dispersed throughout the parking area. A portion of the required landscaping may be located so as to provide screening of loading areas;

ii. One standard tree for each twenty (20) parking spaces is required. Spacing shall be subject to approval of the Zoning Administrator;

iii. A curbed landscape island equal to or greater in size to the adjacent parking spaces shall be provided at least every fifteen (15) parking spaces based on a

single row of such spaces;

iv. A curbed landscaped island with at least one tree shall be required at the end of all parking rows, and shall be equal to or greater in size to the adjacent parking spaces; and

v. Tree planting islands or curbed landscaped planter bed areas shall be installed and maintained. Spacing shall be subject to approval through the Site Plan Review process outlined in Chapter 8 of this Ordinance.

c. Perimeter Parking Lot Landscaping

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

ii. A strip of grass not less than three feet (3') wide shall be maintained at the property line so that this area can be regularly mowed and maintained.

d. Pedestrian Access

i. All parking lots with two (2) or more double- loaded rows must provide internal pedestrian walkways within the Parking Area and outside of the parking row;

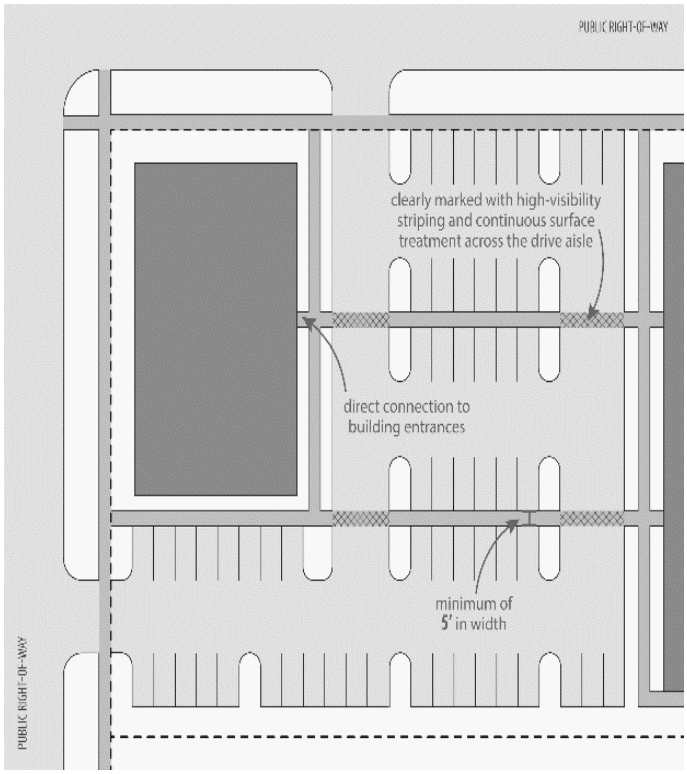
ii. The walkway must be a minimum of five feet (5') in width;

iii. One walkway is required for every two (2) double loaded aisles;

iv. The walkway must be located within the parking area to serve the maximum number of parking stalls;

v. All walkways must meet ADA accessibility requirements;

vi. All parking lots must include walkways that provide direct connections to building entrances from the spaces furthest from the entrance. At least one walkway must provide a direct connection between the building entrances and the adjacent public rights-of-way and associated sidewalk; and



vii. All pedestrian walkways must be clearly marked with high-visibility striping or alternative materials. Where walkways cross a drive aisle, the walkway must have a continuous surface treatment across the drive aisle.

11-5-B. Landscaping Maintenance Requirements: All landscape elements as defined within this Chapter located on any zoning lot shall be regularly cared for and maintained free from any physical deterioration so as to maintain the originally intended design character and quality, and to not become a nuisance or hazard to any person, personal property, or public or private utility, infrastructure, or improvement. The following apply to landscape maintenance:

1. The owner of the premises shall be responsible for the maintenance, repair, and replacement of all landscape materials, fences, steps, retaining walls, similar landscape elements, and refuse disposal areas. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants, when necessary, and the regular watering of all plants and grass;

2. Any dead, unhealthy or missing plants shall be replaced within thirty (30) days of

notification by the Village, unless an extension is permitted by the Zoning Administrator;

3. The Village may remove or have removed any landscape element or portion thereof which encroaches or overhangs into any public right-of-way, drainage, and/or utility easement;
4. Fences and walls shall be maintained in good repair. Openings within the barriers may be required by the Village for accessibility to an area for necessary maintenance; and
5. Changes to any approved site or landscape plan shall require Village approval in keeping with the processes specified in this Chapter.